



Bardowie Industrial Precinct, Hautapu

**Section 42A Hearing Report
5 November 2018**

**Report on Private Plan Change No.11 and Submissions and
Further Submissions**

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Executive Summary

Bardowie Investments Limited (BIL) has applied for a private plan change to rezone 56.7ha of Deferred Industrial and Rural Zone at Hautapu to Industrial Zone. A key driver for the plan change is to provide a site with sufficient scale and logistical attributes for the relocation and amalgamation of Hamilton based APL which is a major window and door manufacturing business.

As a private plan change, BIL has taken the lead role in promoting the framework for the District Plan provisions and infrastructure solutions to enable the precinct to be developed. This has involved consultation with Waipa District Council, Future Proof, Hamilton City Council, the Waikato Regional Council, Kiwi Rail, the NZ Transport Agency, adjoining landholders and other stakeholders.

BIL is seeking approval from Kiwi Rail to allow use of the existing railway corridor to form the southern access connection and it is anticipated that this will be confirmed as part of the hearings process.

The provision of infrastructure and services for the industrial precinct has been assessed including impacts of other growth cell areas and the surrounding C10 Growth Cell. While there are some technical matters to further refine and confirm, it is considered that the precinct can be serviced with appropriate three waters infrastructure and that this can be managed in such a way that it does not compromise the future supply and service provision to other areas.

The industrial land allocation policies of the Regional Policy Statement and Council's own Waipa 2050 and District Plan provide a framework for industrial land allocation. Waipa District Council has recently reviewed its planning framework and has retained the updated C10 Growth Cell as part of its decisions on Plan Change 5. The Bardowie plan change has been assessed against the alternative land release policies identified in the Regional Policy Statement and it is considered that the plan change can satisfy these provisions.

With respect to other planning matters, further consideration of the Campus Hub and the planning rules to manage the effects of activities at the interface of the precinct with surrounding landholdings are required. There are also matters associated with noise, the urban design criteria, heritage sites and cultural protocols which need to be confirmed.

Overall, there are significant benefits for the district in facilitating this type of plan change which will enable a necessary industrial land resource to be developed. It is further considered that the outstanding infrastructure and planning matters are capable of resolution and further evidence can be provided to confirm these matters as part of the hearings process.

1. Introduction

- 1.1 This report is prepared in accordance with section 42A of the Resource Management Act 1991 ('the Act'). This report considers the merits of the Private Plan Change request from Bardowie Investments Limited for the Bardowie Industrial Precinct at Hautapu and submissions and further submissions ('submissions') that were received by Waipa District Council ('the Council').
- 1.2 Section 2 outlines the purpose of the hearing and provides background to Private Plan Change 11 (PPC11).
- 1.3 Section 3 provides the statutory and policy context for the matters to be considered and determined through the hearings process.
- 1.4 Section 4 to Section 12 provides an analysis of the submissions including recommendations and the individual submission points. Associated with each topic is a table of submissions and further submissions with the recommended decision on whether the submission should be accepted, accepted in part or rejected. These tables are found in **Appendix 1**.
- 1.6 By way of clarity this is a report on the merits of the plan change and submissions that contains recommendations to the Hearing Commissioners. The Hearing Commissioners will make decisions based on the submissions that have been lodged and all information presented at the time of the hearing. The recommendations made in this report are not the Commissioner's decision.
- 1.7 A set of technical memos have been prepared by the Council project team to help guide and inform the assessment of the PPC11 and the recommendations on the submissions and further submissions. The technical memos and found in **Appendix 2** and include:
- Assessment of Traffic Generation and proposed roading network and connections.
 - Assessment of three waters infrastructure and servicing.

2. Hearing Scope

- 2.1 PPC11 proposes changes to the zoning and planning framework for subdivision and development of land within the proposed industrial precinct. The primary amendments sought to the Waipa District Plan are found in Section 7 – Industrial Zone, however the proposed changes affect a number of rule and plan provisions given the interrelated nature of the rule mechanisms and the relationship with the Structure Plan section of the District Plan. The scope of PPC11 and the hearing therefore extends across the following sections of the District Plan:
- Section 7 – Industrial Zone
 - Section 14 – Deferred Zone
 - Section 15 – Infrastructure, Hazards, Development and Subdivision
 - Section 20 – Health and General Amenity
 - Section 21 – Assessment Criteria and Information Requirements
 - Appendix S1 - Growth Cells, Staging, Preconditions for Release and Infrastructure Requirements for revised Growth Cell C10
 - New Appendix S19 – Bardowie Industrial Precinct

Background to Private Plan Change 11

- 2.2 Bardowie Investments Limited (BIL) has lodged a private plan change to enable a new Industrial Zone to be established at Hautapu. The plan change area is located to the east of Victoria Road and contains approximately 56.7ha and is shown in Figure 1 (over page).
- 2.3 The current zoning of the site is Deferred Industrial Zone and Rural Zone. The whole site is located within the C8 growth cell as set out in Appendix S1 of the Waipa District Plan (WDP). The C8 growth cell has recently been part of a review by Council through the Council initiated Plan Change 5 with the decisions due to be released prior to the hearing on PPC11.
- 2.4 The plan change will enable APL Limited (which is a major aluminium windows and door manufacturer) to consolidate their administration, sales, manufacturing and distribution sites in Hamilton and amalgamate and relocate these activities to Hautapu. The proposed APL site will be the first development stage of the proposed industrial precinct created by the plan change site.
- 2.5 The primary components of Private Plan Change 11 (as notified) are:
- Rezoning 30ha of Deferred Industrial and 26.7ha of Rural land to Industrial Zone;
 - Within the Industrial Zone, provision of 16.3ha for a ‘Campus Hub’ which will provide an area for visitor accommodation, conference facilities, healthcare and childcare facilities, offices and retail activities;
 - Implementation of specific urban design guidelines;
 - Reduced area of the 10m height restriction around the external boundaries of the site;
 - Uplifting of provisions for ‘Motorway Service Centre Area’ and Deferred Zone rule mechanisms;
 - Amendments to the policy and activity status provisions specific to the proposed precinct;
 - Amendments to the rule mechanisms controlling noise and signage;
 - Specific staging conditions for development across the precinct including integration with infrastructure provision and supply; and
 - Reinstatement of the original C8 Growth Cell (if required).
- 2.5 It is important to note that BIL has proposed a number of changes to the plan change in response to submissions and matters raised by Council. The following report and assessment will address the plan change as notified and as amended by the BIL submission.

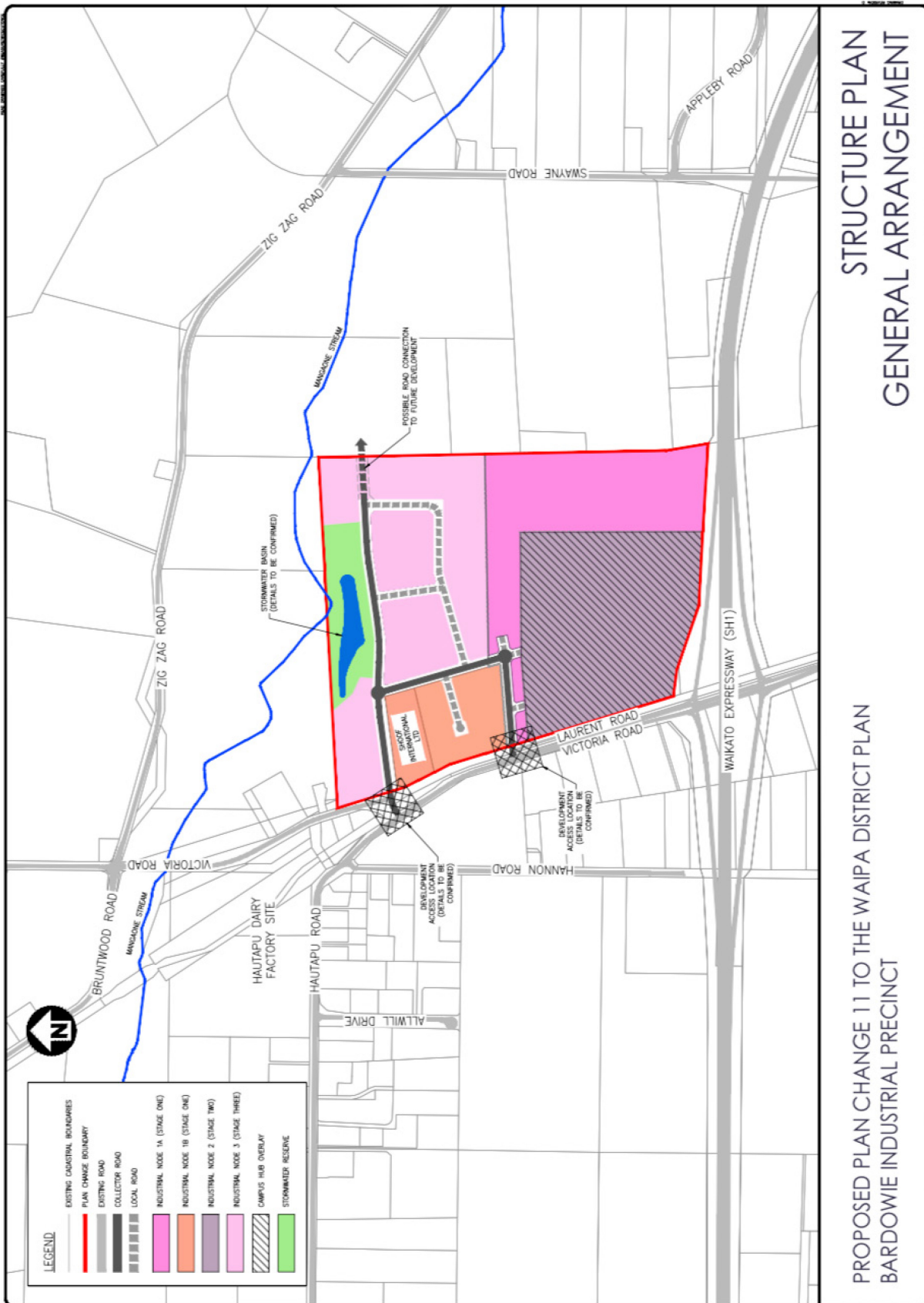


Figure 1: Bardowie Structure Plan (as originally proposed and notified).

3. Statutory and Policy Context

Resource Management Act 1991 (RMA)

3.1 The purpose of the RMA is set out in section 5 and is to promote the sustainable management of natural and physical resources. Sustainable management means:

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

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

3.2 In the context of this report the natural resources of the District include the land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all physical resources including infrastructure. The careful management of these resources is vital in order to enable the community to provide for their social and economic well-being in an appropriate way and at an appropriate rate. In order to achieve this purpose it is necessary to manage the pattern of land use and the provision of infrastructure, as well as environmental effects.

3.3 Under section 32 of the RMA Council must examine whether the objectives of the proposal and its provisions are the most appropriate way for achieving the purpose of the Act. This assessment was set out in the 'Section 32 Report' that supported the proposed plan change at the time of notification. Pursuant to section 32AA of the Act a further evaluation will be taken in support of the release of decisions on the proposed plan change.

3.4 Section 6 of the Act requires all persons exercising functions and powers under the Act in relation to managing the use, development, and protection of natural and physical resources, to recognise and provide for matters of national importance. It is considered that the plan change is consistent with Section 6.

3.5 Section 7 of the Act identifies other matters that particular regard is to be given to. As set out in the section 32 report, those matters of key relevance to the plan change include '(a) kaitiakitanga', '(b) the efficient use and development of natural and physical resources', '(c) the maintenance and enhancement of amenity values' and '(i) the effects of climate change'. It is considered that the plan change is not inconsistent with these matters.

3.6 Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account during decision-making. Local tangata whenua have been engaged over the course of the development of the plan change and their feedback is summarised in the section 32 report. Overall it is considered the principles of the Treaty have been taken into account.

3.7 The purpose of a District Plan (section 76) is to assist councils to carry out their functions in order to achieve the purpose of the Act. The functions of district councils are listed in section 31 of the Act and include:

- Integrated management of the effects of the use, development and protection of land and associated natural and physical resources of the District.
 - The control of any actual or potential effects of the use, development, or protection of land.
- 3.8 The purpose and contents of the plan change are consistent with the purpose of a district plan pursuant to section 76 of the Act.

National Policy Statement on Urban Development Capacity

- 3.9 The National Policy Statement on Urban Development Capacity 2016 (NPS UDC) directs local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space, based on whether the local authority is considered 'high growth', 'medium growth' or simply the 'rest of New Zealand'. Waipa District Council is classified as 'high growth' and as such all policies are relevant to Waipa District.
- 3.10 The NPS UDC was developed by the Ministry for the Environment and the Ministry of Business, Innovation and Employment. The plan change seeks to provide for the NPS UDC by increasing the land available for industrial development in accordance with the NPS UDC and industrial demand projections within the Future Proof Sub-regional Growth Strategy and the Waipa 2050 District Growth Strategy projections.

Operative Waikato Regional Policy Statement

- 3.11 Section 75 of the Act requires district plans to give effect to any relevant Regional Policy Statement. Regional Policy Statements are required to achieve the purpose of the Act 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.
- 3.12 The alignment of PPC11 with the Waikato Regional Policy Statement, particularly Objective 3.12 - *Development of the Built Environment* and Policy 6.14 *Adopting the Future Proof land use pattern*.

Te Ture Whaimana o Te Awa o Waikato – Waikato River Vision and Strategy

- 3.13 Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River was developed by the Waikato River Guardians Establishment Committee, iwi and communities of the Waikato River catchment. The Waikato River co-management legislation (Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010 and the Ngāti Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 (Upper River Act)) establishes the Vision and Strategy in law. The Vision and Strategy is the primary direction setting document for the Waikato River including its catchment which includes most of the Waipā District.

- 3.14 The Vision and Strategy is deemed to be part of the Waikato Regional Policy Statement (and therefore must be given effect to by the district plan).
- 3.15 Council has joint management agreements in place with several iwi that have rohe within the district. BIL has discussed and provided information on the draft plan change in accordance with the joint management agreements and the Schedule 1 process of the RMA.

4. Analysis of Submissions

- 4.1 A total of 23 submissions and 7 further submission were received on PPC11. The submissions and further submissions have been grouped into topic areas and this report will adopt this same topic area format.
- Whole of Plan Change Submissions
 - Section 7 (of the District Plan) – Industrial Zone
 - Section 14 – Deferred Zone
 - Section 15 – Infrastructure, Hazards, Development and Subdivision
 - Section 20 – Health and General Amenity
 - Section 21 – Assessment Criteria and Information Requirements
 - Appendix S1 – Growth Cells, Staging and Preconditions for Release and Infrastructure Requirements
 - Appendix S19 – Bardowie Industrial Precinct Structure Plan
- 4.2 The key issues for the plan change are discussed in three topic areas, being the *Whole of Plan Change Submissions*, *Section 7 - Industrial* and *Appendix S19 – Structure Plan*. Given the interrelated nature and format of the District Plan, there is some overlap with the submissions which have been lodged on the plan changes across the various District Plan sections. This report has grouped the common issues to avoid repetition as much as possible.

