



**HARRISON
GRIERSON**

PC17: TE RAPA NORTH INDUSTRIAL

Private Plan Change
Request

Reference: A22122331



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KEY DEFINITIONS AND ACRONYMS

KEY DEFINITIONS	
WORDS	DEFINITION
Fonterra Limited	The New Zealand farmer-owned co-operative that researches, produces, processes and exports dairy products. It is New Zealand's largest company and a significant employer, with more than 12,000 New Zealand based staff and more than 5,800 employees based overseas.
Northern River Crossing	A potential future river crossing that would eventually link State Highway 1C and River Road, identified within Hamilton City Council's draft Long-Term Plan.
Plan Change 17	Means private Plan Change 17 to the Hamilton City Operative District Plan initiated by Fonterra to rezone part of the Te Rapa Deferred Industrial Zone to Te Rapa Industrial Zone.
Plan Change Area	Means the area of the Te Rapa Deferred Industrial Zone that Fonterra proposes to rezone to Te Rapa Industrial Zone via Plan Change 17. Specifically, landholdings: Lot 1 DP 551065, Lot 1 DPS 85687, Lot 5 DPS 18043, Part Lot 1 DPS 10804, Lot 1 DPS 34481, Part Lot 2 DPS 10804, Lot 6 DPS 11087, Lot 5 DPS 11087, Lot 4 DPS 1108, Lot 3 DPS 11087, Lot 2 DPS 11087, Lot 1 DPS 11087, Lot 1 DPS 8230, Part Allot 8 Pukete PSH, Lot 1 DPS 58299, Lot 3 DPS 61136, Lot 1 DPS 61136, Lot 2 DPS 61136, Section 1 SO 456626 & Section 3 SO 456626.
Te Rapa Dairy Manufacturing Site	The 41.7ha area containing the Fonterra operated dairy processing site within the suburb of Te Rapa, Hamilton.
The North Block	The part of the plan change area including the following parcels: Lot 1 DP 551065 and Lot 1 DPS 8230.
The South-East Block	The part of the plan change area including the following parcels: Lot 5 DPS 18043, Lot 1 DPS 85687 and Lot 1-3 DPS 61136.
The West Block	The part of the plan change area including the following parcels: Section 3 SO 456626, Section 1 SO 456626, Lot 1 – 6 DPS 11087, Part Lot 2 DPS 10804, Lot 1 DPS 34481 and Part Lot 1 DPS 1080.

KEY ACRONYMS

ACRONYM	DEFINITION
AEE	Assessment of Environmental Effects
BBO	Bloxam Burnett & Olliver Ltd
DSI	Detailed Site Investigation
GDP	Gross Domestic Product
HCC	Hamilton City Council
HCODP	Hamilton City Operative District Plan
HNZPTA	Heritage New Zealand Pouhere Taonga Act 2014
HG	Harrison Grierson Consultants Limited
LVA	Landscape Visual Assessment
NIMTL	North Island Main Trunk Line
NPS-FM	National Policy Statement for Freshwater Management 2020
NPS-HPL	National Policy Statement for Highly Productive Land
NPS-IB	National Policy Statement for Indigenous Biodiversity
NPS-UD	National Policy Statement on Urban Development 2020
NRC	Northern River Crossing
PC17	Plan Change 17
PC12	Plan Change 12 – Enabling Housing Supply
RMA	Resource Management Act 1991
SH1	State Highway 1
Te Ture Whaimana	Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River
WDC	Waikato District Council
WRC	Waikato Regional Council
WRPS	Waikato Regional Policy Statement

1.0 Executive Summary

This Private Plan Change Request and Assessment of Environmental Effects has been prepared on behalf of Fonterra Limited (the 'Applicant') and forms part of Private Plan Change ('Plan Change 17'/'PC17') that is seeking to rezone approximately 91ha of land (the 'Plan Change Area') surrounding the Te Rapa Dairy Manufacturing Site at 1344 Te Rapa Road, Horotiu, Hamilton (the 'Manufacturing Site').

The purpose of PC17 is to:

1. Live-zone all Fonterra-owned land to Te Rapa North Industrial zone.
2. Protect the Te Rapa Dairy Manufacturing Site from incompatible surrounding land use and reverse sensitivity risk.
3. Future proof rail access to the North Island Main Trunk Line ('NIMTL').

The PC17 area is currently zoned Te Rapa North Industrial Zone ('TRNIZ'), which is subject to a Deferred Industrial Zone Overlay under the Hamilton City Operative District Plan ('HCODP'). The Plan Change Area is currently used for rural and residential activities.

PC17 does not seek to change the land use of the Manufacturing Site. Some planning provisions are proposed to be included and/or amended which will apply to the Manufacturing Site (due to its underlying TRNIZ).

PC17 proposes to enable industrial activities to occur within the Plan Change Area while protecting the Manufacturing Site from land use incompatibility and adverse reverse sensitivity effects.

Achieving this outcome will require the following changes to the HCODP: rezone part of the TRNIZ growth cell by removing the Deferred Industrial Zone Overlay from all Fonterra owned land and several smaller parcels that are owned by third parties (where the rezoning is needed to achieve the objectives of PC17); propose a Structure Plan to guide and co-ordinate the development of the Plan Change Area; amendments to Chapter 12: Te Rapa North Industrial Zone and several City-Wide provisions and additions to the HCODP appendices.

The proposed Te Rapa North Industrial Structure Plan ('Structure Plan') includes:

- The entire Plan Change Area, being 91ha of land surrounding the Te Rapa Dairy Manufacturing Site, on either side of Te Rapa Road.
- An indicative roading pattern that has been developed through a master planning process. This includes an arterial road, that will be route-protected to eventually form part of the Norther River Crossing ('NRC') and connect Koura Drive and Te Rapa Road, a collector road that will act as a central spine for the West Block and local roads that branch off the central spine or Te Rapa Road to give access to later development stages. The road design typologies will be supportive of industrial vehicle movements and the arterial and collector roads are to have pedestrian and cyclist facilities.
- Two new intersections with Te Rapa Road and a new connection with Old Ruffell Road. A T-Intersection, just south of the Pukete Street/Te Rapa Road junction, will provide access to the West Block (and protect land that enables it to be upgraded by HCC if, and when, the NRC is delivered) and a signalised cross-roads intersection south of Hutchinson Road that provide access to the northern part of the West and North Blocks. A southern entry-point to the West Block will be achieved through a connection to Old Ruffell Road. The delivery of these connections will be supported by provisions within Chapter 3.9 Te Rapa North

Industrial, Chapter 12 Te Rapa North Industrial Zone and Chapter 23 Subdivision that limit development according to their completion.

- Guidance for the Te Rapa Interchange land and an alternative access to the Te Rapa Dairy Manufacturing Site if the interchange was to be removed at a later stage.
- Spatial extents of proposed planning provisions that are designed to manage the interface between the Plan Change Area and the remaining areas of the TRNIZ within the Deferred Industrial Zone Overlay, which will apply until such time as the deferral is uplifted.
- Indicative riparian margins and stormwater management areas that are focused on the Te Rapa Stream.
- A potential rail siding from the NIMTL along the western boundary of the Plan Change Area.

The Structure Plan (**Figure 4** and **Appendix 10**) and the roading pattern it sets out, will be included in amended Appendix 2 as Figure 2-22 with supporting clauses. Provisions within Chapter 3.9 Te Rapa North Industrial, Chapter 12 Te Rapa North Industrial Zone and Chapter 23 Subdivision will reference Figure 2-22.

Chapter 3.9 Te Rapa North Industrial details the vision, the outcomes sought for the structure plan components and includes rules to trigger the development of the Structure Plan area. It includes indicative designs of the intersections that are to be delivered as part of PC17 as well as indicative cross-sections of the East-West Road (and how this could be upgraded by HCC to form part of the NRC), of the central spine road and a typical cross-section for the local roads that are to service the Structure Plan area.

The final component of the PC17 is to amend the TRNIZ provisions contained within Chapter 12 of the HCODP, the Subdivision provisions within Chapter 23, undertake minors amendments to provisions within Chapter 25 including 25.2 Earthworks and Vegetation and 25.14 Transportation, amendments to Appendix 1 and additions to Appendix 2.

These amendments reflect the change in approach to the future development of the TRNIZ, by removing references to concept development consents and staging. The changes will enable the zone chapter to function independently.

The proposed changes seek to:

- Enable 91ha of deferred industrial zoned land to be developed for industrial purposes to address medium-term demand.
- Protect the Te Rapa Dairy Manufacturing Site from reverse sensitivity, by rezoning the nearby properties and those that share boundaries with the Plan Change Area so sensitive activities such as residential and commercial activities are limited.
- Enable activities that meet the daily needs of employees, such as food and beverage outlets and gyms, in a limited part of the Structure Plan.
- Replace references to the Comprehensive Development Consent process and Stages 1: A and Stage 1: B within the HCODP and replace these provisions with a Structure Plan, provisions and development triggers, that have been informed by an integrated and multi-disciplinary master planning process.
- Enable development in accordance with the delivery of infrastructure upgrades and connections, to ensure the function of the area and its surrounds is not compromised.
- Enable the ability to apply tailored landscaping and building setback requirements to riparian margins and external boundaries of the Plan Change Area, including sections of boundaries that adjoin the Deferred Industrial Zone Area, the Waikato River and roads.
- Include requirements for specific roading infrastructure upgrades to be constructed prior to certain stages of development of Te Rapa North.

- Include a requirement for an Ecological Management Plan ('EMP') to be developed as part of the first land use consent or subdivision consent application in the Te Rapa North Industrial Structure Plan area. The EMP shall include a Bat Management Plan, an assessment of potential roost trees and ecological recommendations for landscape planting to be implemented across the precinct.

The request sets out how the proposal accords with Part 2 of the Act, before moving to the National Policy Statement on Urban Development (the 'NPS-UD'), National Policy Statement for Freshwater Management (the 'NPS-FM'), National Policy Statement on Highly Productive Land (the 'NPS-HPL') and the Waikato Regional Policy Statement (the 'WRPS') and Te Ture Whaimana o Te Awa o Waikato (Vision & Strategy), all of which the proposal needs to give effect to. It then includes an assessment of other relevant policies and strategies that need to be had regard to.

In summary:

- The request will enable people and communities to provide for their economic well-being by releasing industrial land for development in a location that has been signalled in the policy framework and is necessary to enable economic growth and employment opportunities for the Waikato Region.
- PC17 will deliver an economic benefit to the region that is estimated to consist of a one-time boost in regional GDP of \$330 million, create new employment for 2,550 people-years and boost household incomes by \$185 million, over the course of the entire project.
- PC17 will enable the efficient use and development of a scarce industrial land resource. The integrated design process that delivered the Masterplan and Structure Plan makes best use of the strategic advantages of the Plan Change Area; notably its excellent transport connections to State Highway 1c, the Waikato Expressway and the NIMTL. This, combined with the proximity of Hamilton City to Auckland and Tauranga (known as the 'Golden Triangle') will enable industrial development to realise the benefits of these attributes.
- It will protect the ongoing operation of the Manufacturing Site, which provides significant economic stimulus to Hamilton City and the Waikato Region and is already recognised for its strategic importance within Future Proof, the Waikato Regional Policy Statement and the HCODP.
- The request will more effectively achieve the integrated development of land and infrastructure by replacing the CDC framework with new plan provisions, including a new objective and supported policies implemented by specific staged infrastructure upgrade requirements.
- The introduction of a Structure Plan will more efficiently and effectively guide the development of the TRNIZ and ensure that cross boundary infrastructure such as roading and three water infrastructure is designed and delivered in a co-ordinated way.
- The proposed Structure Plan outlines a transport network and block pattern that the proposed provisions require future development to be in alignment with, achieving an efficient and logical block pattern and cross-boundary coordination. The proposed provisions also coordinate the integrated delivery of new and upgraded infrastructure with development.

PC17 provisions will effectively control any actual or potential effects on the environment for the following reasons:

- The development of the Plan Change Area for industrial use will address the potential for land use incompatibility and reverse sensitivity effects on the Te Rapa Dairy Manufacturing Site.
- The planning provisions will complement the existing NESF and HCODP provisions and require streams and natural wetlands to be protected and enhanced.

- The transportation effects on the adjoining road network will be managed and mitigated to an acceptable level by the provisions requiring development to be timed with upgrades to the roading network.
- The Structure Plan proposes rules to address ecological effects within the Waikato River Corridor as well as visual and amenity effects between the zone interface; including those areas that will remain subject to the Deferred Industrial Zone Area, and which will continue to be used for more sensitive purposes.
- The Significant Natural Areas applying to the Plan Change Area will be further protected by proposing they be zoned Open Space.
- The planning provisions will require the first resource or subdivision consent to provide an Ecological Management Plan that sets out best practice ecological protocols are followed to avoid impacts on pekapeka (bats) and other indigenous flora and fauna, including measures to avoid, mitigate or offset impacts.

2.0

THE APPLICANT AND PROPERTY DETAILS

APPLICANT	Fonterra Limited
SITE ADDRESS	<p>Three distinct areas being:</p> <p>West Block</p> <ul style="list-style-type: none"> • 5 Bern Road, 1443, 1431, 1429 - 1257 Te Rapa Road, Horotiu (11 parcels to the west of Te Rapa Road). <p>North Block</p> <ul style="list-style-type: none"> • 1412 & 1408 Te Rapa Road, Horotiu. <p>South-East Block</p> <ul style="list-style-type: none"> • 1340, 1336 & 1330 Te Rapa Road and 65 Meadow View Road, Pukete. <p>Full list included in Appendix 1</p>
ADDRESS FOR SERVICE	<p>Harrison Grierson Consultants Limited Level 4, 96 St Georges Bay Road Parnell, Auckland 1052 PO Box 5760, Victoria St West Auckland 1142 Attention: Nick Grala</p>
LEGAL DESCRIPTION	<p>West Block:</p> <ul style="list-style-type: none"> • Section 3 SO 456626; • Section 1 SO 456626; • Lots 1 – 6 DPS 11087; • Part Lot 2 DPS 10804; • Lot 1 DPS 34481; • Part Lot 1 DPS 10804; <p>North Block:</p> <ul style="list-style-type: none"> • Lot 1 DP 551065; and • Lot 1 DPS 8230. <p>South-East Block:</p> <ul style="list-style-type: none"> • Lot 5 DPS 18043; • Lot 1 DPS 85687; and • Lot 1-3 DPS 61136. <p>Full list included in Appendix 1</p>
SITE AREA	Approximately 91ha
DISTRICT PLAN	Hamilton City Operative District Plan

DISTRICT PLAN ZONING	<p>Te Rapa North Industrial Zone</p> <p>Open Space Zone - Natural Open Space Zone</p> <p>Open Space Zone - Natural Open Space - Waikato River and Lakes</p> <p>Transport Corridor Zone</p>
DISTRICT PLAN OVERLAYS	<p>Te Rapa Dairy Manufacturing Site</p> <p>Te Rapa Dairy Manufacturing Site Noise Emissions Boundary</p> <p>Deferred Industrial Zone</p> <p>PC9: Significant Archaeological Features (A32)</p> <p>PC9: Significant Natural Areas (C59)</p>
DISTRICT PLAN CONTROLS	<p>Waikato Bank Stability</p>
ROAD CLASSIFICATION	<p>State Highway 1C</p> <p>Arterial: Te Rapa Road</p> <p>Primary Collector: Ruffell Road, Onion Road</p> <p>Secondary Collector: Hutchinson Road</p> <p>Access: Old Ruffell Road, Meadow View Lane</p>
DESIGNATIONS	<p>Vector Gas Pipeline Corridor</p>
HAZARDS	<p>Waikato River Flood Hazard Areas</p> <p>Waikato Riverbank and Gully Hazard Area</p>

3.0 INTRODUCTION

This Private Plan Change Request and Assessment of Environmental Effects has been prepared on behalf of Fonterra Limited (the 'Applicant') and forms part of Private Plan Change ('Plan Change 17' / 'PC17') that is seeking to rezone approximately 91ha of land (the 'Plan Change Area') surrounding the Te Rapa Dairy Manufacturing Site at 1344 Te Rapa Road, Horotiu, Hamilton (the 'Manufacturing Site').

The Plan Change Area is currently zoned Te Rapa North Industrial Zone ('TRNIZ'), which is subject to a Deferred Industrial Zone Overlay under the Hamilton City Operative District Plan ('HCODP'). The Plan Change Area is currently used for rural and residential activities.

PC17 does not seek to change the land use of the Manufacturing Site. Some planning provisions are proposed to be included and/or amended which will apply to the Manufacturing Site (due to its underlying TRNIZ).

The purpose of PC17 is to:

- Rezone all Fonterra-owned land to Te Rapa North Industrial zone.
- Protect the Te Rapa Dairy Manufacturing Site from reverse sensitivity risk.
- Future proof rail access to the North Island Main Trunk Line ('NIMTL').

The relative locations of the parcels subject to PC17 and road network splits the Plan Change Area into three blocks. The extent of the Plan Change Area that is subject to the request is set out within **Figure 1** below and described in more detail in Section 3.2 below.

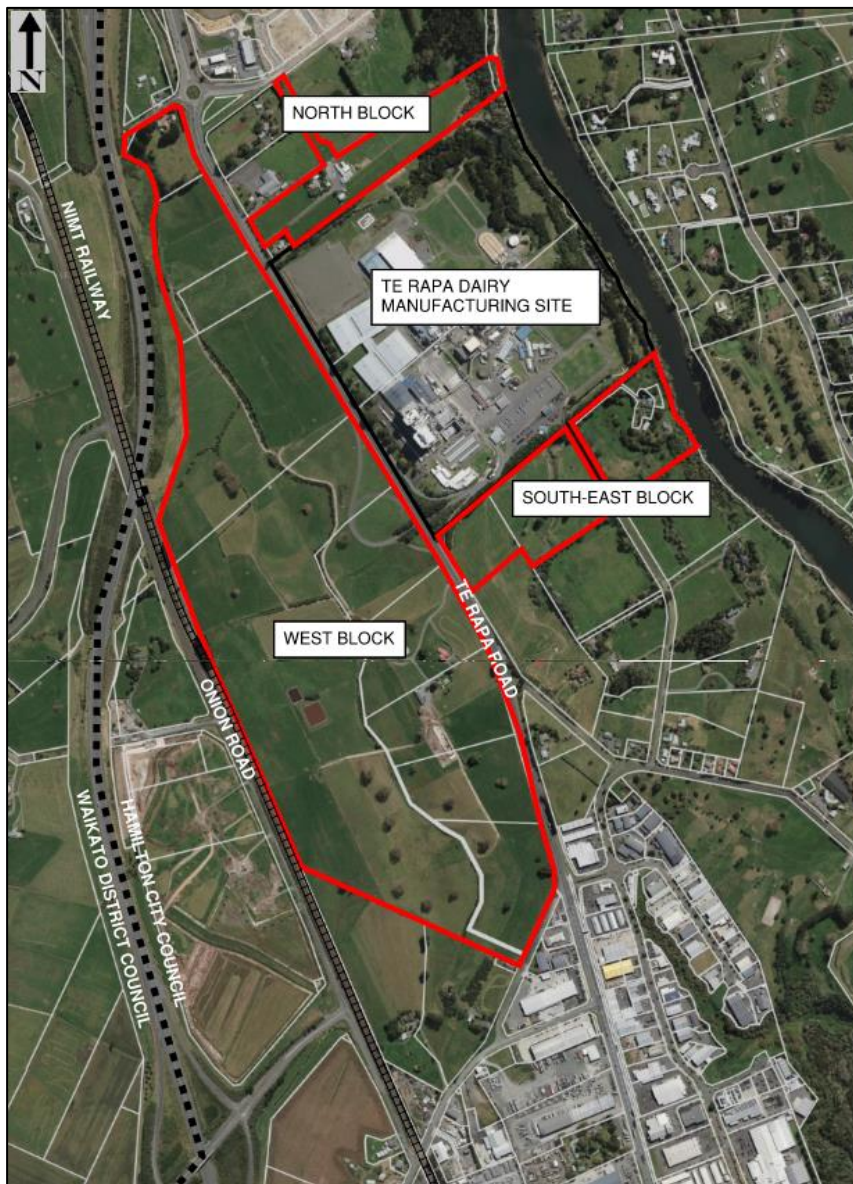


FIGURE 1: THE EXTENT OF PC17 IS SHOWN IN RED OUTLINE

This report contains the applicable information as required by Schedule 1 and Section 32 of the Resource Management Act 1991 (the 'Act') in appropriate detail relative to the scale and significance of the actual or potential environmental effects anticipated from the implementation of PC17.

Section 3 of this report details the Plan Change Area and surrounds, before providing background information to the proposal in Section 4.

Section 5 details PC17, including the extent of the rezoning being sought, the related amendments to Chapter 12: Te Rapa North Industrial Zone, Chapter 23: Subdivision and several sections within Chapter 25 City-Wide; and consistency with the proposed Te Rapa North Industrial Zone Structure Plan (the 'Structure Plan').

Section 6 summarises the stakeholder engagement and consultation that has been undertaken to date.

Section 7 contains the statutory assessment of the proposal as required by s75(3) of the Act.

Section 8 contains the Assessment of Environmental Effects ('AEE') as required by s76 of the Act.

Section 9 contains a summary of the evaluation report that is required under s32 of the Act (that is set out in full within Appendix 22).

4.0 PURPOSE

The purpose of PC17 is to:

1. Live-zone all Fonterra-owned land to Te Rapa North Industrial zone.
2. Protect the Te Rapa Dairy Manufacturing Site from incompatible surrounding land use and reverse sensitivity risk.
3. Future proof rail access to the North Island Main Trunk Line ('NIMTL').

PC17 firstly seeks to enable industrial activities to occur within the Plan Change Area to protect the Te Rapa Dairy Manufacturing Site against land use incompatibility and adverse reverse sensitivity effects. In doing so, PC17 will ensure the integrated and coordinated development of a significant industrial precinct in accordance with an adopted master plan, spatial plan and sub-regional growth strategy.

5.0 BACKGROUND

5.1 CURRENT DISTRICT PLAN FRAMEWORK

The existing framework guiding the future development of the TRNIZ within the HCODP uses a Concept Development Consent ('CDC') approach supported by the HCODP maps which identify Stages for development.

A CDC seeks approval for a development concept of a site, setting the parameters of what is expected in the detailed development application stage, where finalised plans and designs will be consented. It is required before any land use or subdivision consents can be sought.

This framework limits any activities beyond that which are enabled by the Future Urban Zone from occurring within Stage 1A, until a CDC has been approved. A CDC for areas outside of Stage 1A requires a Non-Complying Activity resource consent. Stage 1A is a 30ha area portion of West Block.

An Environment Court Decision.¹ deemed Comprehensive Development Plans, which CDCs are a form of, as likely to be ultra vires. As such, district plan's referencing this process should be replaced to reduce this risk.

¹ This is the same concept as the Comprehensive Development Plan process that was widely used in District Plans as a way to integrate new urban growth areas and infrastructure before being deemed likely to be ultra vires in *Queenstown Airport Corporation v Queenstown Lakes District Council* [2014] NZEnvC 93; *Re Auckland Council* [2016] NZEnvC 56, (2016) 19 ELRNZ 425.

5.2 TE RAPA MANUFACTURING SITE

The primary purpose of PC17 is to protect the Manufacturing Site and its current and future operations from incompatible and reverse sensitivity effects.

The Te Rapa Site first opened in 1968. Its location was largely chosen for its separation from sensitive land uses. As detailed below, successive planning regimes have consistently recognised that the Te Rapa site should be regarded as an "area of restraint" and that residential development should be directed elsewhere. This recognition of the Manufacturing Site's value as a place of employment and facilitator of business growth in the region has provided Fonterra with confidence to continue to develop and operate the Manufacturing Site in the way that it has.

The Te Rapa Manufacturing Site is a critical asset for Fonterra, with over \$52 million having been invested in the since 2013 that has a replacement value of \$1 billion. The Manufacturing Site employs over 700 full time equivalent staff. It pays approximately \$58 million in wages and salaries each year and purchases approximately \$90 million of goods and services from local businesses.

The Te Rapa Dairy Manufacturing Site's economic and social significance is recognised in the following statutory documents:

- Waikato Regional Policy Statement Operative 2016: Meets the definitions of a "Regionally Significant Industry",² is identified as part of the Te Rapa North Industrial Node in APP12 – Future Proof tables which is to enable the development of a cluster of dairy related industrial activities of at least regional significance.
- Waikato Regional Policy Statement (PC1): Same as above, however only the Te Rapa North Industrial node is proposed to be referred to versus the Manufacturing Site specifically (ongoing appeal, see below).
- Future Proof Strategy 2024: Te Rapa North is identified as a Strategic Industrial Node and development principles are provided that are complimentary to the function of the Manufacturing Site.³
- Waikato District Plan Operative District Plan 2013: Sets objectives, policies and rules in relation to the development of the Te Rapa North Area (which was previously within the Waikato District), that seeks development that is complimentary to the Manufacturing Site.⁴ A previous iteration of the plan also sought to provide for the Manufacturing Site.
- Hamilton City Operative District Plan: The district plan maps and TRNIZ specifically identify the Manufacturing Site and set objectives, policies and provisions⁵ to provide for its long-term function.

5.3 FONTERRA'S FEEDBACK WAIKATO RPS CHANGE 1

The Waikato Regional Policy Statement (the 'WRPS') Change 1 ('PC1') was notified in October 2022. Council adopted the recommendations of the Hearing Panel on 26 October 2023 and publicly notified the decision on 15 November 2023.

Fonterra lodged a submission on PC1 in relation to changes to parts of the WRPS that sought to incorporate the then Future Proof Strategy.

² Uses region-wide natural and physical resources, is identified in regional and district plan maps and has regional to national scale benefits.

³ Section B8 and Map 7. Directives 8.16 and 8.18.

⁴ Schedule 24C – Te Rapa North Industrial Park.

⁵ Chapter 12, Objective 12.2.5, Policies 12.2.4a, 12.2.5a, 12.2.5c and Rules 12.3.3 and 25.8.3.8.

Following the decision in November 2023 Fonterra filed an appeal that sought greater clarity for the Strategic Industrial Nodes on proposed Map 43 (which includes Te Rapa North and the PC17 extent).

5.4 APPLICANT'S FEEDBACK ON HCODP PLAN CHANGE 9

HCODP Plan Change 9 ('PC9') - Historic Heritage & Natural Environment, was notified in July 2022 and sought to schedule sites and areas that had been identified as holding historic heritage and natural environmental values.

As the proposed provisions sought to provide for areas of significant indigenous vegetation, areas of significant habitats of indigenous fauna and historic heritage, they had immediate legal effect in accordance with Section 86B of the RMA.

Fonterra submitted on PC9 as a Significant Natural Area ('SNA') proposed across part of the Te Rapa Dairy Manufacturing Site including the wastewater treatment operations. Following the release of decisions on PC9 Fonterra filed an appeal that addressed the same issue raised in the submission.

5.5 APPLICANT'S FEEDBACK ON HCODP PLAN CHANGE 12

HCODP Change 12 ('PC12') 'Enabling Housing Supply,' was notified in August 2022. Fonterra submitted on PC12 as it enabled greater housing intensification in the Te Awa Lakes development, located to the north of the Te Rapa Dairy Manufacturing Site, based on the potential risks of land use incompatibility and reverse sensitivity effects.

Fonterra appeared at Hearing 1 on Strategic Matters in February 2023 and at Hearing 2 on Substantive Matters in September 2024. Council's decisions on PC12 are expected in December 2024.

5.6 TE RAPA NORTH MASTERPLAN

Fonterra commissioned the development of a Masterplan to guide the future growth of the Te Rapa Dairy Manufacturing Site, while also providing a comprehensive approach for determining how land surrounding the Manufacturing Site could be developed to reduce the risk of land use incompatibility to avoid adverse reverse sensitivity effects (refer **Figure 2** below and **Appendix 9**).

The Masterplan has been developed and refined since its initiation in June 2022. Its development was based on an integrated design methodology that coordinated inputs from a team of experts, including urban designers, landscape architects, planners, civil engineers, traffic engineers, geotechnical engineers, acoustic engineers, ecologists and economists.