Correspondence From Submitters

- 4.3 BIL has been proactive with meeting with submitters and seeking resolution of submitter issues. This has included the provision of additional information on the plan change. Since the close of submission, Council has received correspondence from Future Proof [Sub:12], Davies [Sub:09] and the Cambridge Community Board [Sub: 20] responding to the additional information. Future Proof advise that their concerns over the Regional Policy Statement and land allocations have been addressed and they no longer wish to be heard. Davies advise that they are now comfortable with the proposed access and their own property access from Victoria Road however they note that approval from Kiwi Rail has not been obtained for the southern access. The Cambridge Community Board advise that they support the proposed changes with the Campus Hub and that they do wish to speak at the hearing. The correspondence is provided as **Appendix 3**.

5. Whole of Plan Change Submissions

5.1 Overview

5.1.1 A number of submissions have been lodged to PPC11 providing general perspectives on the merits of the plan change and in many instances these perspectives are linked to more specific submission points.

5.1.2 For the purpose of this topic discussion and analysis, seven subtopics have been identified and will be discussed separately. These are;

- General Submissions in Support
- General Submissions in Support (Qualified by issue)
- Scale and Function of the Campus Hub
- Traffic Generation, Access and Road Network
- Roading and Service Connections to Other Growth Cell Properties
- Potential Effects on Surrounding Land Use and Properties
- Cultural and Heritage effects

5.2 General Submissions in Support

5.2.1 Submissions were received from Laurent [Sub:1], Ogle Enterprises Limited [Sub:2], Giltrap Buildings Limited [Sub:4], BIL [Sub:13], Cambridge Chamber of Commerce, and Anglesea Properties Limited [Sub:8] supporting the Plan Change with generic reasons and discussion on industrial land supply and the positive benefits associated with employment and economic development.

5.2.2 There are further submissions from the Henmar Trust [FS:30] which present a wide range of submission points against the plan change and also provides general support subject to appropriate provision for connection to their site and also that the updated C10 Growth Cell is reinstated. Fonterra [FS:26] has also made a further submission which provides general support and identifies specific matters which are of interest to them including reverse sensitivity and the need to ensure that the precinct is predominantly focused on industrial activities.

5.2.3 It is recommended that the original submissions be accepted in part subject to the amendments proposed to the plan change recommended in this report. There will be broad benefits in terms of industrial land supply and economic development by accepting the plan change.

5.3 General Submissions In Support (Qualified by Issue)

5.3.1 A number of submissions have been received which provide general support for PPC11 however specific topic or issues are identified which qualify the general submission point. In many cases these issues are subject to more detailed submissions to specific parts of PPC11.

5.3.2 As these matters are considered to be key matters for determination, this report will address each of these in turn and the subsequent discussions on the detailed submission points will refer back to these matters to avoid duplication of the assessment.

Alignment of PPC11 to Regional Policy Statement(RPS) and Existing Growth Cells

5.3.3 Hamilton City Council (HCC) [Sub:17], Future Proof [Sub:12], the Waikato Regional Council (WRC) [Sub:07] and the Henmar Trust [FS:30] all raise queries in relation to the alignment of PPC11 with the provisions of the RPS. In some cases, further analysis and assessment is requested in relation to the timing and staging of the proposed industrial land release.

5.3.4 BIL as the proponent of PPC11 has lodged further submissions and has also provided additional material¹ to support the analysis of PPC11 and its alignment to the RPS.

5.3.5 The provisions of the RPS are significant in that they set the regional direction for growth and development across the Waikato region. Importantly, the District Plan is subservient to the RPS and the District Plan must give effect to the RPS².

Waikato Regional Policy Statement

5.3.6 It is appropriate to outline some of the key provisions from the RPS:

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.*

Policy 6.14 Adopting Future Proof land use pattern

Within the Future Proof area:

...

- 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;*

¹ Memorandum from Mitchell Daysh dated 24 October 2018.

² S.73(3)c of the RMA

- 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*

5.3.7 The RPS provides Development Principles (Rule 6A) and tables that provide explicit quantum’s of land supply across the region

Table 6-2: Future Proof industrial land allocation

Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area) ¹	Industrial land allocation and staging (ha)			Total Allocation
	2010 to 2021	2021 to 2041	2041 to 2061	2010 to 2061 (ha)
Rotokauri	85	90	90	265
Ruakura	80	115 ²	210 ²	405
Te Rapa North	14	46	25	85
Horotiu	56	84	10	150
Hamilton Airport	74	50	0	124
Huntly and Rotowaro	8	8	7	23
Hautapu	20	30	46	96
TOTAL HA	337	423	388	1148

¹ Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

²Development beyond the 2021 period is subject to completion of the Waikato Expressway.

5.3.8 The RPS also includes the following provision:

Hautapu

The land identified for the Hautapu Industrial Node is the land specified in the Waipa 2050 Growth Strategy (2009)

Plan Change 5

5.3.9 Plan Change 5 was notified in March 2018 and the hearings were recently completed. Plan Change 5 sought to adopt the outcomes of the Waipa 2050 Growth Strategy review completed in 2017 which considered the sequencing of growth cells in the Waipa District. Based on population and household projections and industrial land supply, sufficient land was identified to meet housing and industrial demand prior to 2035, and then to meet demand beyond 2035.

5.3.10 The now current version of the Waipa 2050 Growth Strategy provides for three growth cells at Hautapu providing a total 121ha industrial land supply. These growth cells are shown in Figure 2.

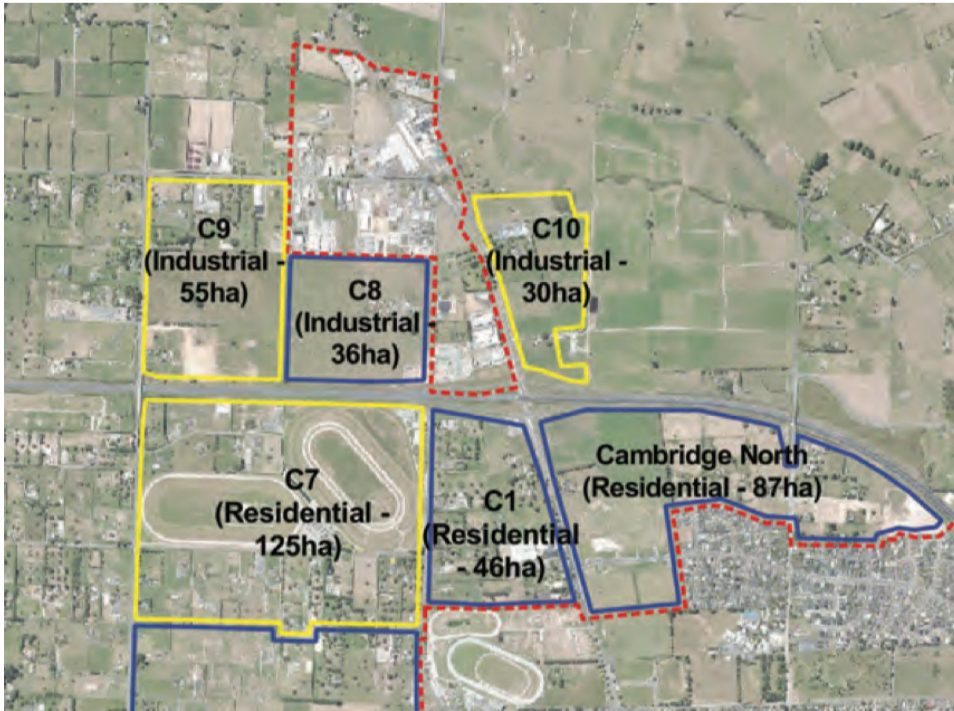


Figure 2: Extract from Waipa 2050 Growth Strategy (2017 Revision)

5.3.11 Plan Change 5 as notified adopted the growth cells from the growth strategy. However during the hearing, evidence was submitted from Waipa District Council regarding the industrial land allocations at Hautapu and that Council would withdraw that part of Plan Change 5 which proposed a reduction of the original C8 Growth Cell. A statement outlining the rationale for this change was prepared by Mr David Totman (Principal Policy Advisor for Council) and is attached as **Appendix 4**. The decision to ratify the withdrawal was confirmed at the Council meeting held on 30 October 2018. As such, it is possible to refer to this decision and take this into account as part of this report on Plan Change 11. The updated C10 Growth Cell is shown in Figure 3.

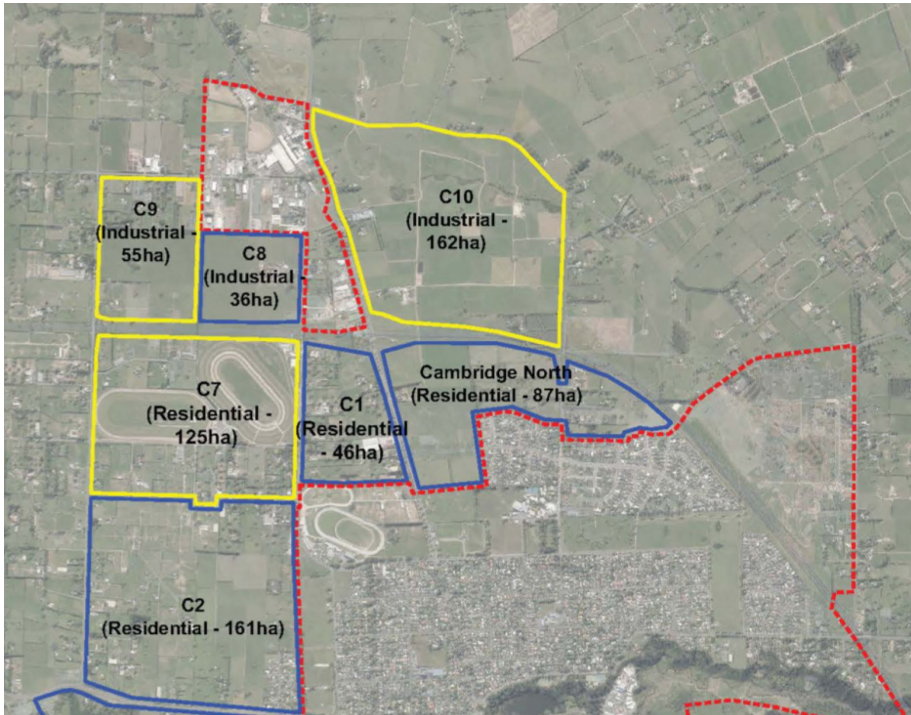
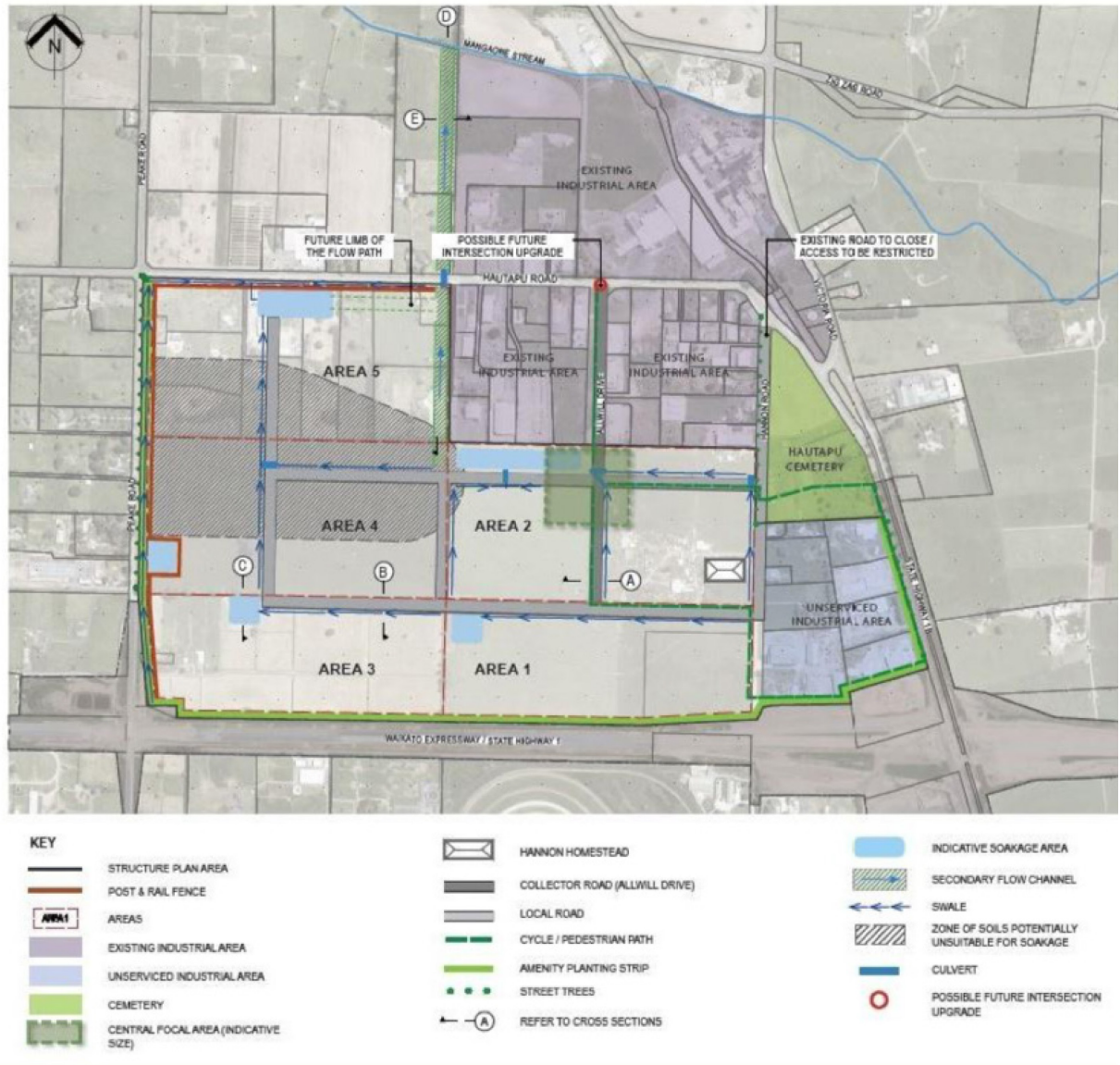


Figure 3: Updated C10 Growth Cell from Plan Change 5 decision.

Plan Change 6

5.3.12 Associated with Plan Change 5 and the provision of industrial land at Hautapu is Plan Change 6 *Hautapu Industrial Structure Plan*. This plan change provides a structure plan for Growth Cells C8³ and C9.



HAUTAPU STRUCTURE PLAN
HAUTAPU STRUCTURE PLAN

Figure 3: Hautapu Structure Plan – Plan Change 6

5.3.13 Plan Change 6 provides a Structure plan for the Hautapu industrial area west of Victoria Road with the area to the east of Victoria Road remaining as a Deferred Industrial Zone.

5.3.14 The provisions of the RPS and the Waipa District Council for industrial land supply give context to the pressures of high growth communities and the need for the planning and strategic documents to ensure that sufficient land supply is available. The regional and district planning frameworks must be responsive to ongoing analysis of population projections, changes in terms

³ To avoid confusion, the C8 Growth Cell from Plan Change 6 will be referred to as the new C8 Growth Cell

of landowner engagement in the land development process, a dynamic and evolving supply and demand analysis for infrastructure and services and also the planning frameworks must be both proactive and reactive to market drivers including landowners and/or developers who wish to promote industrial development within the District.