The Masterplan is an illustrative vision that shows how future development could be coordinated in an integrated and comprehensive way. The master planning process has informed the Structure Plan, which PC17 proposes for inclusion in the HCODP. The Masterplan that is provided with this application reflects the connections, land uses and treatments to manage reverse sensitivity effects that are applied through the Structure Plan and its associated provisions.



FIGURE 2: ILLUSTRATIVE MASTERPLAN FOR TE RAPA NORTH

5.6.1 SPECIALIST REPORTS AND INPUTS

Throughout the preparation of the Masterplan and PC17, Fonterra have commissioned the following specialist reports to assess the appropriateness of PC17:

TABLE 1: SPECIALIST REPORTS SUPPORTING PC17

AUTHOR	REPORT	APPENDICES
Kensington Planning and Landscape Consultants Limited ('KPLC')	Landscape and Visual Assessment ('LVA')	Appendix 3.
Bloxam Burnett & Olliver Ltd ('BBO')	Integrated Transport Assessment (ITA)	Appendix 4
Soil & Rock	Geotechnical Investigation	Appendix 5
	Soil Contamination Report	Appendix 17
Harrison Grierson	Infrastructure Assessment	Appendix 6.
	Masterplan	Appendix 9
	Structure Plan	Appendix 10
	Urban Design Statement ('UDA')	Appendix 16
RMA Ecology	Terrestrial and Freshwater Ecological Values and Effects Assessment	Appendix 7a.
BlueWattle Ecology	Bat Survey & Effects Assessment	Appendix 7b.
Insight Economics	Economic Assessment	Appendix 15

A Tangata Whenua Working Group ('TWWG') representing Ngaati Mahanga, Ngaati Wairere, Tamainupo, Turangawaewae Trust Board & Waikato-Tainui	Cultural Impact Assessment (CIA)	Appendix 14.
Sian Keith Archaeology	Archaeological Assessment	Appendix 18.
Marshall Day	Acoustic Assessment	Appendix 19.
Vitruvius	Rail Siding Report	Appendix 20

6.0 PROPOSAL

To achieve the objective of the Plan Change, at a high level, this application proposes the following changes to the HCODP:

- Changes to the Planning Maps to rezone part of the TRNIZ growth cell by removing the Deferred Industrial Zone overlay from all Fonterra owned land and several smaller parcels that are owned by third parties (where the rezoning is needed to achieve the objectives of PC17);
- Propose a Structure Plan to guide and co-ordinate the development of the Plan Change Area (as detailed under Section 6.2); and
- Amendments to the HCODP text, including the inclusion of Chapter 3.9 Te Rapa North Industrial, amendments to Chapter 12: Te Rapa North Industrial Zone and Chapter 23 Subdivision, several City-Wide provisions (as detailed under Section 6.3) and Appendices within Volume 2.

We have provided further details of these amendments within the following sections.

6.1 PROPOSED REZONING

The proposed alterations to the Planning Maps are illustrated within **Figure 3** and involves:

- Removing the 'Deferred Industrial Zone' area from the Plan Change Area (approximately 91ha);
- The extension of approximately 0.5ha of the Natural Open Space Zone where it adjoins the Waikato River within the North Block of the Plan Change Area (coinciding with the Significant Natural Area extent);
- The retention of approximately 91ha of the Te Rapa North Industrial Zone;
- The retention of approximately 1.2ha of the Natural Open Space Zone;
- The removal of the Te Rapa North Industrial Staging overlay; and
- The retention of the Te Rapa Dairy Manufacturing Site Noise Emissions Boundary.

The proposed Zoning Map is included as **Appendix 11**.

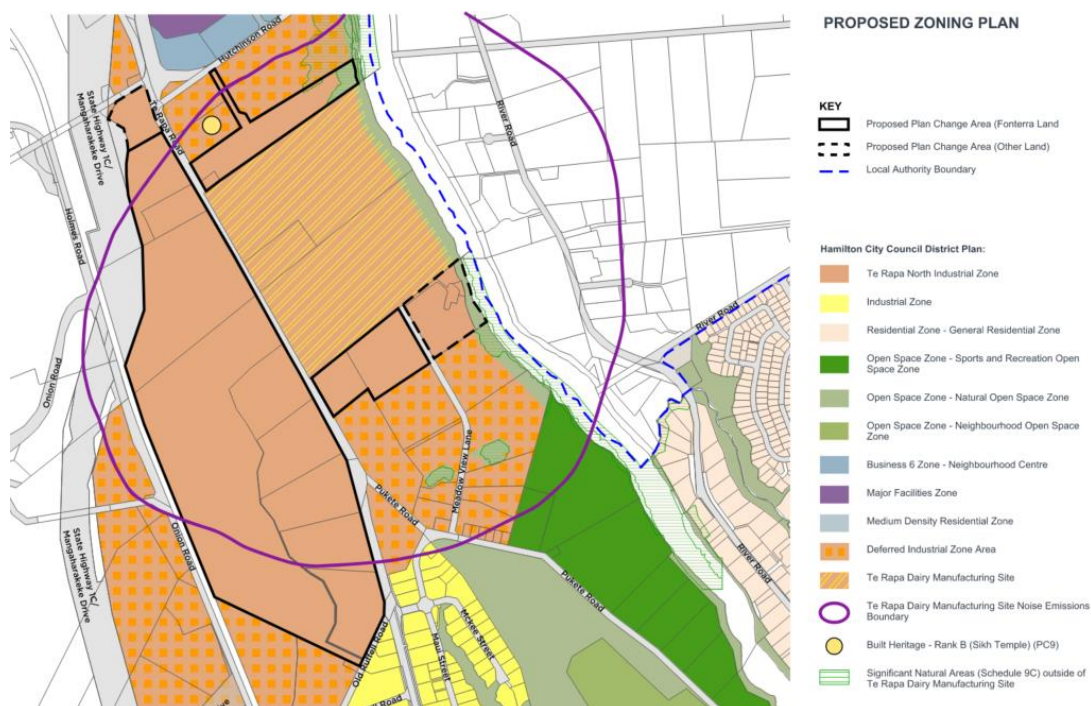


FIGURE 3: PROPOSED CHANGE TO THE ZONE MAP WITHIN THE HCODP.

6.2 PROPOSED TE RAPA NORTH INDUSTRIAL STRUCTURE PLAN

PC17 proposes the inclusion of a Structure Plan to provide the strategic framework for the TRNIZ. It will be used to guide and coordinate land use and infrastructure provision and ensure that the ultimate development of the Plan Change area connects into, and does not preclude or hinder, the future development of land that remains subject to the Deferred Industrial Zone area.

The proposed Structure Plan is illustrated in below **Figure 4** and in **Appendix 10**.

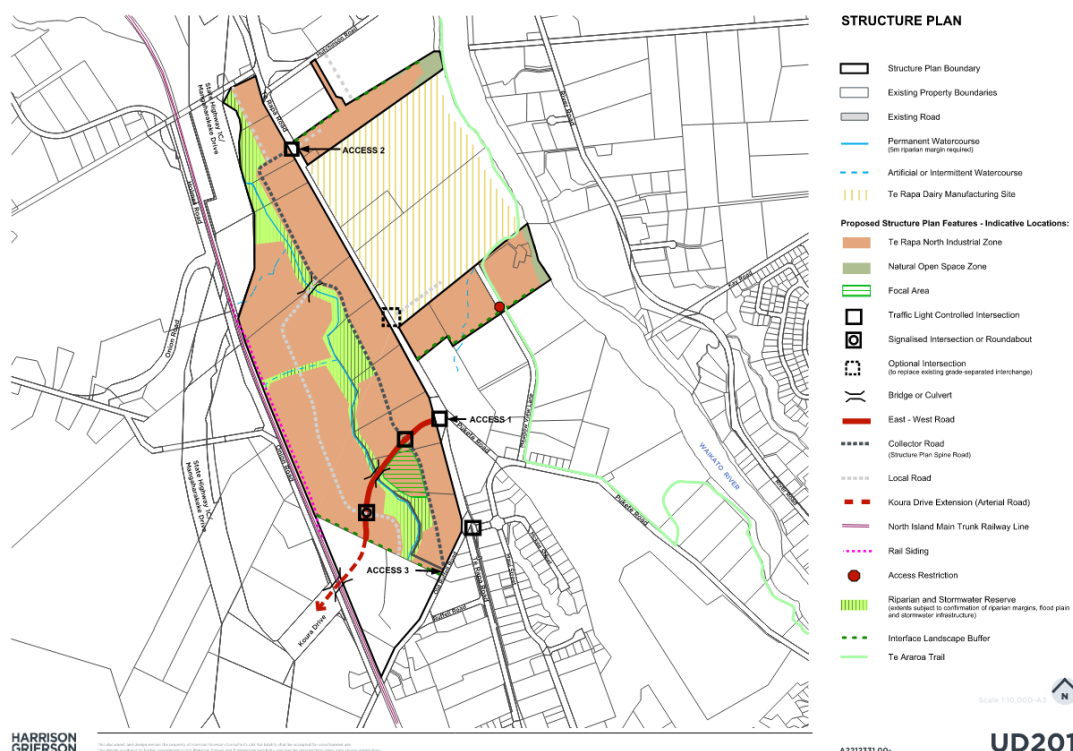


FIGURE 4: THE PROPOSED TE RAPA INDUSTRIAL STRUCTURE PLAN

The proposed Te Rapa North Industrial Structure Plan includes:

- The entire Plan Change Area, being 91ha of land surrounding the Te Rapa Dairy Manufacturing Site, on either side of Te Rapa Road.
- An indicative roading pattern that has been developed through a master planning process. This includes an arterial road, that will be route-protected to eventually form part of the NRC and connect Koura Drive and Te Rapa Road, a collector road that will act as a north-south central spine for the West Block and local roads that branch off the central spine or Te Rapa Road to give access to future development. The road design typologies will be supportive of industrial vehicle movements and arterial and collector roads are to have pedestrian and cyclist facilities.
- The Structure Plan in Figure 4 and the roading pattern it sets out, will be included in amended Appendix 2 as Figure 2-22 with supporting clauses. Provisions within Chapter 12 Te Rapa North Industrial Zone and Chapter 23 Subdivision will reference Figure 2-22.
- Two new intersections with Te Rapa Road and a new connection with Old Ruffell Road. A T-Intersection, just south of the Pukete Street/Te Rapa Road junction, will provide access to the West Block (and protect land that enables it to be upgraded by HCC if, and when, the NRC is delivered) and a signalised cross-roads intersection south of Hutchinson Road that provide access to the northern part of the West and North Blocks. A southern entry-point to the West Block will be achieved by through a connection to Old Ruffell Road. The delivery of these connections will be supported by provisions within Chapter 12 Te Rapa North Industrial Zone and Chapter 23 Subdivision that limit development according to their completion.
- Guidance for the Te Rapa Interchange land and an alternative access to the Te Rapa Dairy Manufacturing Site if the interchange was to be removed at a later stage.

- Indicative designs of the intersections that are to be established through the development of the Structure Plan.
- Indicative cross-sections of the East-West Road (and how this could be upgraded by HCC to form part of the NRC), of the central spine road and a typical cross-section for the local roads that are to service the Structure Plan area.
- Spatial extents of proposed planning provisions that are designed to manage the interface between the Plan Change Area and the remaining areas of the TRNIZ within the Deferred Industrial Zone area; which will apply until such time as the deferral is uplifted.
- Indicative riparian margins and stormwater management areas that are focused on the Te Rapa Stream.
- A potential rail siding from the NIMTL along the western boundary of the Plan Change Area.

6.3 PROPOSED AMENDMENTS TO PLAN PROVISIONS

The final component of the PC17 is to include a new chapter, Chapter 3.9 Te Rapa North Industrial, to guide the implementation of the Structure Plan, amend the TRNIZ provisions contained within Chapter 12 of the HCODP, the Subdivision provisions within Chapter 23, undertake minors amendments to provisions within Chapter 25, minor amendments to Appendix 1 and additions to Appendix 2.

These amendments reflect the change in approach to the future development of the TRNIZ, by removing references to concept development consents and staging. The changes enable development of the Plan Change Area as a high-quality industrial precinct, enabling the zone chapter to function without the requirement for a CDC.

The proposed changes to the HCODP are outlined in the marked-up version contained in **Appendix 12**, which seek to:

- Enable 91ha of deferred industrial zoned land to be developed for industrial purposes to address medium-term demand.
- Protect the Te Rapa Dairy Manufacturing Site from reverse sensitivity, by rezoning the nearby properties and those that share boundaries with the Manufacturing Site so sensitive activities such as residential and commercial activities are limited.
- Enable activities that meet the daily needs of employees, such as food and beverage outlets and gyms, in a limited part of the Structure Plan.
- Replace references to the Comprehensive Development Consent process and Stages 1: A and Stage 1: B within the ODP and replace these provisions with a Structure Plan, provisions and development triggers, that have been informed by a multi-disciplinary Masterplanning process that considered the Te Rapa Dairy Manufacturing Site, the Plan Change Area and its surrounds holistically. This also enables development and infrastructure to be integrated, which was the objective of the prior CDC process.
- Enable development in accordance with the delivery of infrastructure upgrades and connections, to ensure the function of the area and its surrounds is not compromised.
- Enable the ability to apply tailored landscaping and building setback requirements to riparian margins and external boundaries of the Plan Change Area, including sections of boundaries that adjoin the Deferred Industrial Zone Area, the Waikato River and roads.

- Include requirements for specific roading infrastructure upgrades to be constructed prior to certain stages of development of Te Rapa North (these provisions proposed for inclusion in Chapter 3.9, Chapter 12 and Chapter 23 of the HCODP and then implemented via Rule 3.9.4.2 of the District Plan).
- Include a requirement for an Ecological Management Plan ('EMP') to be developed as part of the first land use consent or subdivision consent application in the Te Rapa North Industrial Structure Plan area. The EMP shall include a Bat Management Plan, an assessment of potential roost trees and ecological recommendations for landscape planting to be implemented across the precinct. This is proposed to be implemented via Rule 3.9.4.3 of the District Plan.
- Include a requirement for an Infrastructure Plan to be developed as part of the first land use consent or subdivision consent application in the Te Rapa North Industrial Structure Plan area. The Infrastructure Plan shall detail the method of wastewater and water treatment, storage and conveyance, including grades or new infrastructure that may be required to the public network and all subsequent consent applications within the zone are to demonstrate their consistency with the approved plan. This is proposed to be implemented via Rule 3.9.4.3 of the District Plan.