- 5.3.15 It is notable that the now current Waipa 2050 Strategy provisions which reduce the updated C10 Growth Cell at Hautapu have been withdrawn from Plan Change 5. This will introduce some misalignment between Waipa 2050 and the District Plan and it is anticipated that this will be subject to further review including work on the land allocations which are set out in the RPS.
- 5.3.16 It is considered that Waipa District Council's decision to reinstate the updated C10 Growth Cell (updated C10 Growth Cell) should take precedence over the now current Waipa 2050 Strategy. The Plan Change 5 hearings process was able to examine the relevant matters affecting industrial land supply at Hautapu and the evidence by Council showed that more recent work is now underway in terms of population projections and land allocation projections. This more recent work is also to ensure that the District Plan framework is consistent with the NPS- Urban Development Capacity.
- 5.3.17 As discussed above, the District Plan is subservient to the Waikato RPS and the District Plan must give effect to the higher order planning framework. To achieve this, PPC11 will need to demonstrate that it is either consistent with the existing industrial allocations outlined in Table 6-2 or alternatively it will need to '*... demonstrate consistency with the principles of the Future Proof land use pattern – Policy 6.14(g) of the RPS.*
- 5.3.18 PPC11 seeks to rezone 56.7ha of land at Hautapu to Industrial with the whole of this area located within the updated C10 Growth Cell. Approximately 30ha of this area is shown as Growth Cell C10 in the now current Waipa 2050 Strategy which also shows a total land supply of 121ha across Growth Cells C8 (revised - 36ha), C9 (55ha) and C10 (30ha).
- 5.3.19 The Waikato RPS provides for a total industrial land allocation at Hautapu of 96ha out to 2061. As Plan Change 6 has recently adopted a Structure Plan for the new Growth Cell C8 and C9 which provides a total of 91ha, then the additional 56.7ha of industrial land proposed in PPC11 will provide a total industrial land allocation of 147.7ha.
- 5.3.20 BIL are seeking an operative Industrial Zone for the whole 56.7ha noting that there will be staging and infrastructure preconditions for Stage 2 and 3 of the development. Plan Change 6 provides for a Deferred Zone over Growth Cell C9 and therefore the area of the new Growth Cell C8 (36ha) and PCC11 (57.6) provides a theoretical land supply available of 93.6ha whereas the Waikato RPS only allocates 50ha of industrial land supply out to 2041.
- 5.3.21 It is considered that PPC11 is not consistent with Table 6-2 of the Waikato RPS given the total industrial land allocation proposed by PPC11. As such, the principles of the Future Proof land use pattern need to be considered in accordance with Policy 6.14(g).
- 5.3.22 As previously mentioned, BIL has provided additional assessment of PPC11 the land allocations and this is very useful material in terms of evaluating PPC11 in accordance with the RPS. HCC, the WRC and Future Proof have all made submissions on the land allocations with Future Proof providing recent correspondence that they are now comfortable with the plan change and its alignment with the RPS.

- 5.3.23 Based on the information presented, it is considered that PPC11 is capable of being developed in a manner which is consistent with the principles of the Future Proof land use pattern and is therefore consistent with Policy 6.14 (g). Key factors supporting this analysis are:
- The proposed industrial precinct is located within an identified Hautapu Strategic node;
 - The evidence to Plan Change 5 refers to new information which has affected the assumptions used to support the now current Waipa 2050 Strategy and that the identified land allocations in the strategy need to be updated and reviewed;
 - A significant amount of work has been undertaken in terms of infrastructure and servicing requirements for the proposed precinct, the potential developments needs of the updated C10 Growth Cell, and implications for other growth nodes;
 - The environmental effects in terms of landscape, cultural and heritage values, and ecological habitats can be mitigated and will be no more than minor; and
 - The urban design guide proposed by BIL will provide a high standard of urban form and development.
- 5.3.24 There are a number of matters addressed subsequently in this report which will require further consideration and resolution. These include key design solutions for the northern and southern access and technical matters for the servicing requirements outlined in the proposed Structure Plan. Planning issues in relation to the proposed Campus Hub and the performance standards for the future industrial activities are also addressed in this report.
- 5.3.25 The assessment of the development principles is based on the assumption that an appropriate resolution to the remaining infrastructure and planning issues will be resolved through the hearings process and with input from BIL and the submitters.
- 5.3.26 It is recommended that the submissions are accepted in part insofar as additional assessment was required and has now been submitted by BIL and that the alignment of the plan change with the RPS has been justified.

PPC11 And Existing Growth Cells

- 5.3.27 As discussed above, some submitters [Sub:5], Davies [Sub:9] have commented on PPC11 and its relationship to the other growth cells including the recent changes which were subject to Plan Change 5 and Plan Change 6.
- 5.3.28 It is considered that the scope of PPC11 does not extend to revisiting the other growth cells in terms of their zoning provisions or Structure Plan.
- 5.3.29 The decisions and outcomes of Plan Change 5 and Plan Change 6 will be notified prior to the PPC11 hearing and if any of the submitters are concerned about the relationship between these decisions and PPC11 then they will be able to present evidence on these issues.
- 5.3.30 It is therefore recommended that the submissions seeking the approval of PPC11 on the proviso that these do not affect the Plan Change 5 and Plan Change 6 decisions are accepted in part. This is to recognise the need for consistency and integration of planning and infrastructure frameworks across the growth cells.

5.4 Scale and Function of Campus Hub

5.4.1 The scale and function of the Campus Hub has attracted a significant amount of submissions with general concerns being expressed about the scale and function of the Campus Hub and potential issues with the commercial hierarchy of the Cambridge town centre. Submissions on this topic have been received from BIL [Sub:18], Transland Developments Limited (Sub:15), Waipa District Council [Sub:22], Gainsford [Sub:23], Cambridge Community Board [Sub:20], Future Proof [Sub:12], Hamilton City Council [Sub:17], Fonterra [Sub:11], Smith [Sub:6] the Henmar Trust [Sub:13] and the Waikato Regional Council [Sub:7]. Further submissions have also been received from the original submitters.

5.4.2 BIL has provided additional refinement of the Campus Hub provisions through their own submissions and also through the additional material which was provided in response to submitter concerns. The Cambridge Community Board has provided recent correspondence advising their support for the deduced scale of retail activities and 5.5ha for the Campus Hub.

5.4.3 The current proposal for the Campus Hub as amended by BIL provides for a new policy, defined location and area (5.5ha) for the Campus Hub along the Victoria Road frontage, and specific Permitted and Controlled Activity provisions for commercial activities. The changes include:

- A change to proposed Policy 7.3.4.2A to include specific reference to the Cambridge commercial area as follows:

7.3.4.2A - To enable the development of a Campus Hub within the Bardowie Industrial Precinct that consists of activities such as retail activities and commercial services such as cafes and lunch bars, visitor accommodation and a conference centre, child care facilities and a wellness centre (as described in the Bardowie Industrial Precinct Structure Plan) to service employees and the business needs of the Bardowie Industrial Precinct and the wider industrial area. The Campus Hub shall not impact the function and vibrancy of the primary commercial centre of Cambridge. (underline wording proposed in BIL submission).

- Refinement of the type of commercial activities permitted within the Campus Hub to include;

In addition to 7.4.1.1 (a) – (u), the following activities are permitted activities within the Campus Hub of the Bardowie Industrial Precinct (Appendix S19):

- (i) Child care and preschool facilities;*
 - (ii) Wellness centre (as defined in the Bardowie Industrial Precinct Structure Plan);*
 - (iii) Innovation centre (as defined in the Bardowie Industrial Precinct Structure Plan);*
 - (iv) Offices with a ground floor GFA of less than 200m² (except as provided for by Rule 7.4.1.1(l));*
 - (iv) Any other retail activities not otherwise provided for in Rule 7.4.1.1 with a maximum combined ground floor GFA of no more than 400m² within the Campus Hub;*
 - (v) A Licenced Premise with a ground floor GFA of no more than 350 m²; and*
 - (vi) Education Facilities*
- (underline wording proposed in BIL submission).

- A 5.5ha overlay to show the extent of the Campus Hub on the Structure Plan.

5.4.4 BIL has also presented a Concept Master Plan for the Campus Hub showing *purpose* building development and carparking in the southern portion and a residual commercial area of approximately 2ha. This concept plan is shown in Figure 4 and has only been submitted to provide an indication of the type of development that may be anticipated. At this stage BIL is not proposing to include the Concept Master Plan as part of plan change material.

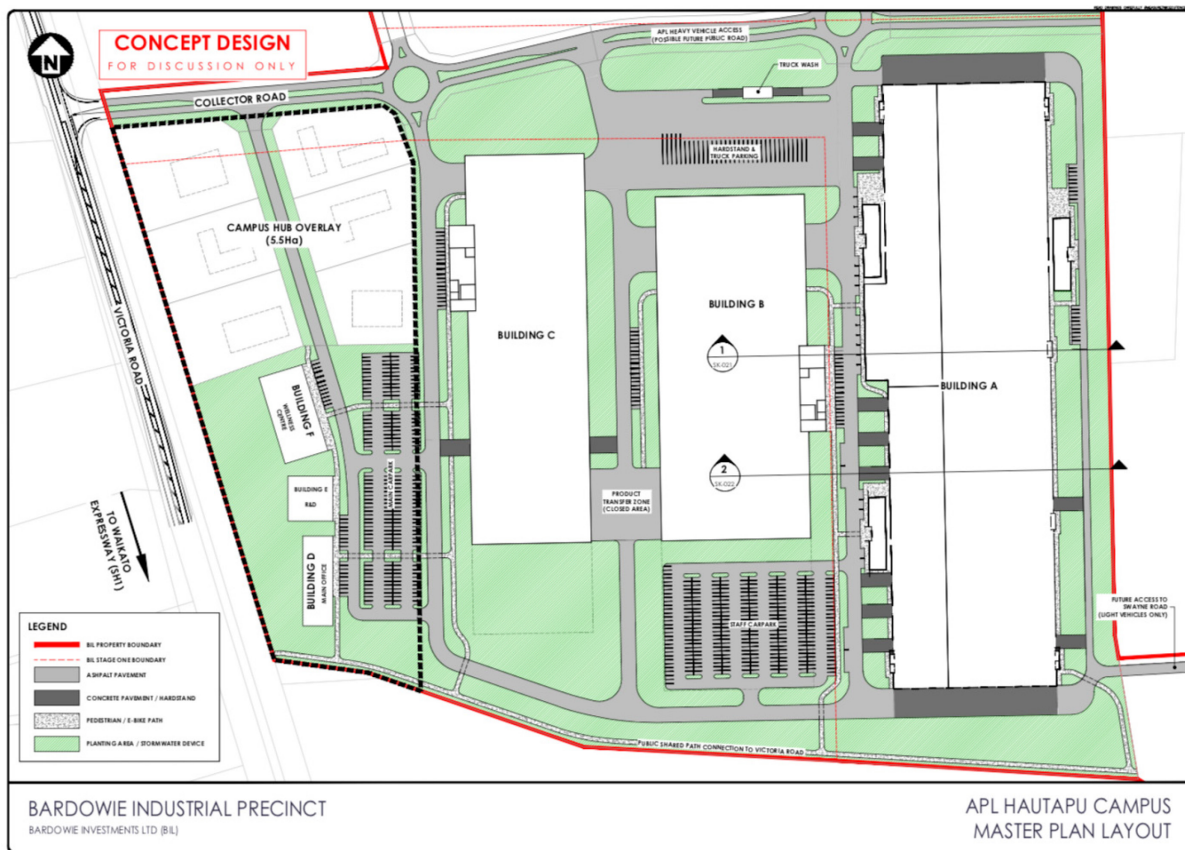


Figure 4: BIL Concept Plan for Campus Hub

5.4.5 It is also important to note that BIL is seeking a Permitted Activity status for motor vehicle sales yards (max area 7,000m² per site) across the proposed industrial precinct which would also include the Campus Hub and Controlled Activity provisions are proposed for visitor accommodation and conference centres within the Campus Hub.

5.4.6 PPC11 is promoted as an Industrial Precinct and the Campus Hub was originally intended to only provide ancillary commercial activities that would support the core industrial activities within the precinct. It is apparent that BIL are seeking to broaden the purpose of the Campus Hub given the proposed changes to Policy 7.3.4.2A.

5.4.7 The concept behind the Campus Hub is appropriate and there are synergies between contemporary industrial precincts and the opportunity to co-locate some retail activities and other facilities such as childcare facilities. The self-imposed limit by BIL for a maximum GFA of *other retail activities* to 400m² will substantially address any potential issues with retail impacts on the commercial hierarchy of the Cambridge town centre. However, the issue of scale and the function of the Campus Hub and the proposed planning and rule framework by BIL does require careful consideration for the following reasons:

- The proposed Policy 7.3.4.2A extends the function of the Campus Hub to serving the wider industrial area. This proposition needs to be tested given Plan Change 6 already

provides for its own *Central Focal Area* within the Hautapu Industrial Structure Plan and this makes provision for public open space and local commercial activities;

- Victoria Road will be a physical barrier that will affect walking and pedestrian connectivity to the Campus Hub. If the southern entrance to the precinct is ever closed, then vehicle connectivity will also be affected with access then redirected through the northern access;
- The terminology and concept of ‘hub’ would infer a central location with direct connectivity to users and it is not clear how this is necessary achieved for the Bardowie precinct or the wider updated C10 Growth Cell;
- PPC11 is proposing a Permitted Activity status for any development meeting the pre-conditions for the Campus Hub and the wider industrial precinct. Therefore no further planning assessment or consent process will be available to assess the merits of these activities;
- The additional Controlled Activity provisions for visitor accommodation and conference centres will require a land use consent however there is no ability to refuse consent;
- With frontage to Victoria Road and high profile to the Cambridge bypass, then it would be reasonable to assume that there will be commercial drivers to maximise the financial return for the commercial land and to maximise the catchment for any future retail /commercial activities; and
- The planning framework of both the Waikato RPS and the Waipa District Plan provide a strong policy direction to protect the vitality and function of existing town centres.

5.4.8 With regard to the planning framework, the Waikato RPS provides a key policy 6.16 as follows:

Policy 6.16 Commercial development in the Future Proof area

Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community’s social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres , and predominantly in those centres identified in Table 6-4 (section 6D). Commercial development is to be managed to:

- a) *support and sustain the vitality and viability of existing commercial centres identified in Table 6-4 (section 6D);*
- e) *recognise, maintain and enhance the function of sub-regional commercial centres by:*
 - i) *maintaining and enhancing their role as centres primarily for retail activity; and*
 - ii) *recognising that the sub-regional centres have limited non-retail economic and social activities;*
- f) *maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and*
- g) *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.*

- 5.4.9 The reservations expressed in the original submissions regarding the scale and function of the Campus Hub are valid. BIL has substantially addressed the potential impacts on the commercial hierarchy based on the 400m2 restriction for other retail activities. However, the open ended provisions for accommodation facilities, vehicle sales yards and childcare/education facilities, and its position and visual connection to strategic roading corridors are likely to lead to commercial activities with little direct nexus or ancillary status to the industrial precinct.
- 5.4.10 It is considered that the submissions should largely be accepted and further consideration of the scale and function of the Campus Hub will be required through the policy framework and rule mechanisms. Further recommendations on the specific rule mechanisms and activity status provisions are provided in Section 6 and Section 12 of this report.