6.4 INFRASTRUCTURE AND SERVICING

The Infrastructure Assessment in **Appendix 6** covers stormwater, water supply, wastewater and power supply, highlighting the available infrastructure, constraints and potential solutions for the future development of Te Rapa North for industrial activities.

We note there is capacity constraints in both the public water and wastewater networks. The preference is to overcome these constraints by undertaking upgrades to enable sufficient water supply and wastewater capacity in line with the staged development of the Plan Change Area which would involve a co-ordinated approach with Hamilton City Council (as the asset owner). We have also identified potential interim and short-term solutions to provide the necessary infrastructure solutions should the public upgrades not be able to be achieved in line with the anticipated development staging.

The recommended infrastructure and servicing for the Plan Change Area are summarised under the following headings:

6.4.1 STORMWATER MANAGEMENT

The Infrastructure Assessment outlines that stormwater management outcomes must comply with the requirements of the Te Rapa North Integrated Catchment Management Plan ('ICMP'), which is currently being produced by HCC and is in draft stage. The final ICMP will describe the nature of the entire Te Rapa North catchment and give guidance as to what stormwater management approaches within the Waikato Regional Stormwater Management Guideline ('WRSMG') are appropriate for the catchment. HCC have advised that the proposed stormwater solutions (discussed below) would very likely result in outcomes that align with the outcomes required by the ICMP, and as the ICMP must adopt the objectives and policies of the WRSMG, referring to the WRSMG is appropriate. In addition, future development and its proposed stormwater solutions will be assessed against the WRSMG and the ICMP, once published.

The Stormwater Management Guideline requires stormwater runoff to be treated, and post-development stormwater flows to be managed within the development to ensure that there is no peak flow increase downstream of the development.

The discharge requirements mean West Block would require treatment and attenuation of peak flows. The North Block and South-East Block would only require treatment, as

there are no intervening watercourses within these blocks requiring protection from erosion.

The preliminary geotechnical report indicates that the soil conditions preclude soakage as the primary management approach. As such, the recommended stormwater management approach for the West Block is to create 4.23ha of (artificial) stormwater wetlands (with a permanent water area of 2.44ha).

The wetlands are recommended to be located along Te Rapa Stream, as this is the natural low point for drainage. The wetlands will have controlled discharge into the stream. Earthwork contouring is anticipated to achieve adequate grades for the future network, which may, in places, extend into flood areas.

As the North Block and South-East Block parcels can discharge directly to the Waikato River, they will not require extended detention or attenuation (as there are no intervening watercourses that will require protection for erosion). Swales are recommended to be incorporated into the future roading network to collect, treat and convey stormwater runoff.

The Infrastructure Assessment contains more detail for on-lot and road network stormwater management.

Regional consent from Waikato Regional Council will be required for the earthworks forming the stormwater ponds due to their scale and potential impact on stream beds and wetlands as well as for stormwater discharges. Further detail of potential effects and how they will be avoided, minimised and mitigated will be provided at this stage.

Overall, it is considered that a combination of methods within the Plan Change Area will be able to appropriately manage stormwater from future industrial/business development of the Plan Change Area.

6.4.2 WASTEWATER

Available Capacity

The draft Te Rapa ICMP identifies that while there are no current wastewater issues, any future development would require additional network capacity. There is no capacity in the existing pipe network to receive additional flows from Te Rapa North or the Plan Change Area nor is there funding allocation to develop the infrastructure, including three-waters, to service Te Rapa North in the short or medium term.

There are planned capacity upgrades to the PWWTP, although these do not specifically identify capacity to accommodate the PC17 demand.

Servicing Options

It is the Fonterra's preference to advance the necessary upgrades to the public wastewater network to ensure that there is sufficient capacity for when land within the Plan Change Area is developed (most likely beginning in the short term). This will involve a co-ordinated approach with Hamilton City Council (as the asset owner / infrastructure provider) and we expect the details of the necessary upgrades will be determined throughout the plan change process.

We have also identified potential interim and short-term solutions to provide the necessary infrastructure solutions should the public upgrades not be able to be achieved in line with the anticipated development staging.

The options for servicing PC17 with reticulated wastewater services are set out below. These demonstrate that serving is achievable, but we note the decision on which option to take, along with details on how the option will be delivered, will be developed and made at the consenting and detailed design stage.

Interim Wastewater Solution

Having received confirmation from HCC that there is no immediate capacity at the PWWTP to accommodate development within the Plan Change Area, interim solutions have been identified to service the Plan Change Area should development precede the necessary upgrades being undertaken at the PWWTP.

In terms of conveyance (rather than treatment), the interim solution will likely depend on the final wastewater solution. We expect that it would be the same as the long-term conveyance but there would be no direct connection to the HCC network or the PWWTP. The solution would be designed so it could connect in future once capacity in the public network was available.

This would mean the interim network would be stored and treated through either:

1. On-lot systems disposing to land, that could be kept long-term or decommissioned once the PWWTP is upgraded; or
2. Package-type wastewater treatment systems and disposal fields located in later stage lots that would treat a “catchment” of lots that would be decommissioned and developed for industrial purposes once the PWWTP is upgraded.

Long-term Option

Once the PWWTP has capacity to treat wastewater from the Plan Change Area, a conveyance plan will be developed that aligns with HCC’s requirements. The plan would involve directing wastewater from the Plan Change Area to a terminal pump station, which would then connect to the PWWTP through a combined rising and falling main (described and shown in detail in **Appendix 6**).

The development of both the interim and long-term solution will continue to be undertaken in collaboration with HCC throughout the plan change process.

6.4.3 WATER SUPPLY

The total water demand for PC17 is anticipated to be:

- West Block is 868m³/day for 74ha with a peak flow requirement of 50.2 l/s.
- South-East Block is 126m³/day for 11ha with a peak flow requirement of 7.3 l/s.
- North Block is 73m³/day for 6ha with a peak flow requirement of 4.2 l/s.

HCC has advised that ultimately, PC17 would be supplied potable water from the Pukete Reservoir with no requirement for an additional reservoir but, there is no current capacity to supply the Plan Change Area.

Similarly to wastewater above, it is Fonterra’s preference to advance the necessary upgrades to the public water network to ensure that there is sufficient capacity for when land within the Plan Change Area is developed (most likely beginning in the short term). This will involve a co-ordinated approach with Hamilton City Council (as the asset owner / infrastructure provider) and we expect the details of the necessary upgrades will be determined throughout the plan change process.

Interim Solution

In the interim, Fonterra would look into potential alternate sources of water supply with a view to securing sufficient daily water capacity to supply the Plan Change Area. Potential sources have been identified and in this case a conveyance system would be developed in accordance with the supply source and staging of development.

An on-site water reservoir would then be able to be provided to store the required quantity of water for reuse within the Plan Change Area.

Additional on-lot rainwater reuse tanks and water sensitive designs are recommended to further reduce the demand from the Plan Change Area on any reservoir

Long term Solution

The proposed interim solution can be incorporated into the HCC water supply network when there is adequate treatment capacity, or it can remain as a separate pumped reticulation system with a reservoir supplied by the HCC network.

In either approach, the Plan Change Area would come to be supplied by the HCC WTP, connected by a looped network as described under Section 4.4 of the Infrastructure Assessment (**Appendix 6**).

The development of the Plan Change Area is to be coordinated and programmed with HCC to ensure development, water allocation requirements and available capacity are integrated.

6.4.4 ELECTRICAL AND COMMUNICATION SUPPLY

Electricity

WEL Networks manage the power distribution around Hamilton.

Electricity supply requirements vary according to the nature of the future development and the associated demand on the network. The Infrastructure Assessment notes that due to the size of the Plan Change Area and the activities enabled by the rezoning, it is likely that there is insufficient power supply for industrial demands, and a new substation may be required. Discussions with WEL Networks will be required to confirm available supply at the time of development, and the possibility of supplying energy intensive industry (in excess of 2MW).

Communications

Telecommunication services to the Plan Change Area are provided by Chorus and VOCUS.

There are limited fibre optic services established in the surrounding area, with services along Onion Road and Ruffell Road and along the eastern boundary. Chorus provide communication lines along Te Rapa Road to the existing Te Rapa Dairy Manufacturing Site. It is unknown if there are network upgrades scheduled to increase the fibre network in Te Rapa North. However, the Infrastructure Assessment notes that with the TAL development to the north of the Plan Change Area, upgrading of the fibre networks along Te Rapa Road is a reasonable assumption and it does not identify any issues that would limit the extension of fibre optic networks to future development.

7.0 THE SITE AND SURROUNDING AREA

7.1 LOCATION

PC17 relates to an approximate 91ha area of land in the northern extent of Te Rapa, approximately 8km north of Central Hamilton. PC17 is within the northernmost part of Hamilton City near the boundary of the neighbouring Waikato District (see below)

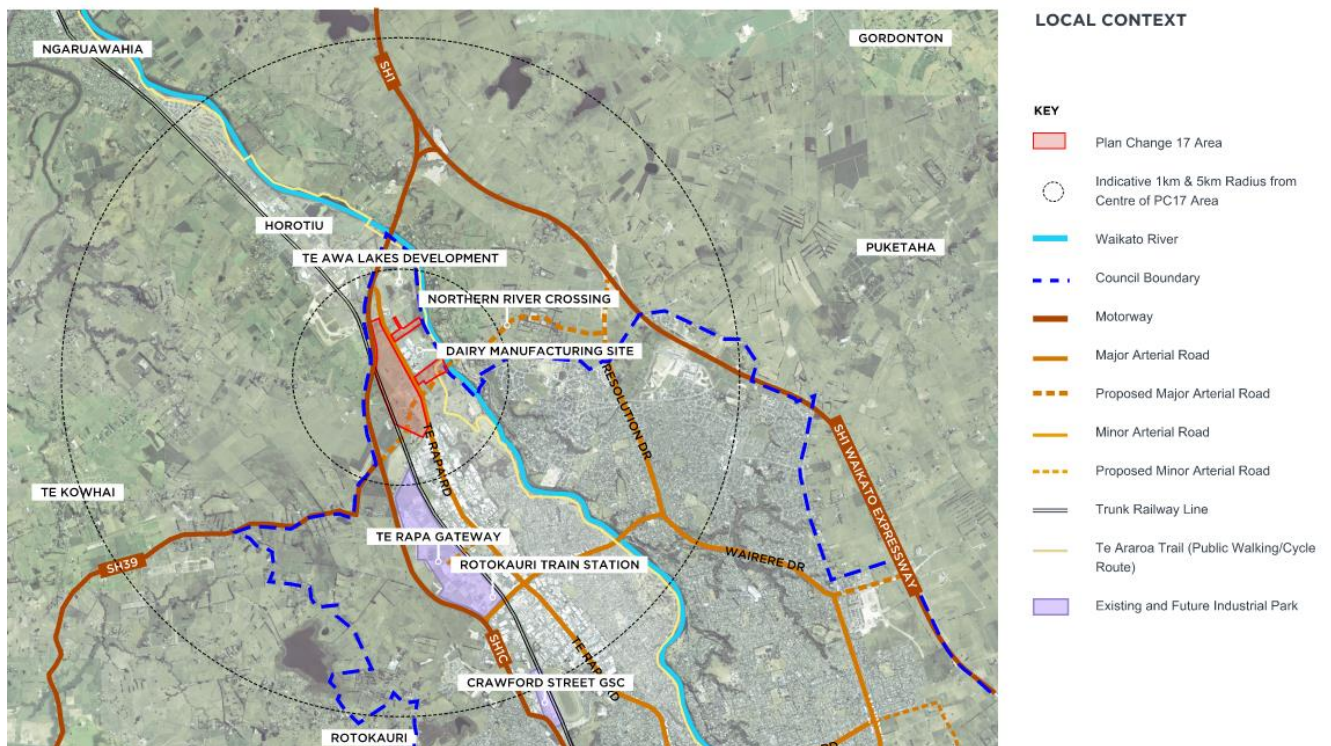


FIGURE 5: LOCAL CONTEXT OF PC17 AREA (RED SHADING)

7.2 PLAN CHANGE AREA LAND USE AND LANDHOLDINGS

PC17 comprises three distinct areas, all of which are contained by the Waikato River to the east, the Waikato Expressway / State Highway 1C to the west, collector roads to the north and other Deferred Te Rapa North Industrial Zone properties to the south.

The three areas are described as follows:

West Block:

- Section 3 SO 456626;
- Section 1 SO 456626;
- Lot 1 – 6 DPS 11087;
- Part Lot 2 DPS 10804;
- Lot 1 DPS 34481; and
- Part Lot 1 DPS 10804.

North Block:

- Lot 1 DP 551065; and
- Lot 1 DPS 8230.

South-East Block:

- Lot 5 DPS 18043;
- Lot 1 DPS 85687; and
- Lot 1-3 DPS 61136.

The parcels forming the Plan Change Area are detailed in full in Appendix 1 and their associated Records of Title are included as **Appendix 2**.

Fonterra owns the majority of the Plan Change Area with the exception of the parcels detailed in **TABLE 2** and shown in **Figure 6**.

TABLE 2: OTHER LANDOWNERS WITHIN PLAN CHANGE AREA		
ADDRESS	APPELLATION	LANDOWNER
No address	Lot 3 DPS 61136	J W Trustees Limited
80 Meadow View Lane, Pukete, Hamilton	Lot 1 DPS 61136	Francis Vincent Rog, Karen Elizabeth Rog
No address	Lot 2 DPS 61136	
1431 & 1443 Te Rapa Road, Horotiu	Section 1 SO 456626	Sikh Society
No address	Section 3 SO 456626	

As detailed in Appendix 13, Fonterra has engaged with these landowners.



FIGURE 6: YELLOW SHADING DENOTES THE PROPERTIES WITHIN THE PLAN CHANGE AREA EXTENT THAT ARE OWNED BY THIRD PARTIES (I.E. NOT FONTERRA).