5.5 Traffic Generation, Access and Road Network

- 5.5.1 A number of submitters have raised concerns and questions around access for the proposed precinct including impacts on existing property access. Kiwi Rail has [Sub:14] raised specific issues with regards to the southern access and the need to retain options for the future reinstatement of rail along the existing rail corridor between the subject site and Victoria Road. Brewer [Sub:3] supports the plan change but seeks assurance that appropriate intersections including a roundabout at Hannon Road be developed for the area. Davies [Sub:9] was originally concerned about the impacts of the proposed southern access on the properties on the western side of Victoria Road and that the effects on these properties have not been adequately addressed. Davies has provided recent correspondence advising that they are now comfortable with the access although given that agreement has not been reached with Kiwi Rail, that they still have an interest in transport matters.
- 5.5.2 Further Submissions on access have also been lodged from Davies [FS:25], the NZ Transport Agency [FS:27], the Henmar Trust [FS:30].
- 5.5.3 As part of the plan change assessment, BIL has prepared an Integrated Transport Assessment⁴ and has also undertaken further consultation with stakeholders including Waipa District Council, the NZ Transport Agency and surrounding landowners.
- 5.5.4 The ITA has reviewed the capacity and function of the surrounding roading network, the nature of future, land use activities and associated traffic generation for the precinct, and other growth nodes and future traffic volumes. The ITA has assessed the total traffic generation from the proposed 56.7ha industrial precinct to be approximately 12,000 vehicles per day (vpd) and has then assessed various options to provide road connections to the precinct. The preferred option essentially provides for a northern access which is adjacent to the Hautapu/Victoria/Laurent Road intersection and a southern access opposite the Hautapu cemetery. The proposed southern access serves the initial stages of the development with the northern access to provide the main future access including capacity for future development within the updated C10 growth cell.

⁴ Graymatter, Proposed Plan Change 11, Integrated Transport Assessment, dated 25 July 2018.

5.5.5 The location, design and staging of the road intersections and connections have been subject to further assessment to refine the most appropriate traffic solutions. This assessment has included:

- Recognising and providing for future use of the railway corridor between Laurent and Victoria Road and the need to gain Kiwi Rail approval for the Southern Access to be constructed;
- Provision for all access into the precinct to be via the northern access should the southern access be closed;
- Having regard to the potential industrial development across the entire updated C10 Growth Cell without having any certainty over timing and future road connections to Zig Zag Road and Swayne Road;
- The specific design and intersection configuration for the northern access with connections to Hautapu Road, Victoria Road, Laurent Road and SH1B (north);
- Identifying the appropriate timing of intersection upgrade based on future industrial land uptake and actual traffic generation;
- Consideration of roading and service corridors to adjoining land holdings within the updated C10 Growth Cell.

5.5.6 Waipa District Council has taken independent advice on the ITA and a technical memo from Mr Bryan Hudson – Waipa District Council Roading Corridor Manager, outlining Council’s current analysis of the traffic matters is provided in **Appendix 2**.

5.5.7 Based on Mr Hudson’s memo, it is apparent that traffic intersections and connections to the precinct can be provided. Mr Hudson has referred to technical peer review work which is underway and which will be available by the time of the hearing. He has a clear preference for the twin roundabout design option for the northern access.

5.5.8 The southern access is dependent on Kiwi Rail approval to grant access over the railway corridor. There is no jurisdiction to impose access over the railway corridor and it is understood that BIL is working with Kiwi Rail to progress the terms of an agreement for access. This will need to be confirmed as part of the hearings process. Any agreement would form part of a License to Occupy Agreement required between the Council and Kiwi Rail for the road access that crosses the rail way designation.

5.5.9 In broad terms, the issues of access raised in submissions have merit and the submissions and further submissions can be accepted or accepted in part.

5.6 Roading and Service Connections for Other Growth Cell Properties

5.6.1 Should PPC11 be granted, this will provide 56.7ha of Industrial Zone within the updated C10 Growth Cell which covers a total land area of approximately 162ha. It is understood that some of the balance C10 area is low-lying and a full constraints analysis for the development potential has not been completed. However, it is anticipated that a further 60-80ha of industrial development may be available.

5.6.2 The Henmar Trust own 15ha of land immediate adjoining the proposed precinct in the north western corner. The Henmar Trust has made extensive submissions [Sub:13] and [FS:30] to

PPC11 across a wide number of issues. One of the key themes in their submission is the lack of connection for roading and infrastructure services to other land with the updated C10 Growth Cell. The Henmar Trust provide general support for PPC11 however they also oppose the plan change unless the matters raised in their submission are resolved.

- 5.6.3 BIL has made a further submission [FS:29] which largely opposes the submissions lodged by the Henmar Trust however BIL has also amended the Structure Plan to provide a *Possible connection corridor* to the Henmar Trust property.
- 5.6.4 As a private plan change, BIL will understandably be focused on the development requirements and future servicing of their site and they are funding all the technical reports and investigations into how the infrastructure and road access can be developed. It is considered that there is an obligation on BIL to give regard to the potential development of the remainder of the updated C10 Growth Cell and the need for a connection corridor the to the north is supported.
- 5.6.5 It is also considered that regard to the whole of the updated C10 Growth Cell should be given as part of the traffic modelling and infrastructure and serving proposals. This is not to suggest that BIL is responsible for undertaking technical analysis regarding the constraints and opportunities for development across the whole of the growth cell or that they should be responsible for designing and funding additional infrastructure or capacity. It is however appropriate to ensure the Bardowie Industrial Precinct does not foreclose options for the efficient and practical development of other land within the updated C10 Growth Cell.
- 5.6.6 The submissions from the Henmar Trust are accepted in part although the full relief sought is not supported. This matter is discussed further in Section 12 of this report including recommendations on the Structure Plan. It is considered that appropriate provision for road and service corridors to adjoining landholdings is required and that this can be achieved by way of the Structure Plan including some additions and amendments to the timing of vesting for these corridors.

5.7 Potential Effects on Surrounding Land Use and Properties.

- 5.7.1 Various submissions have been lodged regarding potential effects of other land use activities located around the proposed industrial precinct.
- 5.7.2 Smith [Sub:6] raises concerns over any water takes and how this may affect their bore water supply and they also address the amenity of the area and provisions for public transport. Fonterra [Sub:11] and [FS:26] generally support the plan change however they seek reassurance that the development of the precinct will not interfere or give rise to reverse sensitivity effects on the Hautapu Dairy Manufacturing Site. The Henmar Trust [Sub:13] and [FS:30] has lodged extensive submissions regarding potential effects from the industrial precinct and they have sought amendments to the District Plan performance standards as well as to the Structure plan and proposed urban design guidelines.
- 5.7.3 Any additional water take will need a resource consent from the regional council and the infrastructure work completed by BIL is premised on public supply and reticulation being developed for the precinct. On this basis, it is not considered there are any issues with regards to water take that would compromise PPC11 from gaining approval. BIL may wish to comment

on any proposals for any water takes as part of their evidence to the hearing. The provisions for amenity will be subject to the urban design guidelines and public transport can be addressed through the detailed design and final layout of roading infrastructure. The submission can be accepted in part as these considerations are part of the overall planning and design of the proposed industrial precinct.

5.7.4 The submissions from Fonterra and the Henmar Trust raise valid issues and as discussed, these matters are raised in the context of general support for the plan change. The specific submission points regarding rule mechanisms are addressed in Section 6 and Section 12 of this report. It is recommended that the general submissions from Fonterra and the Henmar Trust be accepted in part.

5.8 Cultural and Heritage Effects

5.8.1 Ngaati Koroki-Kahukura [Sub:16] has lodged a submission in conditional support for PPC11 which acknowledges the consultation with BIL to date and seeks further meaningful engagement as part of the development of the precinct. Specific conditions are sought for betterment of the Waikato River, recognition of protocols for earthworks around the identified borrow pits and accidental discovery and the opportunity for Ngaati Koroki-Kahukura to prepare a Cultural Expression Plan and comment on the alignment of the plan change with the RPS and provision for public transport. Ngaati Koroki-Kahukura are opposed to spray irrigation (from the dairy factory) being a Permitted Activity.

5.8.2 This submission is supported by further submissions from Te Whakakakitenga o Waikato Incorporated [FS:28] and the Henmar Trust [FS:30]. As the BIL proposal is for a plan change and to a large extent, the future land use activities are proposed to have a Permitted Activity status, then it may be necessary for a Memorandum of Understanding to be agreed between Ngaati Koroki-Kahukura and BIL to incorporate the nature of the relationship and engagement that is addressed in the submission. The parties may also wish to consider whether any specific cultural matters should be addressed in the structure Plan for the precinct.

5.8.3 I note that the Ngaati Koroki-Kahukura submission states that further details on cultural matters and progress with the conditions as part of the hearings process. It is therefore anticipated that BIL and Ngaati Koroki-Kahukura will present further evidence on the agreed outcomes.

5.8.4 With regards to the Permitted Activity status for spray irrigation, it is understood that regional council consents exist for Fonterra to use the site and this is also recognised within the Deferred Zone provisions for the site (Policy 14.3.1.8). As this use could continue subject to any regional plan provisions and consents without the plan change, it is not clear why the proposed Permitted Activity status should be withdrawn. It is noted however, that the spray irrigation of the Bardowie site will be phased out as the PPC11 site is acquired in stages by BIL from Fonterra over specific time periods and developed as part of the Plan Change Industrial and campus hub zoning requirements.

5.8.5 It is understood that BIL is preparing regional consents for the collection, attenuation and discharge of stormwater and given the cultural values associated with waterways, it is anticipated that Ngaati Koroki-Kahukura will be consulted as part of this consenting process.

- 5.8.6 Heritage NZ (Sub:19) acknowledges the archaeological report which has been prepared for the plan change and the identified borrow pits on the site. Heritage NZ considers that the sites are a *rapidly diminishing finite resource* and they recommend that the sites are avoided at the time of development and that their location and protection is included in the Structure Plan framework.
- 5.8.7 BIL has not lodged a further submission to this submission however it is understood that their intention is to seek a Heritage NZ authority to modify or destroy the sites. Given the outcome of any Heritage NZ process is unknown at this stage, and weighting will need to be given to the views of iwi/hapu, the most appropriate response would be to include the sites on the Structure Plan and include clauses within the Structure Plan documentation that the sites shall either be protected or be subject to an approved Heritage NZ authority.

5.9 Firefighting

- 5.9.1 Fire and Emergency NZ [Sub:10] support the plan change on the basis that there are no change proposed to the existing rule mechanisms for firefighting. This is supported by the Henmar Trust [FS:30].
- 5.9.2 The submission is accepted as there are no changes proposed to the District Plan rules regarding firefighting standards. It is noted that firefighting flow and capacity will not be available from the public reticulation network and BIL will need to develop site specific solutions in accordance with the NZ standards. This is addressed in Section 12 and the track change version of the Structure Plan (**Appendix 5**).

6. Section 7 – Industrial Zone

6.1 Overview

- 6.1.1 Section 7 of the District Plan provides the main plan provisions for Industrial areas within the District. PPC11 proposes a number of amendments to Section 7 to recognise and establish the planning framework for the industrial precinct. In addition, BIL propose specific provisions that enable and manage the type and scale of industrial activities proposed within the precinct.
- 6.1.2 The proposed changes to Section 7 are quite detailed and have been subject to a number of further submissions. For the purpose of this topic discussion and analysis, three subtopics have been identified and will be discussed separately. These are:
- Issue Statements
 - Objectives and Policies
 - Rule Mechanisms

6.2 Issue Statements

- 6.2.1 The *Issues Statements* for each District Plan Zone set out the key resource management issues for that particular zone and also discuss cross-zone issues. PPC11 proposes amendments to the Issues Statements to simply recognise that the Bardowie Industrial Precinct will form part of the

Hautapu industrial area, that this is a prominent area and that high standards of amenity are required.

6.2.2 These provisions have been supported by Fonterra [Sub:11], and BIL [Sub:18]. The Henmar Trust [Sub:13] [FS:28] only supports in part the changes to Issue 7.2.12 and they raise concerns with the potential for ad hoc development to occur. The original Henmar Trust submission is opposed by BIL [FS:29].

6.2.3 It is considered that the proposed amendments to the Issues Statements as notified are appropriate and no other changes are required. The concerns about ad-hoc development raised by the Henmar Trust are relevant to any structure plan and this matter is addressed in clause 7.2.12 which states as follows:

7.2.12 A signed development agreement is required before development can proceed in this location. Ad-hoc development could compromise the potential for the entire area to be effectively serviced.

6.2.4 It is considered that the *Issues Statements* should be left to address ad-hoc development in a general sense and it is recommended that the Henmar Trust submission be rejected and the other submissions accepted. This matters is further addressed in Section 12 of this report where specific amendments to the Bardowie Industrial Precinct Structure Plan are proposed.

6.3 Objectives and Policies

6.3.1 The objectives and policies have a very important role in providing guidance for the implementation of the rule mechanisms and also providing the overarching framework for any resource consents that are required for activities that do not comply with the rule mechanisms.

6.3.2 PPC11 proposes a number of changes to the objectives and policies to recognise the Bardowie Industrial Precinct including provisions for the proposed Campus Hub and the Design Guide which has been prepared for development within the precinct. In some cases the proposed changes are only administrative in that the existing provisions need amendment to refer to the new Industrial Zone and there are also some provisions which need to be deleted.

Objective 7.3.4

6.3.3 The proposed changes as notified are as follows:

Objective - Hautapu Industrial Structure Plan Area and the Bardowie Industrial Precinct Structure Plan Area Industrial Area east of Victoria Road

- 7.3.4 Development of the Hautapu Industrial Structure Plan Area and the Bardowie Industrial Precinct Structure Plan Area Industrial Area east of Victoria Road occurs in a manner that:
- (a) Is visually attractive and has landscaping a visual character that reflects Cambridge's character; and
 - (b) Enables within the Hautapu Industrial Structure Plan Area the development of a central focal area and a Campus Hub within the Bardowie Industrial Precinct Structure Plan Area with a reserve and retail activities and commercial services that principally meet the needs of workers; and
 - (c) Avoids or mitigates any actual or potential adverse effects on surrounding rural properties and public spaces, including the Hautapu Cemetery; and
 - (d) Is co-ordinated with infrastructure provision; and
 - (e) Contributes to the development of a 'gateway' to Cambridge; and
 - (f) Is staged-to aligned with the land allocation table for industrial land within Hautapu and/or the criteria for alternative land release both as outlined within the Regional Policy Statement.

Refer also to Policy 14.3.1.8 Hautapu Industrial – East of Victoria Road.

6.3.4 The above changes have been supported by Fonterra [Sub:11] and BIL [Sub:18].

6.3.5 With regard to 7.3.4(b), it is considered that the Campus Hub is likely to have a different function than the central focus area in the Hautapu Industrial Structure Plan given its location, size and the planning provisions which are promoted by BIL. However, as BIL has promoted the objective to link future activities to principally meeting the needs of works, then it will be necessary to develop rules that give effect to this policy. The alternative is to link the objective to the Structure Plan and Concept Master Plan with an overriding objective around the scale of the Campus Hub and retail activities. This is also further discussed in regards to new Policy 7.3.4.2A.

6.3.6 The remaining changes are appropriate and the submissions are accepted in part.

Policy 7.3.4.1

6.3.7 The proposed changes as notified are as follows:

Policy - Building design

7.3.4.1 Buildings within the Hautapu Industrial Structure Plan Area are designed in a manner that is consistent with the Urban Design and Landscape Guidelines for the Hautapu Industrial Structure Plan Area.

7.3.4.1A Buildings within the Bardowie Industrial Precinct Structure Plan Area are designed in a manner that achieves overall consistency with the Urban Design and Landscape Guidelines for the Bardowie Industrial Precinct Structure Plan Area.

6.3.8 The above changes have been supported by Future Proof [Sub:18], Fonterra [Sub:11] and BIL [Sub:18].

6.3.9 The proposed changes are appropriate and the submissions are supported. The urban design guide will provide an important context for the development of site. The submissions can be

accepted noting that there are some recommended changes to the Urban Design guide clauses to respond to other matters raised in submissions.

New Policy 7.3.4.2A

6.3.10 A new Policy 7.3.4.2A is proposed as follows:

7.3.4.2A - To enable the development of a Campus Hub within the Bardowie Industrial Precinct that consists of activities such as retail activities and commercial services such as cafes and lunch bars, visitor accommodation and a conference centre, child care facilities and a wellness centre (as described in the Bardowie Industrial Precinct Structure Plan) to service employees and the business needs of the Bardowie Industrial Precinct and the wider industrial area. The Campus Hub shall not impact the function and vibrancy of the primary commercial centre of Cambridge.

(Underlined text are amendments to the proposed policy made in submission from BIL)

- 6.3.11 The provisions for the Campus Hub have attracted a lot of submissions and proposed Policy 7.3.4.2A is subject to submissions both in part support and part opposition. Fonterra [Sub:11] [FS:26] supports the new policy with specific reference to the last part of the policy which aligns the Campus Hub to the employees and business needs of the precinct.
- 6.3.12 Future Proof [Sub:12] support the policy in part however request further qualification around the scale and function of the Campus Hub such that it is accessory and secondary to the purpose of the precinct.
- 6.3.13 BIL [Sub:18] has submitted on the policy to recognise that the Campus Hub can provide for the wider industrial area and also propose a further addition that the Campus Hub does not impact on the function and vibrancy of the Cambridge town centre.
- 6.3.14 Waipa District Council [Sub:22] supports the policy in part however recommends deletion of the reference to business needs of the precinct.
- 6.3.15 Waikato Regional Council [Sub:07] [FS:24] seeks further clarification on the scope and function of the Campus Hub with reference to the Structure Plan details.
- 6.3.16 The Henmar Trust has made further submission[FS:30] supporting the need to refine the policy and rule framework for the Campus Hub.
- 6.3.17 The function and scale of the Campus Hub have been discussed in Section 5 of this report and there are valid questions regarding the location, scale and function of the Campus Hub. As previously discussed, the proposal by BIL to limit other retail activities to a combined total area of 400m² GFA substantially addresses the issue of potential impacts on the commercial hierarchy. The total area of the Campus Hub has also been refined by BIL as part of the Structure Plan and this now covers a total area of 5.5ha.
- 6.3.18 BIL has sought specific changes within the policy and rule framework to broaden the purpose of the Campus Hub from one which serves the Bardowie Precinct to one that serves the wider industrial precinct. It is considered that there is insufficient grounds to support this request and it is unclear how the policy is to be given effect in terms of the rule mechanisms which BIL has

proposed for the Campus Hub. For example, the provisions for visitor accommodation and vehicle sales yards have a limited nexus in terms of serving the industrial area.

6.3.19 The concept of a Campus Hub is supported and the policy and rule framework should be refined to provide a very clear framework for the function and scale of the Campus Hub. There is some question on the merit of limiting future activities within the Campus Hub to the Bardowie Industrial precinct or wider area unless the rule mechanisms can clearly achieve this. Given the high profile nature of the site it is very likely that more broad based commercial activities will developed and given the overall size of Campus Hub, it will be important to provide certainty on the scale and nature of activities that can occur in this area.

6.3.20 An alternative wording for Policy 7.3.4.2A is;

7.3.4.2A - To enable the development of a Campus Hub within the Bardowie Industrial Precinct that consists of limited scale retail activities and commercial services that;
(a) service employees of the Bardowie Industrial Precinct, and/or
(b) are consistent with the provisions of the Bardowie Industrial Structure Plan and Concept Master Plan.
Any activities within the Campus Hub shall not impact the function and vibrancy of the primary commercial centre of Cambridge.

6.3.21 It is anticipated that Policy 7.3.4.2A and the rule mechanisms for the Campus Hub will be subject to further evidence and discussion. It is recommended that the submissions that seek clarification and a more robust set of provisions for the Campus Hub are accepted.

Policy 7.3.4.3

6.3.22 The proposed changes as notified are as follows:

Policy - Buffer areas

7.3.4.3 To ensure protection of surrounding rural areas, by requiring buffer areas on perimeter sites in the Hautapu Industrial Structure Plan Area **and the Bardowie Industrial Precinct Structure Plan Area**, particularly along Victoria Road (SH1B) and the Cambridge Bypass (Waikato Expressway).

6.3.23 Fonterra [Sub:11] and BIL [Sub:18] support the proposed amendments, and the Henmar Trust [Sub:13] [FS:29] supports the changes in part and recommends additional rule mechanism and changes to the policy to define the perimeter of the Bardowie Industrial Precinct. BIL [FS:29] opposes the submission by the Henmar Trust.

6.3.24 The Henmar Trust has made substantive submissions to PPC11 with the potential effects of industrial activities at the interface of the proposed precinct being one of their key concerns. It is considered that there does need to be a clear set of rule mechanisms and expectations around the development of any new industrial area and how the amenity values and environmental qualities of surrounding properties can be protected.

6.3.25 In the current case, the Bardowie Industrial Precinct will occupy part of the wider and updated C10 Growth Cell and this does signal that there is an anticipated change in land use for this area from rural to industrial over the long term. This process will require a further plan change either

through a full Industrial Zone or a change to Deferred Industrial as an interim measure. The timeframe for any future zone changes are uncertain and may not occur for a considerable period of time. As such, the environmental qualities of the surrounding properties need to be protected in the intervening period while recognising that there may be a change of zone at some point in the future.

- 6.3.26 The PPC11 changes are appropriate and it is considered that the additional policy and rule mechanisms proposed by the Henmar Trust are not necessary. The reference to *surrounding rural areas* in Policy 7.3.4.3 will clearly apply to their landholding and the policy is directive is stating that these properties shall be protected.

Policy 7.3.4.4

- 6.3.27 The proposed changes as notified are as follows:

Policy - Infrastructure

7.3.4.4 To avoid compromising the ability of the area as a whole to be effectively serviced and to manage the planned provision of public infrastructure by requiring a development agreement to be in place prior to any development occurring within the Hautapu Industrial Structure Plan Area **and the Bardowie Industrial Precinct Structure Plan Area.**

- 6.3.28 This change is supported by Fonterra [Sub:11] and BIL [Sub:18]. The Henmar Trust [Sub:13] [FS:30] seeks additional wording to explicitly refer to the infrastructure and servicing of the updated C10 Growth Cell. This is opposed by BIL [FS:29].

- 6.3.29 The intention behind the Henmar Trust submission is supported and this is already addressed implicitly by Policy 7.3.4.4. Any developer agreement will establish specific terms and funding agreements for the servicing of the precinct and any necessary upgrade works and staging provisions for the necessary reticulation to and across the site. In entering into a developer agreement, Council will seek to ensure that the capacity of the network is not compromised and that appropriate regard is given to other growth cells and potential future demand. It is unlikely that other surrounding landowners would seek to be part of an agreement and be responsible for costs of infrastructure until such time as their land has a Deferred or full Industrial Zone status.

- 6.3.30 It is considered that a minor modification of the existing policy would be appropriate which can explicitly recognise the other parts of the growth cell. Recommended wording for the policy is;

7.3.4.4 To avoid compromising the ability of the area as a whole, including identified growth cells, to be effectively serviced and to manage the planned provision of public infrastructure, ~~by requiring a~~ A development agreement shall to be in place prior to any development occurring within the Hautapu Industrial Structure Plan Area and the Bardowie Industrial Precinct Structure Plan Area.

Policy 7.3.4.5A

- 6.3.31 A new Policy 7.3.4.5A is proposed:

7.3.4.5A To ensure that landscaping and fencing within the Bardowie Industrial Precinct Structure Plan Area is undertaken in overall accordance with the design characteristics and planting requirements specified in the Urban Design and Landscape Guidelines for the Bardowie Industrial Precinct Structure Plan.

- 6.3.32 This policy is subject to supporting submissions from Fonterra [Sub:11] and BIL [Sub:18]. The Henmar Trust [Sub:13] supports the policy subject to Council accepting the submitter changes to the Design Guide.
- 6.3.33 It is considered that the proposed Policy 7.3.4.5A is appropriate and the submissions in support can be accepted. This report does not recommend the adoption of all the proposed changes to the Design Guide proposed by the Henmar Trust and therefore recommend that this submission/further submissions be rejected as it is premised on all their proposed amendments being accepted.

Proposed Deletion of Policies 7.3.4.6, 7.3.4.7 and 7.3.4.8

- 6.3.34 PPC11 proposes the deletion of three policies which are supported in submission from Fonterra [Sub:11] and BIL [Sub:18].
- 6.3.35 The existing Policy 7.3.4.6 relates to the area east of Victoria Road and to structure plans and design guides for future industrial development associated with the previous Deferred Industrial Zone on the site. Deletion of this policy is appropriate as any industrial development within the balance of the updated C10 Growth Cell will require a separate plan change process.
- 6.3.36 Policies 7.3.4.7 and 7.3.4.8 relate to a motorway service centre and to services for the motoring public. It is noted that a service station has recently been established on the western side of Victoria Road and that the Waikato Expressway has not been constructed with any separate access provided for a dedicated service centre. It is also noted that the NZ Transport Agency has not lodged a submission or further submission opposing these changes. It appears that the requirement for a dedicated motorway service centre is now redundant and it is considered appropriate that the policies be deleted.

6.4 Rule Mechanisms

- 6.4.1 PPC11 proposes a number of amendments and deletions to the rule mechanisms in order that industrial activities can be established within the proposed Bardowie Industrial Precinct. While a number of generic rule provisions for industrial activities are retained, BIL are also proposing a bespoke set of additional plan mechanisms which they consider are necessary and appropriate to development within this area.
- 6.4.2 The proposed changes are quite detailed and have been subject to a range of submissions in support and in opposition to the proposed changes. The following discussion will address the submission points in relation to the format and structure of the rule provisions within Section 7.

Activity Status Tables – Permitted Activities

- 6.4.3 The changes proposed by BIL are:

- Amendment to Rule 7.4.1(m) to exclude provision for relocatable buildings within the precinct;
- Removal of reference to motorway service centre and associated rules;
- New rule 7.4.1(u) to enable additional activities within the precinct. This rule is also subject to a submission from BIL and as such the revised submission version now reads as follows (BIL submission amendments underlined):

In addition to 7.4.1.1 (a) – (t), within the Bardowie Industrial Precinct Structure Plan Area the following activities are also permitted:

- (i) Stormwater ponds and/or facilities;*
- (ii) Water treatment facilities;*
- (iii) Farming activities; and*
- (iv) Spray Irrigation of dairy factory wastewater.*
- (v) Innovation and Advanced Technology Activities; and*
- (vi) Motor vehicle sale yards (including marine/boat sales facilities) each with a site area of no more than 7,000m².*

- New rule 7.4.1(v) to enable additional activities within the Campus Hub.

6.4.4 While it is foreseeable that some forms of minor relocatable buildings may not have any significant impacts on the overall urban design qualities of the precinct, it is the prerogative of BIL to exclude relocatable buildings and therefore the changes and submissions are accepted.

6.4.5 The removal of the motorway service centre rules and submissions in support from Fonterra [Sub:14] and BIL [FS:18] are accepted in line with the recommendations regarding the associated Policies 7.3.4.7 and 7.3.4.8.

6.4.6 With regard to Rule 7.4.1(u) the following submission points have been made;

- General support for farming and spray irrigation as these are existing activities, [Fonterra: Sub:11], [BIL: Sub:18],
- Opposition to stormwater ponds, spray irrigation and clarification sought with respect to new innovation and technology activities, and part support for farming activities, the Henmar Trust [Sub:13] [FS:30],
- Opposition to spray irrigation, Te Whakakakitenga o Waikato Incorporated [FS:28]
- Support in part subject to recognition that any stormwater ponds need to be designed in accordance with Waikato Regional Council consenting requirements [Waikato Regional Council: Sub:07],
- Further submission in support of Innovation activities and motor vehicle yards, Fonterra [FS:26],

6.4.7 The original notified version of Rule 7.4.1(u) makes provision for activities which are already carried out on site and it is considered appropriate that these are allowed to continue until such time as each stage is developed for industrial activities. Any discharge consent will need to be in accordance with the permitted activity provisions of the Regional Plan or an approved discharge consent.

- 6.4.8 With regard to the submission point from Waikato Regional Council regarding any necessary regional council consents, it is considered that an amendment is appropriate and the submission is supported. An advisory note along the following lines would be appropriate;

Advisory Note: The above activities will need to be assessed in accordance with the regional plans and all activities will need to either comply with the permitted activity provisions of the regional plan or an approved regional council consent.

- 6.4.9 BIL has sought additional permitted activity provisions across the precinct for *Innovation and Advanced Technologies* and also for motor vehicle sales yards. BIL propose a definition of *Innovation and Advanced Technologies* as follows;

Innovation and Advanced Technology Activities– Includes all activities involved in the research, development, manufacture and commercial application of advanced technology including, but not limited to, information technology, energy technology, manufacturing technology, materials technology, software development, telecommunications, data storage, data management and processing, infrastructure systems and management, and activities required to serve those activities.

- 6.4.10 The definition is supported by Fonterra [FS:26], and opposed by the Henmar Trust [FS:30] on the basis that the definition is too broad.

- 6.4.11 While this type of use within an industrial precinct is supported, it is noted that the existing industrial provisions provide for *laboratories, research establishments* as a permitted activity in accordance with Rule 7.4.1.1(h) and there are also provisions for ancillary activities which would provide for research activities as part of any other industrial activity. As such, it is not clear that there is a need to introduce a further plan definition and specific activity provision for the Bardowie Industrial Precinct. BIL may wish to expand on why this new definition is required.

- 6.4.12 With regards to motor vehicle sales yard, the existing District Plan provision would capture these activities under the generic retail activities definition and this would then be subject to a non-complying resource consent process under Rule 7.4.1.5(h). Car sales yards are often located along key road corridors and other industrial areas which provide for a mix of retail/trade services and industrial activities. Therefore vehicle car yards are compatible with industrial areas. The potential issues with allowing these activities relates to the efficient use of the industrial land resource and potential amenity issues. Given that PPC11 is advancing industrial land release and the updated C10 has been reinstated there should not be any issue with the industrial land resource being compromised. There may also be some benefits for existing yards relocating to this area and thereby freeing up existing commercial sites for other activities which are more consistent with town centre development.

- 6.4.13 It is noted that the BIL provisions for vehicle yards include a maximum site area of 7,000m². This appears to be a very large area and the proposed Permitted Activity provisions would allow a series of large scale vehicle sales yards along the Victoria Road frontage. It would be helpful to have BIL respond to this in terms of their Urban Design guide and whether there is a need to control these activities in terms of scale, vehicle type (ie large contracting machinery) and intensity of flags and other advertising medium to ensure that the high level of urban design outcomes promoted within the precinct is not compromised. It is noted that vehicle sales yards are not referenced in Section 6 (Campus Hub) or elsewhere in the BIL Design Guide.

6.4.14 It is recommended that the submission be determined in accordance with the above analysis and the submission tables.