WEST BLOCK

West Block comprises six land parcels and is approximately 72ha of land bounded by State Highway 1C and Bern Road to the north and west, the Northern Trunk Line to the west, Te Rapa Road to the east and Old Ruffell Road to the south.

As illustrated in **Figure 6**, two land parcels (legally described as Section 1 SO 456626 and Section 3 SO 456626) are included in West Block and are not owned by Fonterra. These two land parcels are owned by the New Zealand Sikh Society and contain a single residential dwelling and ancillary buildings.

The remaining four parcels of land are owned by Fonterra and are currently used for productive farming purposes.

NORTH BLOCK

The North Block is comprised of two parcels, is approximately 6.21ha in area and is bounded by the Te Rapa Dairy Manufacturing Site to the south, Te Rapa Road to the west, Hutchinson Road and other land parcels to the north and the esplanade reserve for the Waikato River to the east.

Lot 1 DP 551065 contains two residences, a shed and is used for rural and residential purposes. Lot 1 DPS 8230 is a 0.2ha parcel containing a single residence.

SOUTHEAST BLOCK

The Southeast Block is comprised of five parcels and is approximately 10.7ha in area. The block is bounded by the Te Rapa Dairy Manufacturing Site to the north, Te Rapa Road to the west, the Waikato River to the east and various private properties to the south.

Lot 5 DPS 18043 & Lot 1 DPS 85687 are owned by Fonterra and are primarily held in pasture with a single associated residence.

Lots 1-3 DPS 61136 are owned by two different private landholders and contain two standalone residences and three ancillary buildings which are accessed by separate driveways from Meadow View Lane. The remainder of the properties' area is in pasture or planted.

The surrounding area predominantly comprises rural and industrial activities with the outer residential suburbs and industrial areas of Hamilton to the south and southeast.

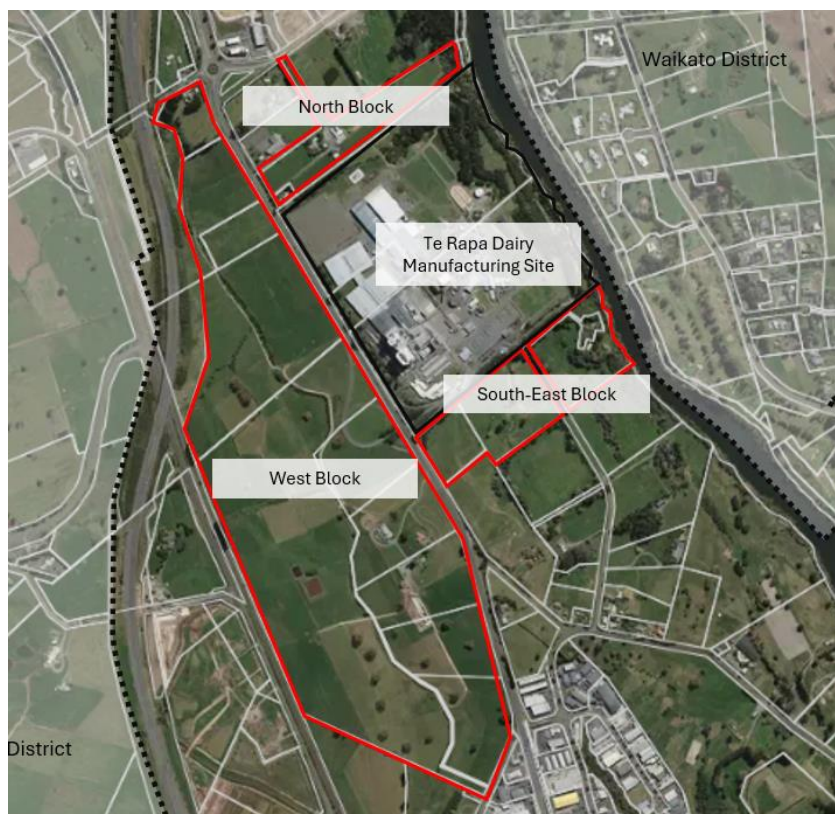


FIGURE 7: BLOCKS FORMING PC17 SITE

A detailed site description is contained in Section 4 of the Landscape Visual Assessment (the 'LVA'), which includes several photos from different viewpoints. The LVA is contained as **Appendix 3**.

7.2.1 SURROUNDING LANDHOLDINGS

a) Fonterra Te Rapa Dairy Factory

The Plan Change Area centres around the Te Rapa Dairy Manufacturing Site which is an operating facility that is of regional significance for Fonterra.

The 41.7ha Manufacturing Site includes facilities for milk, milk powder and cream processing with associated packaging, laboratories, freight arrival/departure stands and maintenance workshops as well as onsite water and wastewater treatment facilities.

b) Te Awa Lakes Development

North of the Plan Change Area beyond Hutchinson Road is the Te Awa Lakes ('TAL') development, which is a growth cell that will deliver 90ha of residential and commercial development, with integrated recreational facilities.

Stage 1 of TAL is predominantly residential and is currently under development. Stage 2 is to the north of the Waikato Expressway. Stage 3 abuts the northern portion of Te Rapa Farm which is envisioned as a recreational, commercial, and accommodation area.

c) Other Surrounding uses

Beyond the Waikato Expressway is the township of Horotiu, which includes a mixture of residential, industrial and community activities.

Other nearby locations and destinations within the locale include:

- The Te Araroa Trail, which travels north to south along the western edge of the Waikato River.
- The New Zealand Sikh Society Hamilton, which is north of the Manufacturing Site and adjoins the North Block of the Plan Change Area.
- Te Kowhai township, which is 5km to the west of the Plan Change Area; and
- Ngāruawāhia township, which is 7.75km to the north of the Plan Change Area.

7.2.2 ACCESS

All the PC17 blocks are accessible via Te Rapa Road, which is classified as a Major Arterial transport corridor in the District Plan Transport Corridor Hierarchy and a transit corridor in the New Zealand Transport Agency ('NZTA') One Network Framework ('ONF').

Other roads providing access to the Plan Change Area include; Ruffell Road and Onion Road which are classified as Primary Collectors, Hutchinson Road which is a Secondary Collector as well as Old Ruffell Road and Meadow View Lane which are Local Collectors.

State Highway 1C ('Waikato Expressway') is located nearby to the northwest which provides regional connectivity. The North Island Main Trunk Line ('NIMTL') is to the west, with its closest connection point being the Mainfreight Depot south of the junction of Onion and Ruffell Road.

A more detailed analysis of the existing road network is contained within the Integrated Transport Assessment (the 'ITA') contained within **Appendix 4**.

7.3 PLAN CHANGE AREA TOPOGRAPHY AND LANDFORM

The topography of the Plan Change Area and identified flood hazards are described in detail in the Geotechnical Report (**Appendix 5**) and Infrastructure Assessment (**Appendix 6**).

The topography of the Plan Change Area broadly comprises a central near-level floodplain (see **Figure 5**) around the Te Rapa stream with the slopes of the floodplain descending towards the stream at inclinations generally ranging between $<10^\circ$ and 18° . The two parts of the Plan Change Area to the east of Te Rapa Road are generally level. However, a steep slope is present at the eastern end of the northern site forming the banks of the Waikato River.

The West Block is generally of moderate gradient, except for a small, isolated hill that is approximately 6m high, and two steeper banks. One of the steeper banks runs the length of the block's eastern boundary against Te Rapa Road, and the other runs from the middle of the southern boundary to the north, then moves to the western boundary and tapers back to a more moderate slope to the north (**Figure 8** below). These banks create a lower flood plain terrace along the Te Rapa Stream.

The **South-East Block** and **North Block** are both of a moderate grade, sloping towards the Waikato River. There is a small overland flow path running south to north through the South Block connecting to another overland flow path running west to east along the Te Rapa Dairy Manufacturing Site's southern boundary towards the Waikato River.



FIGURE 8: CONTOURS OF THE PLAN CHANGE AREA (SOURCE: LINZ DATA SERVICE VIA SOIL & ROCK CONSULTANTS)

7.3.1 WATERBODIES

The watercourses and wetlands within the Plan Change Area are described and assessed in Section 3.3 of the Ecology Report (**Appendix 7**).

The report identifies that there are six streams within the Plan Change Area that meet the RMA definition of “river”⁶ (but the term stream will continue to be used throughout this report). The qualifying streams have a total length of 3.4km, with approximately 2km of perennial stream, which includes Te Rapa Stream and approximately 1km of ephemeral stream.

There are also several farm drains onsite, giving a total length of watercourses of 5.25km.

⁶ RMA 1991, s2: River means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)

The Waikato River flows from south to north close to the eastern boundary of the Plan Change Area. Te Rapa Stream and its tributaries eventually drain to the Waikato River beyond the boundaries of the Plan Change Area.

Under the National Policy Statement of Freshwater Management (the 'NPS-FM') there are ten qualifying 'natural inland wetlands' within the Plan Change Area, all of which are located within either the riparian margins of Te Rapa Stream or its tributaries.

The watercourses and wetlands associated with the Waikato River are shown in **Figure 9** and **Figure 10** respectively.

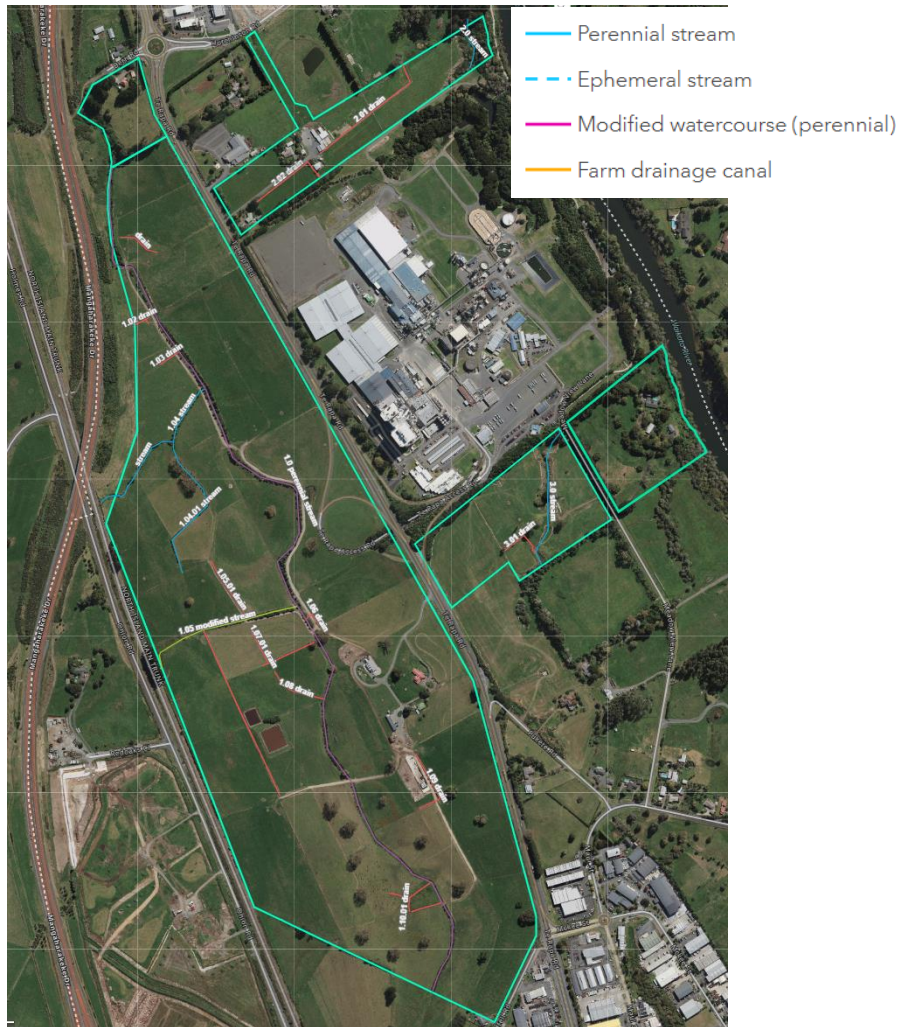


FIGURE 9: WATERCOURSES WITHIN THE PLAN CHANGE AREA.



FIGURE 10: WETLANDS WITHIN THE PLAN CHANGE ARE (ORANGE SHADING).

7.3.2 FLOOD HAZARDS

The Hamilton City Council ('HCC') Flood Viewer depicts a 100-year flood hazard running south to north through the entire West Block and a smaller section runs from the western boundary to the centre of the West Block. A strip of the South-East Block is susceptible to flooding during a 100-year storm event north along its eastern side. See **Figure 11** below.

The North Block is outside of the HCC flood hazard model, but overland flow path (the 'OLFP') information is available, which provide an indication of potential flood locations. OLFPs are shown to begin within the block and traverse east. See **Figure 12** below.

Further details of this flood extent are contained within the Infrastructure Assessment contained within **Appendix 6**.