Campus Hub – New Rule 7.4.1.1(v)

6.4.15 The new rule for the Campus Hub is subject to a submission from BIL and as such the revised submission version now reads as follows (BIL submission amendment underlined).

In addition to 7.4.1.1 (a) – (u), the following activities are permitted activities within the Campus Hub of the Bardowie Industrial Precinct (Appendix S19):

- (vii) Child care and preschool facilities;*
- (viii) Wellness centre (as defined in the Bardowie Industrial Precinct Structure Plan);*
- (ix) Innovation centre (as defined in the Bardowie Industrial Precinct Structure Plan);*
- (iv) Offices with a ground floor GFA of less than 200m² (except as provided for by Rule 7.4.1.1(l));*
- (x) Any other retail activities not otherwise provided for in Rule 7.4.1.1 with a maximum combined ground floor GFA of no more than 400m² within the Campus Hub;*
- (xi) A Licenced Premise with a ground floor GFA of no more than 350 m²; and*
- (xii) Education Facilities*

6.4.16 As previously discussed, the proposed Campus Hub has attracted a range of submissions with the majority of these concerned with the scale and function of retail and commercial activities within the area. These include Future Proof [Sub:12], Hamilton City Council [Sub:17], Henman Trust [Sub:13], The Waikato Regional Council [FS:24] and the Cambridge Community Board [Sub:20] who broadly seek changes to limit the scale and type of retail activities that can be established within the Campus Hub. Fonterra [Sub:11] support additional retail activities within the Campus Hub as long as these are not located closer to the dairy manufacturing site.

6.4.17 The broad level matters for the Campus Hub have been discussed in Section 5 of this report and above in regards to Policy 7.3.4.2A. It is also important to consider the Campus Hub provisions taking into account the additional Controlled Activity provisions which BIL is seeking for visitor accommodation and conference facilities.

6.4.18 Given the location of the Campus Hub, the high profile nature of the site, and the proposed area of the Campus Hub which is 5.5ha, it is considered that commercial drivers will heavily influence the nature and type of activities that may be developed in this area. Currently the Permitted and Controlled activity provisions provide for vehicle sales yards, offices, visitor accommodation, a conference centre and a single restaurant activity which will have a limited nexus or ancillary status to the industrial precinct.

6.4.19 It is noted that the Concept Master Plan (as shown in Figure 4 on pg18) shows large green spaces, a parking precinct and a relatively sparse density of buildings within the Campus Hub. If this development concept is implemented then the scale and nature of commercial development would be modest and the three buildings located in the southern portion of the site will be directly linked to the APL operations. However, this concept plan is not currently part of the Structure Plan apart from an area of 5.5ha being dedicated to the Campus Hub. Without further definition of the Campus Hub through District Plan rules or through a Master Plan, then the reality of commercial investment and returns could lead to a very different form and density of commercial development. For example, the current provisions from BIL would allow a series of hotel developments up to four or five levels in height (20m maximum height

proposed) and the only matters which Council could consider are parking, primary roading and service connections and consistency with the Urban Design guide. Council would have to grant consent and can only impose conditions in accordance with these design elements.

6.4.20 The following measures can be adopted to provide appropriate more appropriate definition and certainty for development within the Campus Hub, assuming the full 5.5ha is retained in its current location:

- Amendment to Policy 7.3.4.2A to provide a direct link for activities in the Campus Hub to the Structure Plan;
- Additional definition of the Campus Hub in the Structure Plan including provision of a Concept Master Plan;
- Amendment to Discretionary Activity status for visitor accommodation and conference facilities to allow assessment of location and scale of any commercial proposal and whether this is more appropriately located within the Campus Hub or another Commercial Zone; and
- Refinement of building heights to allow a graduation of a 10m height limit to 40m inside the site boundary then rising to 20m.

6.4.21 It is anticipated that BIL and the submitters who have raised concerns with the scale and type of activities proposed within the Campus Hub will provide input into the Campus Hub provisions.

Activity Status Tables – Controlled Activities

6.4.22 The changes proposed by BIL are:

- Exemption from the restrictions for cafes and takeaway outlets in relation to the Campus Hub (Rule 7.4.1.2(a));
- Deletion of provisions for motorway service centre (Rule 7.4.1.2(c)); and
- New Rule for visitor accommodation and conference facilities within the Campus Hub (New Rule 7.4.1.2(c)).

6.4.23 Fonterra [Sub:11] and BIL [Sub:18] support of the first two amendments. These matters are consequential amendments following any decision on the Campus Hub and motorway service centre and can be supported.

6.4.24 The proposed provisions for visitor accommodation and conference facilities are subject to submission in support from BIL [Sub:18], and support in part from Fonterra [Sub:11] and the Henmar Trust [Sub:13]. Fonterra supports the provisions as long as they are restricted to the area of the Campus Hub to avoid reverse sensitivity effects. The Henmar Trust consider that the assessment criteria should be extended to include traffic, landscaping, visual effects, and Infrastructure.

6.4.25 The scale and function of the Campus Hub have previously been discussed. It is considered that visitor accommodation may be an appropriate land use in the Campus Hub however a proper assessment should be required as a Discretionary Activity. A bespoke visitor accommodation facility which demonstrates a clear linkage to the Industrial Precinct could then be assessed on

its merits and a larger scale development could be assessed against the merits of this location and other commercial locations .

Activity Status Tables – Restricted Discretionary Activities

6.4.26 The changes proposed by BIL are:

- Deletion of provisions for motorway service centre (Rule 7.4.1.3(f)); and
- New Rule for any activities that require an air discharge consent from the Waikato Regional Council (New Rule 7.4.1.3(f)).

6.4.27 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18]. The Henmar Trust [Sub:13] partially supports the new Rule 7.4.1.3(f) however they also consider that any adverse effects on the surrounding area should be assessed, and not just the dairy manufacturing site.

6.4.28 The rationale for including this rule is clearly linked to the sensitivity of the dairy manufacturing site. However it is unclear to the writer what additional assessment the District Council would undertake given that any air discharge would have to comply with the permitted activity provisions of the Regional Plan or alternatively a resource consent would be required which would also require an assessment of affected parties.

6.4.29 If this rule is to be included, then further rationale should be provided by BIL and Fonterra as to what additional assessment would be anticipated under the District Plan rule and which would not otherwise be addressed through any regional council process. If there are any gaps or deficiencies then a decision on whether the assessment should be limited to the dairy manufacturing site or more broadly to surrounding landowners can be considered.

Activity Status Tables –Discretionary Activities

6.4.30 The changes proposed by BIL are amendments to Rule 7.4.1.4 to include specific reference to any activity which does not comply with the new rules for building setback from water bodies, parking requirements and stormwater management. If any activity does not meet these new rule standards, then Rule 7.4.1.4 will default the activity to a Discretionary Activity.

6.4.31 The changes have been supported by Fonterra [Sub:11] and BIL [Sub:18].

6.4.32 It is considered that the proposed changes are appropriate and align the provisions of PPC11 with the existing rule mechanisms and framework.

Activity Status Tables – Non-Complying Activities

6.4.33 The changes proposed to Rule 7.4.1.5 are mostly administrative and are consequential changes arising from the rules proposed by BIL to Rules 7.4.1.1 to 7.4.1.4. BIL do propose a new Rule 7.4.1.5(p) to exclude certain industry as follows:

Notwithstanding Rule 7.4.1.3 (f), the following activities are non-complying activities within the Bardowie Industrial Precinct Structure Plan Area.

- (a) Bitumen plants;*
- (b) Incineration activities;*
- (c) Concrete batching plants; and*
- (d) Relocated buildings.*

- 6.4.34 The changes to Rule 7.4.1.5 are supported in submissions BIL [Sub:18] Fonterra [Sub:11] and the the Henmar Trust [Sub:13]. The Henmar Trust is also seeking additional activities to be listed as a non-complying activity. These include demolition yards, recycling depots, use of radioactive materials, hazardous facilities and trade waste activities, power generation activities and heavy industrial activities. This submission is opposed in a further submission from BIL [FS:29].
- 6.4.35 It is considered that the type of activities referenced in the Henmar Trust submission are indicative of activities which would have potential off-site effects that may be inconsistent with the provisions promoted for the Bardowie Industrial Precinct and the surrounding area. The activities specifically identified as Non-Complying activities by BIL are supported by Fonterra and therefore appear to be primarily designed to protect the dairy manufacturing site.
- 6.4.36 It is noted that Rule 7.4.1.5(m) of the District Plan provides for any activity not listed within the activity tables to be classified as a non-complying activity and the District Plan rules regarding noise, lighting bulk and location and the Urban Design guidelines will prevent inappropriate industrial activities from establishing within the precinct.
- 6.4.37 To justify further non-complying activities as proposed by the Henmar Trust, additional evidence is necessary in terms of why the current industrial provisions are not satisfactory and why specific provisions are required for this precinct.

Performance Standards – Setbacks and Height

- 6.4.38 The changes proposed by BIL are;
- A specific set back rule for buildings from SH1 of 25m (Rule 7.4.2.1(d));
 - A specific set back of buildings from the Mangaone Stream of 15m (Rule 7.4.2.4); and
 - A maximum height of 10m for any buildings within 40m of SH1 or Victoria Road.
- 6.4.39 With respect to the height rule, the standard maximum height for the Industrial Zone is 20m and there are additional rules imposing a maximum 10m height within 100m of SH1, Victoria Road and the Hautapu Cemetery. As such PPC11 is proposing a dispensation from the existing 10m height rule to a reduced corridor. It is also noted that Policy 7.3.4 refers to adverse effects on surrounding rural properties and the Hautapu Cemetery.
- 6.4.40 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18]. The Henmar Trust partially supports the changes and seeks to include a 10m height limit in relation to adjoining zones and seeks the height reduction to apply from the Laurent Road boundary [FS:30].
- 6.4.41 Given that the existing District Plan provisions impose a maximum height of 10m for a 100m corridor along the public interface boundaries, a proper assessment of the need and potential urban design aspects of PPC11 should be undertaken. If the proposed 40m corridor is applied from Victoria Road, then the height limit would default to the 20m height limit approximately 15m inside the boundary of the Bardowie precinct. This is due to the railway corridor and the Laurent Road reserve running along the boundary between Victoria Road and the subject site.
- 6.4.42 This provision would enable alongside the Controlled Activity provisions for visitor accommodation substantial buildings which would otherwise not be consistent with the existing District Plan provisions. The Concept Master Plan provided by BIL shows buildings D, E

and F set back from the Victoria Road frontage and an option to consider would be to set the 10 m height restriction to 40m from the Laurent Road boundary. This would have limited effect on the building layout promoted by BIL and would be more aligned to the existing District Plan height provisions.

6.4.43 It is also noted that building height is addressed in the BIL Urban Design guide. Provision 4.14 refers to the 10m height limit being 40m back from the Victoria Road however 4.15 and 4.16 also refer to ‘.. lower elements towards the street to relate to pedestrian scale’ and ‘taller elements of the building should be recessed from the street’. It appears that Laurent Road may be used for pedestrian and/or cycle access in the future and the relationship of the building form to both the Victoria Road frontage and to Laurent Road should be considered in terms of building height.

6.4.44 The Henmar Trust has requested a reduction of building height along the interface boundary. Such controls can provide definitive limits on the scale and location of bulk form. It is considered that the reduced height limit is not required however that additional emphasis on screening and providing standards of landscaping along the perimeter boundary is required. The reasons for this position are:

- The height to boundary rule of 2.7m plus a 45 degree plane would require any building of 20m in height to be set back 17.3m from the common boundary;
- The area of the proposed precinct has been subject to a Deferred Industrial Zone and therefore the intention that this will be developed for industrial land uses has been signalled in the District Plan for some time;
- The submitter supports the industrial zoning in principle and the development of the updated C10 Growth Cell;
- The common boundary is located on the south side of the Henmar Trust property; and
- The proposed District Plan provisions and Urban Design report propose a 5m landscaping strip along the perimeter boundary.

6.4.45 The District Plan and Urban Design Guide propose a 5m yard setback and that this be developed for landscaping screening. It is considered that the minimum building setback will need to be reviewed to avoid buildings being located immediately up to the landscape buffer and given the maximum height of 20m proposed by BIL, it is recommended that a 10m rule setback be imposed which can be included in Rule 7.4.2.2. It is considered that a landscaping width of more than 5m will be required should the adjoining sites remain as Rural for an extended period of time and to enable sufficient space for screening which may also require bunds.

6.4.46 The Henmar Trust has made comprehensive submissions on the Urban Design guidelines and it is considered that further definition of the purpose and type of landscaping required along the perimeter boundaries is required. This is addressed in Section 12 of this report and the track changes to the Structure Plan and Design Guide.

Performance Standards – Site layout and Landscaping and Building Colour

6.4.47 Rule 7.4.2.7 to 7.4.2.14 of the District Plan provide a series of rule regarding building layout, landscaping, and building colour. BIL has proposed a series of amendments to incorporate the

proposed industrial precinct into the rule mechanism with emphasis on the proposed Bardowie Urban Design and Landscape Guidelines.

- 6.4.48 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18].
- 6.4.49 The Henmar Trust partially supports the changes however they seek additional rule mechanism and amendments including:
- Inclusion on Node 1B and Node 3A in the new Rule 7.4.2.8A which refers to building layout and orientation being in accordance with the proposed Bardowie Urban Design and Landscape Guidelines;
 - Additional performance standards for landscaping and screening to be specified within Rule 7.4.2.13;
 - Removal of advice note regrading non-compliance with the Bardowie Urban Design and Landscape Guidelines (following proposed Rule 7.4.2.13(d).
- 6.4.50 BIL [FS:29] has dismissed the Henmar Trust submission points outright.
- 6.4.51 The Henmar Trust has raised some valid issues and there will need to be some clarification and refinement of the rule mechanisms. For example, while the proposed changes introduced by Rule 7.4.2.8A only seek to link the development within Node 1A and Node 2 to the Bardowie Urban Design and Landscape Guidelines, there is an overriding assertion in the BIL proposal that the Design Guide will establish a high degree of amenity and integration with the surrounding environment across the whole of the precinct.
- 6.4.52 It is also noted that the urban design guide itself prescribes specific provisions for Node 1B and 3A including car parking (2.20 to 2.29), building heights (4.15 to 4.18) and landscaping setbacks (5.3 to 5.7).
- 6.4.53 While it is acknowledged that development within Node 1B and 3A may be some time away, it is considered that Rule 7.4.2.8A should require the Design Guide to apply to the whole precinct.
- 6.4.54 With regard to Rule 7.4.2.13, it is considered that any development within the proposed precinct should be subject to the same standards developed for Bond Road and the Hautapu Industrial Structure Plan, including the specific set back landscape standards specified in Rule 7.4.2.13. This rule requires a 5m landscape strip for perimeter sites and 2.5m for sites adjoining a road.
- 6.4.55 The Bardowie Urban Design and Landscape Guidelines (5.1 to 5.4) parallel the requirement set out in Rule 7.4.2.13 such that these standards will apply through the design guide. It is appropriate that these provisions are specifically part of the District Plan rules such that any non-compliance will establish the need for a resource consent process.
- 6.4.56 With regards to the advice note, this is currently worded as follows:

Advice Note: Overall consistency with the Bardowie Industrial Precinct Structure Plan Urban Design and Landscape Guidelines should be achieved for developments within the Bardowie Industrial Precinct. In instances where there may be a specific or minor non-compliance with a prescriptive urban design guideline, this would not necessarily constitute non-compliance.

- 6.4.57 The linkage mechanism between the District Plan and the Urban Design guide does need some form of implementation guide. This is primarily due to each time new development is proposed within the precinct, a decision will need to be made as to whether the development complies with the design guide. In some cases this will be relatively straight forward if the design guide prescribes quantifiable standards, i.e. guideline 5.8 prescribes a maximum of 30m spacing for street tree planting. A minor design change to say 35m spacing for specimen trees with landscape bays may technically be non-complying, but it is likely to still achieve the overall high standard of landscaping and urban design outcomes.
- 6.4.58 There are also numerous subjective guidelines using which are designed to promote high standards of urban amenity and examples of alternatives design options are also provided such as ‘green’ facades. In many cases, an overall objective assessment will need to take into account both quantitative and qualitative judgments to determine compliance with the design guidelines.
- 6.4.59 It is considered an implementation note is appropriate and the following alternative wording is proposed:

Advice Note: Overall consistency with the Bardowie Industrial Precinct Structure Plan Urban Design and Landscape Guidelines ~~shall~~ ~~ould~~ be achieved for developments within the Bardowie Industrial Precinct. ~~In instances where there may be a s~~ Specific or minor non-compliance with a ~~prescriptive~~ the urban design guidelines, ~~may this would not necessarily~~ constitute non-compliance with the District Plan rules subject to the overall amenity and urban design outcomes being achieved.

- 6.4.60 The Henmar Trust has recommended that a reflectivity criteria is added to the District Plan rules. Reflectivity often forms part of urban design guides and it is apparent that this is not explicitly covered. It is considered that a change to the Design Guide is appropriate.

Performance Standards – Noise

- 6.4.61 Rule 7.4.2.15 and Rule 7.4.2.16 set out the controls and rule provisions for noise from industrial zones. BIL propose specific rule provisions for Node 1A and 2 (new Rule 7.4.2.16A) and also mandatory provisions for acoustic insulation for noise sensitive activities (new Rule 7.4.2.16A B).
- 6.4.62 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18]. BIL seeks a minor change to new Rule 7.4.2.16B to clarify that the acoustic insulation is only relevant to activities within the Campus Hub given that these are not otherwise to be provided as permitted activities across the remainder of the proposed precinct.
- 6.4.63 The Henmar Trust [Sub:13] [FS:30] supports the inclusion of noise rules however they oppose the specific standards proposed by BIL.
- 6.4.64 Waipa District Council [Sub:22] has made a submission that they would prefer industrial noise standards to apply consistency across all industrial areas and that the proposed introduction of the notional boundary for noise measurement should be deleted.
- 6.4.65 The NZ Transport Agency [FS:27] supports the submissions that retain the acoustic insulation standards for noise sensitive activities.

- 6.4.66 BIL are seeking specific noise standards for Node 1A and 2 to recognise the 24/7 operation of the APL manufacturing plant and process and they also consider that the surrounding environment which includes frontages to road corridors and low density rural environment justify bespoke noise provisions.
- 6.4.67 The District Plan already has two separate noise standards with Rule 7.4.2.15 applying to all industrial zones apart from the Bond Road North Industrial area which is subject to Rule 7.4.2.16. There are differences between the respective rules affecting both the daytime noise standards and also for single event noise which is controlled by an Lmax level.
- 6.4.68 As the APL manufacturing buildings will be within 40m of the eastern boundary of the site, it is understandable that BIL do not wish to establish non-compliance with noise standards and this would also support the use of a notional boundary rule mechanism whereby the noise threshold is measured 20m from existing dwellings. If no dwellings are located on an adjoining title, then the notional boundary rule does not apply to that site. A potential issue can arise when existing titles are built on and then this may introduce a non-compliance which did not exist before the dwelling was established.
- 6.4.69 As Waipa District Council has made a submission on noise issues and they will be responsible for monitoring and compliance of the noise standards and it is important that any set of noise standards are practicable.
- 6.4.70 To provide an alternative solution, the following rule mechanism is proposed:
- Within the boundary of any site zoned Residential, Large Lot Residential or the notional boundary of any site zoned rural*
- a. *Monday to Friday - 7.00am to 10.00pm - 50dBA (Leq)*
 - b. *Saturdays - 7.00am to 6.00pm - 50dBA (Leq)*
 - c. *At all other times including public holidays - 45dBA (Leq)*
- 6.4.71 This rule could apply to the whole precinct and is proposed on the basis that:
- It adopts the notional boundary for rural properties;
 - The daytime standard is set at 50dBA (Leq) which is more appropriate for new industrial areas than a 60dBA (Leq) standard; and
 - The night time standard is 45dBA (Leq) which is more appropriate than the 35dBA (Leq) which is currently part of the Bond Road North Industrial standards.
- 6.4.72 It is recommended that the submissions on noise are accepted in part given that the proposed amendment adopts part of the rule provisions proposed by BIL and also provides amendments in line with the submissions seeking additional controls.

Performance Standards – Signage

- 6.4.73 BIL has proposed a new Rule 7.4.2.25A in relation to signage.

7.4.2.25A Within the Bardowie Industrial Precinct Structure Plan Area, in addition to Rule 7.4.2.23 (d) and (e) and Rule 7.4.2.24, the following signs are permitted:

- (a) One single or double-sided tower sign at each of the southern and northern entrances to the Bardowie Industrial Precinct identifying and providing information relating to the businesses within the Bardowie Industrial Precinct with a maximum height of 10 metres and a maximum width of 3 metres on each side.
- (b) A 'pou whenua' at the southern and/or northern entrances to the Bardowie Industrial Precinct up to a maximum height of 6 metres and a maximum width of 1.5 metres.
- (c) Signs erected on a construction site giving details of the project up to a maximum of 20m² for the duration of the construction provided that any such signs shall not be directed in a southerly direction towards State Highway 1.
- (d) Signage on the southern or southwestern face of buildings fronting and within 100 metres of State Highway 1 within Node 1A and Node 2 (as identified in the Bardowie Industrial Precinct Structure Plan) up to a maximum of 20m² per building on a maximum of four buildings.
- (e) Any directional signage within the Bardowie Industrial Precinct.
- (f) Any signage up to a maximum of 2m² per sign (with a maximum of one sign per vendor or agent) advertising the land or premises for sale or lease.
- (g) Except as provided for, or limited, in (a) to (f) above, up to 5m² of signage per separate activity or building in Nodes 1A and Node 2 and up to 5m² of signage per site in Node 1B and Node 3.

Provided that within 100 metres of Stage Highway 1 signs shall not be internally illuminated, flashing incorporate fluorescent materials such as flags or be painted in colours that are used on traffic signals.

Advice note: Signage within the Bardowie Industrial Precinct Structure Plan Area shall also be designed and constructed in a manner consistent with the Bardowie Industrial Precinct Structure Plan Urban Design and Landscape Guidelines.

6.4.74 This rule is subject to submissions in support from BIL [Sub:18] and Fonterra [Sub:11]. The NZ Transport Agency has lodged a further submission opposing the 20m signage provision and seeking that no signage is visible from the Cambridge bypass (which is consistent with Rule 7.4.2.25(b) for the Hautapu Structure Plan area). The Henmar Trust [FS:30] partly supports the signage provisions.

6.4.75 With respect to the NZ Transport Agency further submission, BIL has been in discussions with the agency about the signage rule and what may be appropriate. The scale and nature of development within Node 1A and 2 including massive building footprints does lend itself to some form of signage as this can be managed by one business owner. Despite the existing District Plan provisions, it would also be unrealistic to impose a rule that no signage can be viewed from the Cambridge by pass given the elevation and proximity of the bypass to the precinct.

6.4.76 It may be that there is an agreed position between the parties presented at the hearing. If the NZ Transport Agency is concerned with traffic safety and driver distraction, then it may be possible to provide a resource consent process for signage with the NZ Transport Agency identified as an affected party.

6.4.77 With regards to the remainder of the proposed signage rule, it is considered that the provisions are appropriate noting:

- The entrance tower sign and pou whenua are appropriate to a development and precinct of this scale;
- Proposed Rule 7.4.2.25A(c) provides for temporary construction signage on a per site basis. The provision of 20m² signage is large compared to the standard provision of 2m² and it is ambiguous how construction site will be defined. The APL site (Node 1A) is very large (12.5ha approx.) and 20m² would be appropriate for such a large site but not for a series of smaller independent construction sites. Although construction signage is temporary, there would be merit in clarifying the meaning of site and how the rule is meant to be implemented;
- The provision for directional signage and sales signage is appropriate;
- The basic provision for 5m² signage for future business operators appears appropriate however clarification is required around the linkage of the rule to the number of buildings within Nodes 1A and 2. Unless the number of buildings are identified, then it would be more appropriate to use the standard District Plan reference to 'per site'. In addition, the additional standards for a maximum of 2 signs per site and the maximum visible area in any direction should also be considered.

6.4.78 It is recommended that the submission be accepted in part with amendments included to address the matters discussed above.

Rules – Developer Agreement.

6.4.79 BIL has proposed a new Rule 7.4.2.31A in relation to a developer agreement. The use of developer agreements is a standard approach promoted in the District Plan which enables developers and Council to critical assess the infrastructure requirements for any development site in conjunction with Council asset management plans for upgrade works and the infrastructure demand for other growth nodes. The developer agreement process will provide details around the timing and staging of infrastructure supply and importantly the respective funding allocations works and anticipated reimbursement models through development contributions.

7.4.2.31A No development within the Bardowie Industrial Precinct Structure Plan Area shall be approved until such time as a Development Agreement is signed between Council and the developer, unless otherwise approved in writing by the Council. The Development Agreement shall specify all those items of infrastructure that are required to be upgraded at full or partial cost to the developer.

Activities that fail to comply with this rule will require a resource consent for a non-complying activity.

6.4.80 The proposed changes are supported by Fonterra [Sub:11] Future Proof [Sub:12] and BIL [Sub:18]. The Henmar Trust [Sub:13] [FS:30] partially supports the changes however additional wording is requested in terms of the servicing of the remainder of the updated C10 Growth Cell. The additional wording proposed by the Henmer Trust is as follows:

The infrastructure provided shall be designed and constructed to connect to and accommodate future development within Growth Cell C8 as currently shown in Appendix S1 of the Waipa District Plan. The development agreement shall also specify the reserves agreement and detail the extent of reserve land to be vested in Council and the manner that the reserve contribution will be offset against the reserve land to be vested.

- 6.4.81 Further submissions have been lodged by BIL [FS:29] opposing the submission from the Henmar Trust submission and from the Henmar Trust [FS:30] opposing the submissions supporting the original wording.
- 6.4.82 It is considered that the wording of Rule 7.4.2.31A as originally notified is appropriate and does not require further amendment in terms of Growth Cell C8 (updated C10). BIL has amended the Structure Plan for the precinct to provide a road corridor to the Henmar Trust property boundary which provides a key transport and infrastructure corridor option. With regards to the future development of the remainder of the updated C10 growth cell, while there will be consideration of the overall infrastructure requirements for the growth cell, there is currently no certainty over the timing, extent or nature of any future industrial development that may occur. Any developer agreement will also need to consider impacts on other growth cells. While reference to the updated C10 Growth Cell is not recommended in the rule mechanism, specific amendments are recommended to the Structure Plan.
- 6.4.83 The developer agreement will need to consider the split of public and private assets and any public space provision will be included in the developer agreement process. It is therefore considered that reference to reserves should be included.
- 6.4.84 The Henmar Trust has recommended consideration be given to stipulating that the northern entrance should be constructed first and that the extent of any reserves should be included in the developer agreement. As the APL manufacturing plant will be constructed first, this requires access from the southern entrance and the land to the north is required by Fonterra for spray irrigation. This part of the Henmar submission is recommended to be rejected.

Rules – Car Parking.

- 6.4.85 BIL has proposed a new Rule 7.4.2.33 to set a specific car parking requirement for the large industrial buildings (10,000m² plus) within Node 1A and 2. This requires a car park for each FTE employee as an alternative to the standard ratio of one car park per 100m² of GFA. Given the scale of the APL buildings and the nature of the manufacturing process, the proposed rule is considered appropriate and necessary.
- 6.4.86 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18] and the submissions can be accepted.

Rules – Storm water Design

- 6.4.87 BIL has proposed a new Rule 7.4.2.34 to require on-site for Node 1B and 3 to cater for a two-year annual recurrence interval rainfall event up to 72 hour duration.
- 6.4.88 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18] with the Henmar Trust seeking that all of the storm water should be disposed of on-site. This submission is opposed by BIL [FS:29].

- 6.4.89 The provision of three waters infrastructure and servicing has been addressed in the Technical Memo from Richard Bax – Council Acting Manager Infrastructure Development (**Appendix 2**).
- 6.4.90 Given the scale of the site and the hard stand areas, it would be impracticable to dispose of all storm water to ground, particularly for significant rain events and the applicant is currently making application for discharge to the Mangaone River.
- 6.4.91 Mr Bax has confirmed that appropriate three waters infrastructure and servicing solutions are available and that the technical work completed by BIL and reviewed by the Council’s project team provides sufficient confidence to allow the plan change to be granted. A critical next step will be the discussions and negotiations between Council and BIL to establish a developer agreement for the precinct and this process has already commenced.
- 6.4.92 It is considered that the proposed rule is appropriate and no changes are required. There are a number of technical matters raised within the technical memo and the supporting technical work which will require some modifications to the proposed Structure Plan document. These amendments are provided in track change in **Appendix 5**.

7. Section 14 – Deferred Zone

- 7.1.1 PPC11 proposes changes to Section 14 which are purely consequential and administrative. Currently Rule 14.3.1.8 refers to the Deferred Zone of part of the subject site and this rule is proposed to be deleted as it will be redundant if the new zoning and structure plan are accepted.
- 7.1.2 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18].
- 7.1.3 The changes are appropriate.

8. Section 15 – Infrastructure, Hazards, Development and Subdivision

- 8.1.1 Consequential and administrative changes are proposed to Rule 15.4.2.65 to embed the Bardowie Industrial Precinct Structure Plan in the District Plan rule framework.
- 8.1.2 PPC11 proposes changes to Section 14 which are purely consequential and administrative. Currently Rule 14.3.1.8 refers to the Deferred Zone of part of the subject site and this rule is proposed to be deleted as it will be redundant if the new zoning and structure plan are accepted.
- 8.1.3 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18].
- 8.1.4 The changes are appropriate.

9. Section 20 – Health and General Amenity

9.1.1 PPC11 proposes an amendment to Rule 20.4.2.8 as follows;

20.4.2.8 All sites with an impervious area of greater than 1000m² (other than roof areas that drain directly to the stormwater system or to soakage) must install an appropriate stormwater treatment system that adequately treats any actual or potential contaminants and either disposes stormwater to land soakage and/or restricts the discharge rate to the maximum greenfield run off rate for the site unless in accordance with a discharge permit granted by the Waikato Regional Council.

9.1.2 The proposed changes are supported by Fonterra [Sub:11] and BIL [Sub:18]. The change is opposed by the Henmar Trust [Sub:13] [FS:30] who is concerned about flooding and stormwater effects from the proposed development and who also considers that they should be an affected party for any discharge consent to the Mangaone Stream.

9.1.3 The changes to Rule 20.4.2.8 are appropriate and reflect the reality of many sites. Large development sites will often manage stormwater utilising ground soakage and on site storage for minor rain events with larger events attenuated and then discharged to existing stormwater networks and/or natural water courses. Any discharge consent application to the regional council will need to be assessed in accordance with the provisions of the Regional Plan and affected parties will be identified in accordance with the statutory provisions of the RMA.