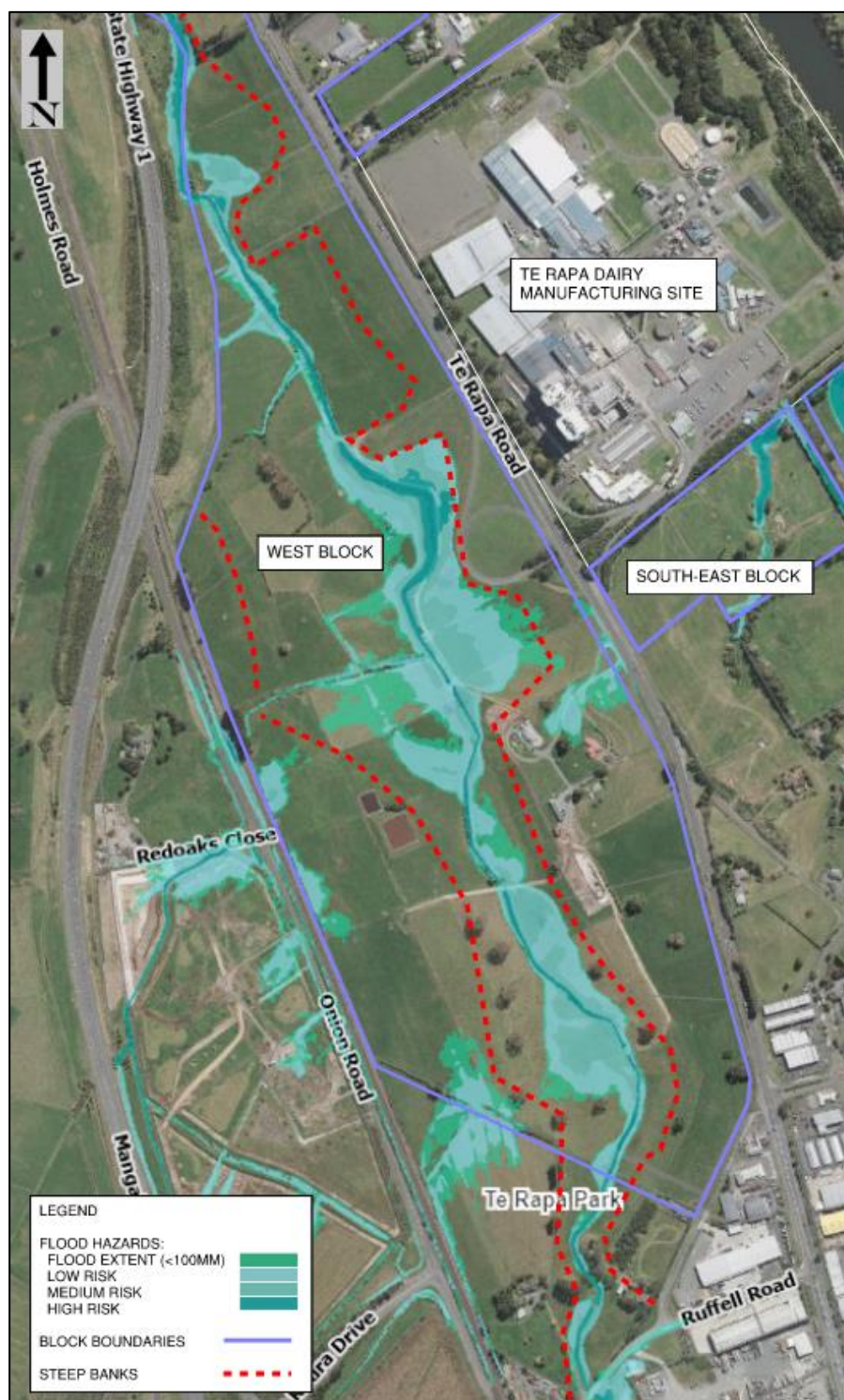


FIGURE 11: 100-YEAR FLOOD HAZARD AREAS (HCC FLOOD VIEWER VIA HARRISON GRIERSON CONSULTANTS LIMITED).

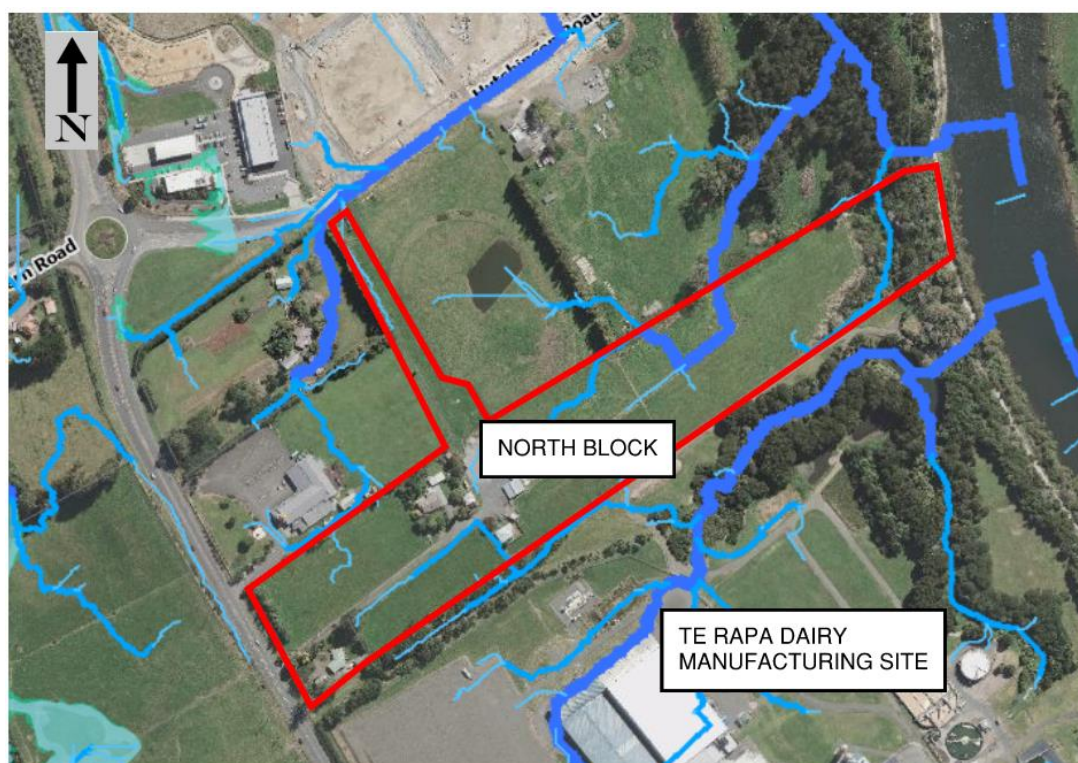


FIGURE 12 NORTH BLOCK OVERLAND FLOW PATH (HCC FLOOD VIEWER)

7.4 ZONING, CONTROLS AND DESIGNATIONS

7.4.1 PLAN CHANGE AREA

The Plan Change Area is wholly contained within the Hamilton District and so the HCODP applies, while the broader surrounding area to the east of the Waikato River is within the Waikato District (see **Appendix 8**).

The Plan Change Area is subject to the TRNIZ and Open Space Zone. The TRNIZ portion of the site is also subject to the 'Deferred Industrial Zone' overlay that effectively treats it as a Future Urban zone. The Te Rapa North Industrial Staging plan feature applies to the majority of the West Block, which is identified as Stage 1: A.

The Te Rapa Dairy Manufacturing Site Noise Emissions Boundary radiates out from the Dairy Manufacturing Site and overlays the majority of the Plan Change Area, with the exception of the northernmost and southernmost parts of the West Block.

Other notable provisions applying to the Plan Change Area are:

- The Vector Gas Pipeline Corridor.
- Designations:
 - F1a: KiwiRail Holdings Limited for Railway Purposes (NIMTL).
 - E99a: Waka Kotahi New Zealand Transport Agency for the Te Rapa Bypass/Waikato Expressway.
- Waikato River Flood Hazard Areas.
- Waikato Riverbank and Gully Hazard Area.

Plan Change 9 ('PC9') proposes to provide for significant indigenous vegetation, areas of significant habitats of indigenous fauna and historic heritage. As such, they have

immediate legal effect in accordance with Section 86B of the RMA. The applicable proposed overlays across the Plan Change Area are:

- Significant Natural Areas (C59).
- Significant Archaeological Areas (A32).

7.4.2 SURROUNDING LOCALITY ZONING

The parcels adjacent to the Plan Change Area are either zoned TRNIZ, Industrial Zone or Natural Open Space Zone. Those parcels zoned TRNIZ, are subject to the Deferred Industrial Zone Area.

The Te Rapa Dairy Manufacturing Site is zoned Te Rapa North Industrial Zone - Heavy Industry, which is overlaid with the district plan map area, 'Te Rapa Dairy Manufacturing Site.'

Beyond these immediately adjacent sites, the following zones apply to the South:

- Industrial Zone.
- Open Space Zone - Peacocke Natural Open Space.

To the north the following zones apply:

- Business Zone - Business 6 Zone - Neighbourhood Centre.
- Residential Zone - Medium Density Residential Zone.

Land to the west beyond the Waikato Expressway is within the Waikato District. Under the Appeals Version of the WPDP, the following zones apply to this area:

- GRUZ - General Rural Zone.
- GIZ - General Industrial Zone.
- RLZ - Rural Lifestyle Zone.
- GRZ - General Residential Zone.

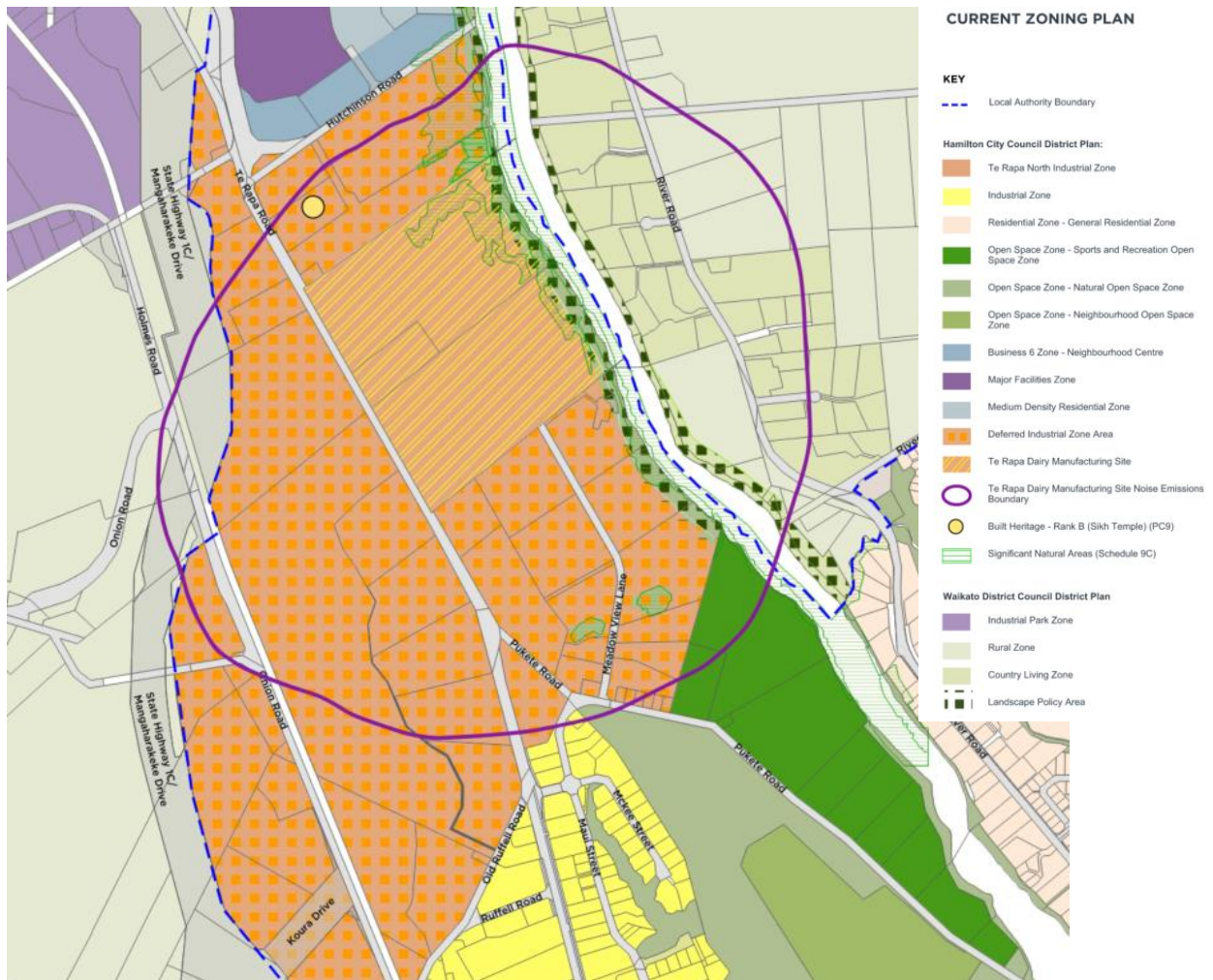


FIGURE 13: EXISTING ZONING OF TE RAPA NORTH AND SURROUNDS

8.0

STAKEHOLDER ENGAGEMENT AND CONSULTATION

The details of engagement undertaken up to the lodgement of this application is included as **Appendix 13**.

This plan change application has been informed by effective engagement that satisfies all mandatory engagement requirements.

Consultation has been undertaken since master planning for PC17 commenced in 2022. It is ongoing in some cases and Fonterra and the project team will continue to provide updates through the evidence stage of the plan change process where relevant.

8.1.1 MANA WHENUA

Mana whenua have been engaged in a proactive and collaborative way to inform PC17. since July 2023 Fonterra have been in active engagement with the five iwi and hapu with connections to the areas and in mid-2024. Tangata Whenua Working Group ('TWWG') representing the iwi and hapu above was formed to provide input into PC17. The relationship is articulated in a signed Letter of Intent between the Fonterra and the TWWG

The TWWG produced a Cultural Impact Assessment ('CIA') articulating mana whenua's interests and aspirations in relation to the PC17 area (**Appendix 14**). The CIA insights have been incorporated into the assessments within this report, while the recommendations from the CIA are all reflected through the proposed Plan Change and/or agreed to by Fonterra.

8.1.2 GOVERNMENT AGENCIES

Fonterra and Harrison Grierson have met with local and national Government agencies to understand these stakeholders' interests and properties in relation to growth and infrastructure. The detail of these meetings is included in Appendix 13.

8.1.3 NEIGHBOURING LAND OWNERS AND OTHER INTERESTED PARTIES

Fonterra has engaged with other landowners within and surrounding the Plan Change Area including Te Awa Lakes and Empire Corporation, who have significant landholdings and/or are currently undertaking development.

Fonterra also organised an information session on the Plan Change in combination with Te Rapa Dairy Manufacturing Site's annual community meeting. An e-invitation to the session was sent to Te Rapa Site's email circulation list, landowners within the TRNIZ, landowners within and nearby the Plan Change Area and landowners and stakeholders that had been engaged already as part of this proposal.

9.0 STATUTORY ASSESSMENT

As required by s75(3) of the Act, a District Plan must give effect to:

- Any national policy statement; and
- Any New Zealand coastal policy statement; and
- A national planning standard; and
- Any regional policy statement.