10. Section 21 – Assessment Criteria and Information Requirements

10.1.1 PPC11 proposes a number of changes to the assessment criteria based upon the specific rule changes which are sought to the provisions in Section 7 of the District Plan. These will be addressed separately as they relate to different rule mechanism. The final changes to Section 21 will need to be reconciled with any final decisions to the changes proposed by BIL to Section 7.

10.1.2 The proposed changes to Section 21 are generally supported by Fonterra [Sub:11] and BIL [Sub:18] with Fonterra strongly supporting the new proposed Rule 21.1.7.16 which relates to activities requiring an air discharge. The changes are partly supported by the Henmar Trust [Sub:13] and [FS:30] with further assessment criteria requested. These are discussed in relation to each specific rule.

Rule 21.1.7.1 Controlled Activities for cafes and takeaway outlets.

10.1.3 BIL proposes the following amendments:

21.1.7.1	Cafes, and takeaway outlets with no drive through facility <u>outside of the central focal area of the Hautapu Industrial Structure Plan Area and campus hub of the Bardowie Industrial Precinct Structure Plan Area</u> , general store or dairies identified on the central core area of the Hautapu Structure Plan <u>and the campus hub of the Bardowie Industrial Precinct Structure Plan Area</u> .	(a) The appearance of the building and the extent that it implements the guidelines in Appendix S5 <u>and Appendix S19</u> .
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10.1.4 The changes to the rule will need to be clarified with BIL in relation to the general Permitted Activity provisions and the new provisions for retail in the Campus Hub. This is considered to be a relatively minor matters which can be confirmed at the hearing.

10.1.5 There are no opposing submissions to these proposed amendments.

Rule 21.1.7.3 Controlled Activities for ‘Indicative Motorway Service Centre’

10.1.6 A consequential deletion is proposed based on the request to remove the provisions for a motorway service centre in Section 7.

10.1.7 There are no opposing submissions and the deletion is appropriate should the motorway service rules be deleted from Section 7.

Proposed New Rule 21.1.7.3 Controlled Activities within proposed Campus Hub.

10.1.8 BIL proposes the following amendments;

<u>21.1.7.3</u>	<u>Any activity listed as a controlled activity in Table 7.4.1.2 and within the Campus Hub of the Bardowie Industrial Precinct Structure Plan Area.</u>	<u>Development and subdivision that implements the provisions of the Bardowie Industrial Precinct Structure Plan including:</u> <u>(a) The number of car parks servicing the activities; and</u> <u>(b) Consistency with the site layout shown in the Structure Plan, including the positioning of any proposed roads; and</u> <u>(c) Consistency with the standard of amenity described in the Structure Plan including any site or area specific design guidelines, block layouts and landscaping.</u>
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10.1.9 The proposed rule reflects the changes proposed by BIL to Section 7 and is subject to submissions and further submission from the Henmar Trust which seek additional assessment criteria for roading layouts and the provision of infrastructure. The Henmar Trust submission [Sub13] is opposed by BIL [FS:29].

10.1.10 As discussed in section 5.5 and 6.4 of this report, further consideration is required on the nature and standards applying to the proposed activities within the Campus Hub. While the

scale of general retail activities is capped at 400m², there is currently a very wide and open provision for visitor accommodation and conference facilities. It is recommended that visitor accommodation is reclassified as a Discretionary Activity.

10.1.11 It is noted that proposed Rule 7.4.2.8A requires all buildings and site layout to be in accordance with the Structure Plan and that any design for servicing and roading connections within the Campus Hub are unlikely to influence the connections to the Henmar Trust property. The Henmar Trust can clarify the concerns in their submissions and whether these relate to their boundary or to the Campus Hub.

10.1.12 Further assessment criteria rule will be required in relation to any new Discretionary Activity rule for visitor accommodation and conference facilities in the Campus Hub. This will need to be confirmed alongside the decisions on the rule provisions for the Campus Hub in Section 7 of the District Plan.

Rule 21.1.7.6 and 21.1.7.7 Restricted Discretionary Activities.

10.1.13 BIL proposes the following amendments:

21.1.7.6	Building and site layout	(a) Whether the public entrance of the building is visible from the road. (b) The extent to which parking and loading areas in the Hautapu Industrial Structure Plan Area affect the visual amenity of the zone. (c) <u>The extent to which parking and loading areas in the Bardowie Industrial Precinct Structure Plan Area affect the visual amenity of the zone.</u>
21.1.7.7	Building colour	(a) The extent to which building colour and reflectance levels of developments in the Hautapu Industrial Structure Plan Area add to amenity of the area. (b) <u>The extent to which building colour and reflectance levels of developments in the Bardowie Industrial Precinct Structure Plan Area add to amenity of the area.</u>

10.1.14 The amendments are supported by Fonterra [Sub:11] and BIL [Sub:18]. The amendments are subject to submissions and further submissions from the Henmar Trust [Sub:13] [FS:30] seeking additional assessment criteria for potential flood risk on other property and also effects on the Mangaone Stream. These submission points are opposed by BIL [FS:29].

10.1.15 The proposed amendments are appropriate in terms of Rule 21.7.6 and Rule 21.7.7 as the Design Guide should be taken into account as part of any Restricted Discretionary activity.

10.1.16 With regard to Henmar submission, it is considered that any flooding effects will be addressed through the earthworks consent (required by Rule 7.4.2.26 which limits earthworks to 1,000m³) and through the stormwater design and therefore no additional assessment criteria are required.

Rule 21.1.7.16 Restricted Discretionary Activities.

10.1.17 BIL proposes the following amendments:

<u>21.1.7.16</u>	<u>Activities in the Bardowie Industrial Precinct Structure Plan Area requiring an air discharge permit from the Waikato Regional Council.</u>	(a) <u>The actual and potential adverse effects on the operation of the Hautapu Dairy Manufacturing Site.</u>
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10.1.18 As discussed in Section 6.4 of this report, it is considered necessary to understand how this new rule will be implemented and what additional effects can be addressed by the District Council should an air discharge consent already be granted. Depending on this outcome, the associated Rule 21.1.7.16 can also be determined.

11. Appendix S1 – Growth Cells, Staging, Preconditions for Release and Infrastructure Requirements

11.1.1 PPC11 proposes the reinstatement of the updated C10 Growth Cell. This has been addressed in Section 5.4 of this report and does not need to be addressed further given the decision on Plan Change 5.

11.1.2 It is noted that the proposal to reinstate the updated C10 Growth Cell is broadly supported by Fonterra [Sub:11], Future Proof [Sub:12], the Henmar Trust [Sub:13] and BIL [Sub:18]. The Henmar Trust [FS:30] qualify their support based on inclusion of the relief sought in their submissions and further submissions.

12. Appendix S19 – Bardowie Industrial Precinct Structure Plan

12.1 Introduction

12.1.1 In accordance with the District Plan format, PPC11 proposes a Structure Plan statement and plan to establish the main principles and framework for development within the precinct including transport connections and infrastructure supply. In addition, the Structure Plan sets in place the Urban Design guidelines.

12.1.2 This section is subject to numerous submission points with many canvassing issues that have already been raised in earlier submission points. The submission will be addressed in two parts, those associated with the Structure Plan in the first instance and then those associated with the Urban Design guidelines.

12.2 Bardowie Industrial Structure Plan

General Provisions

12.2.1 The Structure Plan provides guiding principles for development within the precinct and then an overview of the proposed land use activities and infrastructure requirements.

12.2.2 The following general themes and submission points are made:

- General support however request for Campus Hub provisions to be revisited; Future Proof [Sub:12], Waikato Regional Council [FS:24], Fonterra [Sub:11] [FS:26], Waipa District Council [Sub:22];
- General support for the Structure Plan and modifications to the area and rule mechanism for activities within the Campus Hub; BIL [Sub:18] and [FS:29]; and
- Partial support and partial opposition to the layout and content of the Structure Plan with concerns expressed regarding ad-hoc development and lack of infrastructure and servicing details; Henmar Trust [Sub:13] and [FS:30].

12.2.3 BIL has proposed refinements to the spatial extent of the Campus Hub and also the rule mechanisms in response to the matters raised in submissions and has also proposed a *possible connection corridor for development to the north*.

12.2.4 The matters associated with the scale and function of the Campus Hub have been discussed throughout this report. Further refinement of the District Plan provisions for this area and the Structure Plan is recommended. BIL has provided a Master Concept Plan for the Campus Area and one option to consider is establishing the Concept Plan (or a version of it) into the Structure Plan to provide certainty to the location and scale of commercial activities that can be expected within this area.

12.2.5 The corridor connection to the Henmar Trust property is supported and this is a positive response from BIL. The Henmar Trust submission is critical of the lack of specificity in the Structure Plan and in particular the lack of provision for servicing of the updated C10 Growth Cell. There is merit in these comments however the Structure Plan cannot deliver the full extent of detail that is sought in the submission. The potential development of the updated C10 Growth Cell should be a matter addressed in the Structure Plan and it is also considered that the roading and service corridor require further certainty. The following recommendations are made in response to the submissions:

- Insert wording into S.19.1.3;

The purpose of this structure plan is to enable the development of new specialised industry into the Cambridge area, and to enable the Waipa District Council to plan and fund required infrastructure to appropriately service this industrial area including having regard to the potential future development of the C10 Growth Cell. ~~Consequently, the~~ The Structure Plan also provides a framework for development proposals and to ensure contemporary urban design outcomes are achieved in line with the vision for the Precinct.

- Insert new bullet point to the end of S19.1.6;

The principles guiding the Bardowie Industrial Precinct Structure Plan area as follows:

..

- *The provision of transportation corridors and infrastructure design and capacity shall take into account the balance of the C8 Growth Cell and shall not foreclose the opportunity for the efficient servicing and development of other land within the growth cell.*

Water Supply and Wastewater

12.2.6 BIL has submitted that two typos need correction in S19.2.12 and S19.2.15. These amendments are appropriate.

12.2.7 Waipa District Council [Sub:22] has submitted on the need for the structure plan to address firefighting supply and capacity as this will not be available from the public supply. This is supported by the Henmar Trust [FS:30].

Transport

12.2.8 The Structure Plan refers to the northern and southern entrance and staging provisions for the respective nodes.

12.2.9 The Henmar Trust [Sub:13] [FS:30] has made a series of submissions and further submissions regarding the transportation provisions and challenges some of the provisions associated with the right turn bay for the southern entrance and also the respective timing of the development of the northern and southern entrance. BIL [FS:29] has opposed the submission.

12.2.10 Waipa District Council [Sub:22] has submitted on the northern access seeking confirmation of an appropriate design solution. This is supported by NZ Transport Agency [FS:27] and the Henmar Trust [FS:30].

12.2.11 As discussed, Bryan Hudson of Waipa District Council has examined the access provisions proposed by BIL for the precinct taking into account future potential development within the updated C10 Growth Cell.

12.2.12 It is noted that Kiwi Rail [Sub:14] has made a submission opposing the southern entrance unless a suitable agreement is achieved which recognises that this entrance may need to be closed at some point in the future. It is understood that BIL is working with Kiwi Rail to achieve this agreement and this will need to be confirmed as part of the hearings process. Specific provisions will be required to reflect the terms of any agreement and the implications for the northern access.

12.2.13 Although the Henmar Trust may prefer the northern entrance to be formed in the first instance, BIL has developed the Structure Plan around the APL development and the immediate roading and servicing requirement for this stage of the development. Subject to a resolution with Kiwi Rail over the rail corridor, there are no grounds based on the traffic evidence and assessment that would suggest that the southern entrance should not be developed as a first stage.

Electricity

12.2.14 The Structure Plan simply refers to confirmation that Waipa Networks has confirmed that electricity can be supplied to the precinct.

12.2.15 The Henmar Trust [13] has submitted in partial support of this provision and seeks an additional clause requiring to all electricity services being underground. This is opposed by BIL [FS:29].

12.2.16 It is unclear why BIL has opposed the submission as overhead lines and electricity infrastructure would obviously detract from the high urban design standards that are envisaged for the precinct. Rule 17.4.1.1(a) of the District plan provides for overhead lines up to 110kv as a Permitted Activity and therefore it would be reasonable for BIL to confirm whether there is any intention to have overhead lines and how this has been considered as part of the Urban Design guidelines.

12.3 Urban Design Guide

- 12.3.1 The Henmar Trust [Sub:13] and [FS:30] has made multiple submission points to the urban design guidelines. Some of the submission points address the same matters raised in submissions to the District Plan standards including the requirements for screening around the perimeter of the site, screening, building height and connectivity to other land within the updated C10 Growth Cell.
- 12.3.2 BIL [Sub:18] and [FS:29] has made a submission in support of the urban design guidelines and dismissing the Henmar Trust submissions.
- 12.3.3 The matters raised in the submission to the design guidelines have already been addressed in the earlier parts of this report and changes to the Design Guidelines have been recommended in terms of the perimeter landscaping. The Structure Plan has also been amended to provide a connection to the Henmar Trust landholding. It is understood that BIL has had further discussions with the Henmar Trust and it will be necessary to hear from the parties as to whether there are still outstanding matters which are still contested in relation to the design guidelines.
- 12.3.4 The specific recommendation on each submission point are provided in the submission tables and the track change version of the Design Guide.

13. Conclusion

- 13.1.1 The private plan change request from BIL seeks to advance the Industrial Zone for 56.7ha at Hautapu. The site is part zoned Deferred Industry and part zoned Rural and forms part of the updated C10 Growth Cell (as recently determined by Plan Change 5).
- 13.1.2 As with any plan change of this type, there are a number of planning and infrastructure issues that need to be assessed and worked through. BIL has provided appropriate technical assessment to support the plan change and have been proactively involved with consultation and negotiations with stakeholders and submitters.
- 13.1.3 The plan change will enable the amalgamation and relocation of the APL manufacturing operation and consents applications have already been lodged to enable works to commence for Stage 1 of the precinct. The opportunity for the private sector to lead a plan change process and work with the statutory agencies to achieve an appropriate planning framework for the release and development of necessary industrial land is supported.
- 13.1.4 It is considered that the plan change is consistent with the higher order alternative land release provisions of the Regional Policy Statement and that it is also consistent with the planning framework of the District Plan and National Policy Statements.
- 13.1.5 There are some key planning and infrastructure matters which are not finalised and which will need to be further considered and determined through the hearings process. This will involve further discussions between BIL and the submitters and technical input from the respective parties in response to the matters raised in this report.

13.1.6 In summary, the following matters require clarification/resolution:

- Agreement from Kiwi Rail for access over the railway corridor;
- Provisions for the Campus Hub;
- Appropriate provisions for Structure Plan including infrastructure provision for the updated C10 Growth Cell; and
- Planning matters associated with the zone interface and off site effects, recognition and protection of cultural and heritage values.

13.1.7 It is considered that these matters are capable of resolution and that the hearing will provide the opportunity to provide a final recommendation and response to the submission points.

14. Recommendations.

14.1.1 Subject to the identified matters being resolved, it is recommended pursuant to Clause 10 of the First Schedule to the Resource Management Act 1991 that Private Plan Change 11 be approved and that the submissions and further submissions be determined in accordance with this report and the submission tables in **Appendix 1**. A track change version of the amendments proposed in this report is provided in **Appendix 5**.