As required by s74(1)(a), territorial authorities must prepare and change its district plan in accordance with its functions under s 31. Under s31 every territorial authority must implement and review objectives, policies and methods to achieve the integrated management of effects of use and development (s31(1)(a)) and to ensure sufficient development capacity for business land (s31(1)(aa)). As such this plan change application must be reviewed with this lens, in order for HCC to give effect to the Act.

As required by s74(2)(b)(i), when preparing or changing a District Plan, a territorial authority shall have regard to any management plans and strategies prepared under other Acts, together with under s74(2A) any relevant planning document recognised by an iwi authority lodged with the territorial authority.

This section first focuses on how the proposal accords with Part 2 of the Act (as required by s74(1)(b)), before moving to the National Policy Statement on Urban Development (the 'NPS-UD'), National Policy Statement for Freshwater Management (the 'NPS-FM', National Policy Statement on Highly Productive Land (the 'NPS-HPL') and the Waikato Regional Policy Statement (the 'WRPS') and Te Ture Whaimana o Te Awa o Waikato ('Vision & Strategy'), all of which the proposal needs to give effect to. It then includes an assessment of other relevant management plans and strategies that Council shall have regard to under s74(2)(b).

9.1 PART 2 OF THE RESOURCE MANAGEMENT ACT 1991

When considering changes to a District Plan, a territorial authority is required by s74(1)(b) to change its district plan in accordance with the purpose and principles of the Act that are set out within Part 2.

Table 2 below sets out the Part 2 provisions and provides an assessment of the proposal against each one.

TABLE 3: ASSESSMENT OF PROPOSAL AGAINST PART 2 OF THE ACT	
RELEVANT OBJECTIVES AND POLICIES	ASSESSMENT
<p><u>5 Purpose</u></p> <p>(1) <i>The purpose of this Act is to promote the sustainable management of natural and physical resources</i></p> <p>(2) <i>In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and</i></p>	<p>The request will enable people and communities to provide for their economic well-being by releasing industrial land for development in a location that has been signalled in the policy framework and is necessary to enable economic growth and employment opportunities for the Waikato Region.</p> <p>PC17 will deliver an economic benefit to the region that is estimated to consist of a one-time boost in regional GDP of \$330 million, create new employment for 2,550 people-years and boost household incomes by \$185 million, over the course of the entire project.</p>

<p><i>cultural well-being and for their health and safety while—</i></p> <p>(a) <i>sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</i></p> <p>(b) <i>safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</i></p> <p>(c) <i>avoiding, remedying, or mitigating any adverse effects of activities on the environment.</i></p>	<p>PC17 will enable the efficient use and development of a scarce industrial land resource. The integrated design process that delivered the Masterplan and Structure Plan makes best use of the strategic advantages of the Plan Change Area; notably its excellent transport connections to State Highway 1C / the Waikato Expressway and the NIMTL. This, combined with the proximity of Hamilton City to Auckland and Tauranga (known as the ‘Golden Triangle’) will enable industrial development to realise the benefits of these attributes.</p> <p>It will protect the ongoing operation of the Te Rapa Dairy Manufacturing Site, which provides significant economic stimulus to Hamilton City and the Waikato Region and is already recognised for its strategic importance within Future Proof, the Waikato Regional Policy Statement and the HCODP.</p> <p>The request will more effectively achieve the integrated development of land and infrastructure by replacing the Concept Development Consent framework with new plan provisions, including a new objective and supported policies implemented by specific staged infrastructure upgrade requirements.</p> <p>The introduction of a Structure Plan will more efficiently and effectively guide the development of the TRNIZ and ensure that cross boundary infrastructure such as roading and three water infrastructure is designed and delivered in a co-ordinated way.</p> <p>The proposed Structure Plan outlines a transport network and block pattern that the proposed provisions require future development to be in alignment with, achieving an efficient and logical block pattern and cross-boundary coordination. The proposed provisions also coordinate the integrated delivery of new and upgraded infrastructure with development.</p> <p>The PC17 provisions will enable HCC to effectively control any actual or potential effects on the environment as a result of development enabled by PC17 for the following reasons:</p> <ul style="list-style-type: none"> • The development of the Plan Change Area for industrial use will address the potential for land use incompatibility and reverse sensitivity effects on the Te Rapa Dairy Manufacturing Site. • The planning provisions will complement the existing NESF and HCODP provisions and require streams and natural wetlands to be protected and enhanced.
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	<ul style="list-style-type: none"> • The transportation effects on the adjoining road network will be managed and mitigated to an acceptable level by the provisions requiring development to be timed with upgrades to the roading network. • The Structure Plan proposes rules to address ecological effects within the Waikato River Corridor as well as visual and amenity effects between the zone interface; including those areas that will remain subject to the Deferred Industrial Zone area, and which will continue to be used for more sensitive purposes. • The Significant Natural Areas applying to the Plan Change Area will be further protected by proposing they be zoned Open Space • The planning provisions will require the first resource or subdivision consent to provide an Ecological Management Plan that sets out best practice ecological protocols are followed to avoid impacts on pekapeka (bats) and other indigenous flora and fauna, including measures to avoid, mitigate or offset impacts.
<p><u>6 Matters of National Importance</u></p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:</i></p> <p>(a) <i>the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:</i></p> <p>(b) <i>the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:</i></p> <p>(c) <i>the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:</i></p> <p>(d) <i>the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:</i></p>	<p>The request will enable the development of land in a manner that will recognise and provide for the Matters of National importance set out under s6.</p> <p>In terms of s6(a), PC17 will protect and enhance natural wetlands and streams by proposing planning provisions that will complement the existing NESF and HCODP provisions and require these to be protected and enhanced by indigenous riparian planting. The request also enables the Plan Change Area to retire the current use of rural activities to shift towards more optimal uses of the land area.</p> <p>There are no outstanding natural features or landscapes identified within the Plan Change Area in relation to s6(b).</p> <p>With regards to s6(c), Significant Natural Areas ('SNAs') identified by PC9 of the HCODP, will not be adversely affected by future development enabled by the request. This is because PC17 seeks to apply the Open Space Zone to these areas along with setbacks, limiting activities within and near these areas to only those aligned with ecological restoration and recreation.</p> <p>With regard to s6(d), public access to the Waikato River will be maintained without any change resulting from the Plan Change.</p> <p>Fonterra has engaged mana whenua throughout the process of developing the master plan and in</p>

<p>(e) <i>the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:</i></p> <p>(f) <i>the protection of historic heritage from inappropriate subdivision, use, and development:</i></p> <p>(g) <i>the protection of protected customary rights:</i></p> <p>(h) <i>the management of significant risks from natural hazards.</i></p>	<p>preparing PC17. Fonterra will adopt the recommendations applicable to the plan change request stage outlined in the CIA (Appendix 14) to give effect to s6(e) as well as any protected customary rights in accordance with s6(g). Fonterra has committed to recognising the recommendations that are actionable in the resource consent stage or that relate to relationships, through the Letter of Intent.</p> <p>The NZAA listed (S14/17) and HCODP scheduled (A32) archaeological site within the Plan Change Area is within the Open Space Zone and overlaid with a SNA. As such, it will be protected from inappropriate development in accordance with s6(f), through these existing plan provisions. These limit development within SNA, which will be further protected through the proposed provisions which apply setbacks to the Waikato River that contain the archaeological site. Furthermore, future development will be subject to a HNZPT Archaeological Authority.</p> <p>There are no hazards identified within the Plan Change Area that would preclude the precinct accommodating future industrial development in respect of s6(h).</p>
<p><u>Section 7 Other Matters</u></p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to—</i></p> <p>(a) <i>kaitiakitanga:</i></p> <p>(aa) <i>the ethic of stewardship:</i></p> <p>(b) <i>the efficient use and development of natural and physical resources:</i></p> <p>(ba) <i>the efficiency of the end use of energy:</i></p> <p>(c) <i>the maintenance and enhancement of amenity values:</i></p> <p>(d) <i>intrinsic values of ecosystems:</i></p> <p>(e) <i>[Repealed]</i></p> <p>(f) <i>maintenance and enhancement of the quality of the environment:</i></p> <p>(g) <i>any finite characteristics of natural and physical resources:</i></p> <p>(h) <i>the protection of the habitat of trout and salmon:</i></p> <p>(i) <i>the effects of climate change:</i></p>	<p>The request will enable the development of land in a manner that will recognise and provide for the Other Matters under s7.</p> <p>The recommendations of the CIA (Appendix 14) will be adopted to provide for mana whenua to practice kaitiakitanga in regard to s7(a).</p> <p>In regard to s7(aa), the request changes the HCODP provisions and incorporates a Structure plan that will enable various parties to develop and use land in an efficient manner that recognises the value and scarcity of appropriate industrial land within the Waikato sub-region.</p> <p>In regard to s7(b) the request will enable the efficient use and development of the Plan Change Area noting that:</p> <ul style="list-style-type: none"> Industrial uses are already planned for the area, connects to an existing industrial area and surrounds a regionally significant industrial activity, being the Te Rapa Dairy Manufacturing Site; The Structure Plan provides guidance for cross boundary infrastructure, including connections to Te Rapa Road, Koura Drive / State Highway 1C and protects the ability for HCC to deliver the NRC in the future. The proposed roading pattern will allow for a flexible development pattern that will ensure the Plan Change Area will support good built form outcomes and can

<p>(j) <i>the benefits to be derived from the use and development of renewable energy.</i></p>	<p>accommodate various development opportunities.</p> <ul style="list-style-type: none"> • The area is at the centre of the Golden Triangle and readily accessible from both the NIMTL and the Waikato Expressway, so has significant potential for cross-regional industry interactions and efficiencies. <p>Regarding s7(c), PC17 will include planning provisions to manage the zone interface between the Plan Change Area and the adjoining properties that will remain within the Deferred Industrial Zone area and are likely to continue to be used for rural and rural residential uses in the short term. These include landscaping, noise, setback and vehicle restriction rules and requirements.</p> <p>Regarding s7(d), s7(f) and 7(h) the Ecological Assessment found that the Plan Change Area has limited ecological values, being largely pastoral land with some exotic trees. Te Rapa Stream and its tributaries also have limited ecological values, and no trout or salmon were identified in fish surveys.⁷ Development resulting from PC17 will be subject to the proposed provisions which seek to maintain and enhance ecological values, including by requiring the planting of riparian yards with indigenous vegetation.</p> <p>Regarding s7(g), PC17 recognises the finite nature of natural and physical resources by seeking to enable the development of land that has been identified for industrial development by the HCODP. The use of this land resource for industrial activities is appropriate as a location that is well-connected to existing industrial and commercial activities and regionally significant transport infrastructure to enable the transport of resulting products.</p> <p>Regarding s7(i), the absence of identified natural hazards in the locations means that the Plan Change Area is not as vulnerable to the effects of climate change and will have greater resilience to extreme weather events when compared to alternative locations. The rezoning will contribute to the delivery of infrastructure that will encourage emission reductions through roading upgrades that will deliver cycle lanes and footpaths as well as improved stormwater management and flood resilience.</p> <p>Regarding s7(j), there is no renewable energy production proposed nor impacted on by this request.</p>
<p><u>8 Treaty of Waitangi</u></p> <p><i>In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use,</i></p>	<p>PC17 has taken Treaty of Waitangi /Te Tiriti o Waitangi into account through Fonterra's commitment to early and continuous engagement</p>

⁷ Section 3.3.3 of the Ecological Assessment by RMA Ecology

development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

with the tangata whenua of the Plan Change Area (represented by the TWWG).

This engagement has resulted in changes to the Plan Change proposal that respond to tangata whenua concerns and aspirations, recognising their rights to exercise rangatiratanga (chieftainship) and kaitiakitanga (guardianship) as well as the importance of tikanga (customary practices) and mātauranga Māori (Māori knowledge). As such, PC17 is aligned with principles of participation, partnership and protection. This relationship is further discussed in Section 4.1 of the CIA (**Appendix 14**).

9.2 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT 2020 ('NPS-UD')

The NPS-UD requires territorial authorities to provide adequate opportunities for land to be developed to meet community business and housing needs. It recognises the national significance of:

- Having well-functioning urban environments that enable all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.
- Providing sufficient development capacity to meet the different needs of people and communities.⁸

The NPS-UD directs local authorities to provide sufficient development capacity in accessible places, enabling homes and businesses to be built close to jobs, community services and infrastructure as well as encouraging the integration and coordination of land use and infrastructure.

The following summarises the full assessment of the key provisions relevant to the proposal that are included in **Appendix 20**.

- Objective 1: PC17 supports and enables a well-functioning environment and people's economic well-being, now and into the future, by providing planned and well-connected land to be developed in a coordinated manner for industrial uses, becoming a hub of employment and economic activity.
- Objective 2: PC17 supports competitive land markets, by releasing industrial land supply at pace-with forecasted demand.
- Objective 3: PC17 enables more businesses to locate within an urban environment:
 - This is an identified employment node;
 - That is well-connected with transport infrastructure that are anticipated to be upgraded to support further public transit services; and
 - Where significant demand for industrial land is forecasted in the next 10-20 years, being a highly desirable location for industrial activities.
- Objective 4: The change amenity values resulting from future development is not in and of itself negative, is recognised that it will develop and change over

⁸ Ministry for the Environment, NPS-UD, <https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-urban-development/>

time and mitigated through proposed building setback and landscaping and arises from the changing needs of Hamilton and the broader Waikato and Auckland Region.

- Objective 5: Te Tiriti has been taken in account through the continuous engagement with tangata whenua representatives (TWWG) that has taken place. Fonterra is committed to working in partnership with the TWWG in future development stages on an ongoing basis, which is demonstrated by the CIA and Letter of Intent.
- Objective 6: The development enabled by PC17 will be integrated with infrastructure through the promulgated provisions that limit development to effectively sequence the delivery of infrastructure. There is a strategic need for the rezoning in the medium term to respond to the significant demand and shortfalls that are forecast for Te Rapa North and the broader Hamilton area. The rezoning will bring supply forward to avoid severe business capacity shortfalls.
- Objective 8: The future development will be enabling of low-carbon transport modes such as walking, cycling and public transport and is not subject hazards that would be exacerbated by the effects of climate change.
- Policy 1: PC17 will contribute to the supply of a variety of plan enabled business land within Hamilton City. PC17 is particularly suited to industrial activities that require a large, flat and well-connected area that is largely separate from sensitive uses such as residential or high-amenity commercial areas. It agglomerates complementary activities and public transport along the Te Rapa corridor that is anticipated to improve through the provision of rapid transit options. Activities that suit high-amenity commercial centres are to be limited and the supply is at pace with demand, supporting competitive land markets that affirm existing centres.
- Policy 2: PC17 will contribute to HCC meeting their business land capacity requirements by bringing the supply of industrial land forward from long term to medium term, which will help by meeting some (but not all) of the shortage in supply within this 10-year horizon.
- Policy 3 (d): PC17 enables heights commensurate to the nature of the industrial activities and the demand for land in the area (25m and instances of 35m for utility structures). No density provisions are proposed, acknowledging that density is more suited and commonly applied to residential development rather than industrial activities. However, the Structure Plan will drive outcomes aligned with improved rapid transit services, by protecting space for these upgrades.
- Policy 6: PC17 will enable development that results in a significant change to the Plan Change Area and its related amenity values, however, this change will result in a well-functioning urban environment that benefits the broader community through the provision of economic opportunities and improved infrastructure networks and contributes to meeting required business land supply. The proposed Structure Plan and provisions will manage amenity and ecological values, so they are enhanced or at least maintained.
- Policy 8: The land supply enabled by PC17 is anticipated within both Future Proof and the WRPS. The 91ha of industrial land that PC17 will enable in the short- to medium-term is out-of-sequence with these documents. However, it will contribute to addressing the medium-term business capacity shortfall that is identified across most parts of Hamilton City (except Ruakura) across in the medium- and long-term horizons by the 2023 Future Proof BCA.

- Policy 9: PC17 has been informed by and will continue to be informed by the inputs of mana whenua.
- Policy 10: There will be opportunity for an infrastructure and development agreements between Fonterra and Hamilton City Council to ensure the co-ordinated and efficient delivery of the necessary community infrastructure.

Overall, PC17 is consistent with, and gives effect to, the policy direction contained within the NPS-UD.

9.3 NATIONAL POLICY STATEMENT ON FRESHWATER MANAGEMENT (NPS-FM)

The National Policy Statement for Freshwater Management (NPS-FM) came into effect on 3 September 2020. The NPS-FM sets out the objectives and policies for freshwater management under the Act.

The NPS-FM (together with the National Environmental Standards for Freshwater (NES-F)) were considered in preparing PC17.

Assessments of the Plan Change Area were undertaken in early autumn (March-April) to determine the presence of any natural wetlands; as detailed in Section 2.2 of the Ecological Assessment (**Appendix 7a**). Ten NPS-FM qualifying 'natural inland wetlands' are present within the Plan Change Area, all of which are located within the riparian margins of Te Rapa Stream or its tributaries (**Figure 10**).

The watercourses identified on site are shown in **Figure 9** and described in detail in Section 3.3.2 of the Ecological Assessment. There are six streams within the Plan Change Area that meet the RMA definition of a 'river,' including Te Rapa Stream. Considering all watercourses (beyond streams defined as a river by the RMA, such as farm drains), the length of watercourses totals 5.25km.

PC17 gives effect to Te Mana o te Wai, as it prioritises the retention and enhancement of the qualifying streams and natural wetlands onsite recognising not only the ecosystem services these natural features provide but also their fundamental value.

PC17 seeks to enable the development pattern set out in the proposed Structure Plan (**Appendix 10**). The roading pattern and high-level block areas are arranged such that impacts on waterbodies and their margins are reduced. The objectives, policies and provisions proposed by PC17 also seek to maintain and enhance the ecological values of the identified waterbodies through applying appropriate setbacks and requiring riparian planting along stream margins.

The stormwater (artificial) wetlands recommended by the Infrastructure Report are envisioned by the Masterplan as adjacent to but separate from the Te Rapa Stream corridor. As such, the proposed stormwater management system can safely manage runoff generated by new impermeable areas to protect the health of the water catchment, without significantly modifying or carrying out engineering works within or on the margins of natural waterways.

Any future development works enabled by PC17 that may disturb these waterbodies, such as bridges, will be subject to a resource consent process that will require assessments under the NES-F, as well as WRPS and HCODP provisions.

Future development will be enabled in accordance with water capacity upgrades and will not compromise the supply of existing municipal users.

As PC17 seeks to protect and enhance the health of the rivers and natural wetlands within the Plan Change Area and has applied an integrated approach that considers the health and needs of the broader catchment, it is considered consistent with the objectives and policies of the NPS-FM.

9.4 NATIONAL POLICY STATEMENT ON HIGHLY PRODUCTIVE LAND

The National Policy Statement for Highly Productive Land (NPS-HPL) came into effect on 12 September 2022 and was subsequently updated in August 2024. The NPS-HPL sets out the objective and policies for managing highly productive land under the Act.

The NPS-HPL directs Regional Councils to map land according to its zoning and land use capability (LUC) to protect its productive functions, within 3 years of the policy statement's commencement date. In accordance with Clause 3.5.7, in the interim, all territorial authorities are to treat land in accordance with the below, as being highly productive:

- (a) is
 - i. zoned *general rural* or *rural production*; and
 - ii. LUC 1, 2, or 3 land; but
- (b) is not:
 - i. identified for future urban development; or
 - ii. subject to a Council initiated, or an adopted, notified plan change to rezone it from *general rural* or *rural production* to urban or rural lifestyle.

The Plan Change Area is zoned TRNIZ subject to the Deferred Industrial Zone area.

As such, it does not fall within the definition of 'highly productive land' because it is not zoned General Rural or Rural Production. This means that the NPS-HPL is not relevant to PC17.

9.5 WAIKATO REGIONAL POLICY STATEMENT

The Waikato Regional Policy Statement (WRPS) has been operative since May 2016. The WRPS provides an overview of the resource management issues in the Waikato region, and the ways in which integrated management of the region's natural and physical resources will be achieved.

9.5.1 TE TURE WHAIMANA O TE AWA O WAIKATO (VISION & STRATEGY)

The Waikato River Authority was established in 2010 as the custodian of the Waikato River. Te Ture Whaimana o Te Awa o Waikato (Vision & Strategy) has been developed as the primary policy document for the Waikato River and all activities that affect it. It forms part of the Regional Policy Statement as prescribed by section 12 of the Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010.

The Vision and Strategy responds to four fundamental issues being; the Waikato River iwi's ability to exercise mana whakahaere or conduct their tikanga and kawa, the limitation of relationships and aspirations of communities with the Waikato River due to human activities, alteration of natural processes and the commitment and time needed to restore and protect the health and wellbeing of the Waikato River.⁹

PC17 is consistent with the objectives sought by Te Ture Whaimana,¹⁰ through its use of an integrated and holistic master planning approach that has been applied to recognise the interconnected nature of environments, including the Plan Change Area's connection to the Waikato River.

⁹ Waikato River Authority. (2019). p. 2. Vision and Strategy for the Waikato River, Te Ture Whaimana o Te Awa o Waikato. <https://waikatoriver.org.nz/wp-content/uploads/2019/03/Vision-and-Strategy-Reprint-2019web.pdf>

¹⁰ Waikato River Authority. (2019). p. 6. Vision and Strategy for the Waikato River, Te Ture Whaimana o Te Awa o Waikato. <https://waikatoriver.org.nz/wp-content/uploads/2019/03/Vision-and-Strategy-Reprint-2019web.pdf>

The stormwater management approaches that will be sought for future development have the potential to reduce current pollutants that may be generated by the Plan Change Area's existing stormwater management systems (being open farm drains). This is achieved by replacing these systems with infrastructure that uses more bespoke but also natural methods to slow, filter and direct runoff, protecting of the health and wellbeing of the Waikato River and its significant sites, fisheries, flora and fauna.

PC17 proposes Natural Open Space zoning along the eastern boundary of the North Block of the Plan Change Area, with the proposed zoning extent to actively protect the SNA that runs along the margins of the Waikato River in this area. PC17 then further protects the margins of the river by adopting existing setbacks from the bank of the Waikato River and proposing additional setbacks from open space zones.

Potential cumulative effects of future development will be avoided through the requirement for the first land use and/or subdivision consent to provide an Ecological Management Plan that will set out methods to mitigate or offset any adverse ecological effects. These methods would consider the development of the area to ensure appropriate ecological outcomes are achieved as the area is developed. Similarly, the first land use and/or subdivision consent will need to provide an Infrastructure Plan for the Plan Change Area, to ensure that as development occurs, it is co-ordinated and does not compromise the supply of existing land uses.

The relationship tangata whenua has with the Waikato River and ability to participate in proposals and processes that may impact the river has and will continue to be upheld through PC17. Ngāti Mahanga, Ngāti Wairere, Tamainupo, Turangawaewae Trust Board and Waikato-Tainui have contributed to the development of PC17 through the TWWG to better provide for the health and wellbeing of the river. All recommendations from the CIA that are actions at plan change stage have been incorporated in PC17. This includes this assessment against Te Ture Whaimana, and Fonterra's commitment to working with tangata whenua in later development stages to continue to receive input and guidance as to how to protect and restore the river's health and tangata whenua's relationship with it.

9.5.2 WAIKATO REGIONAL POLICY STATEMENT CHANGE 1

The Waikato Regional Policy Statement Change 1 ('PC1') was notified in October 2022 and proposes changes to give effect to the NPS-UD that reflect the updated Future Proof Strategy. Council adopted the recommendations of the Hearing Panel on 26 October 2023 and publicly notified the decision on 15 November 2023. At the time of this application, the decision is subject to appeal with an active appeal by Fonterra (as discussed in Section 5.3).

A full assessment of the relevant objectives and policies of the WRPS (PC1), is included as **Appendix 21**. This assessment also includes an assessment of Criteria A of Appendix 13 of the WRPS (PC1) as required by Clause 7 of WRPS Policy UFD-P11.

In summary, PC17 is consistent with the following objectives and policies:

- Integrated Management (IM-O1, -O2, -O5, -O6, -O7 & -O9): PC17 is informed by a multi-disciplinary team and input from a variety of stakeholders. The master planning process that informed PC17 has achieved alignment across various urban development matters, including the critical issues of transport, stormwater and ecology and accounts for anticipated future development and infrastructure projects.
- Land and Freshwater (LF-O1 & O3): The mauri and values of freshwater waterbodies within and nearby the Plan Change Area are accounted for through the Structure Plan and proposed provisions, which seek to retain natural watercourses and wetlands and requires the enhancement of riparian margins.

The recommended stormwater management system will treat, and attenuate runoff generated by future development and operation of activities within the Plan Change Area to protect the health of the Waikato River.

- Hazards and Risks (HAZ-O1): The identified flood and land stability hazards are not prohibitive to development and can be readily managed through infrastructure and engineering responses, which will increase the resilience of the area when compared to the existing situation.
- Historical and Cultural Values (HCV-O1): The nearby scheduled historic and cultural sites will not be impacted by PC17, and existing district plan and HNZPTA protections will continue to apply.
- Urban Form Development (UFD-O1 & UFD-P11): The Plan Change Area is an appropriate location for industrial activities as it is zoned for industrial development under the HCODP and identified as a Strategic Industrial node within the Future Proof Strategy. PC17 brings forward its anticipated development timing but its deviation from land release sequencing will not compromise the competitiveness of land markets and will address shortfalls in capacity that have been forecasted by the Future Proof Housing Business Assessment (see below). The proposed provisions will result in a high-quality, functional urban form through setbacks, landscaping requirements and by enabling development according to the delivery of infrastructure upgrades.

9.5.3 WRPS APP13 – RESPONSIVE PLANNING CRITERIA – OUT-OF-SEQUENCE AND UNANTICIPATED DEVELOPMENTS (FUTURE PROOF LOCAL AUTHORITIES)

Appendix 13 of the WRPS(PC1) '*Responsive Planning Criteria – Out-Of-Sequence and Unanticipated Developments (Future Proof Local Authorities)*,' applies assessment criteria to proposed development that aims to achieve alignment with the Future Proof Strategy.

Table 35 of WRPS (PC1) sets out the land allocation for the progressive zoning and development of Strategic Industrial nodes, whilst Map 43 indicates where this land is located and when it is anticipated for release. Both the table and Map are informed by the Future Proof Strategy.

PC17 will bring forward 91ha (gross land area) identified by Table 35 from long-term supply into the medium-term supply. This means that while PC17 is anticipated, it is out of sequence with the planned release set out by the RPS and requires an assessment of the responsive planning criteria listed in Appendix 13.

Clause 7 of WRPS Policy UFD-P11 requires proposed out-of-sequence and unanticipated development to be justified by assessing the proposal for consistency with the responsive planning criteria in Appendix 13. Clause 2 of WRPS Method UFD-M49, states that the timing of land release within urban and village enablement areas may only be amended where it is demonstrated that the proposal is consistent with criteria A in Appendix 13. Only applications that bring development timing forward from beyond the 'long-term,' must also consider Criteria B. As such, this proposal does not require assessment against Criteria B.

The full assessment of the proposal against Criteria A of Appendix 13 of the WRPS (PC1) is included as **Appendix 21**.

In summary, the out-of-sequence industrial land supply in PC17 will address the significant short-fall that would otherwise occur in the medium-term (2021-2031) for this strategic industrial node. This is noting that Table 35 of the WRPS does not use "short-, medium- or long-term" and instead uses the time period; 2020-2030 and 2031-2050 and states that the staging and timing for Horotiu/Te Rapa North/Rotokauri is based on the Housing and Business Land Assessment 2021. This assessment defines

medium-term as 2021-2031.¹¹ As such, based on these assessments, supply is needed imminently to avoid shortfalls.

Although the Plan Change Area is currently deferred, its underlying zoning reflects that industrial development will eventually occur in the location, which is well-suited to industrial uses with good access to existing regionally significant infrastructure (Waikato Expressway and NIMTL) and employment (Te Rapa Dairy Manufacturing Site). PC17 will not compromise the function of Hamilton's urban commercial centres, as only industrial activities are provided for or services to meet employees of industrial activities.

The Deferred Industrial Zone overlay and past approaches that applied the deferral are now out-dated, highlighted by the definition of medium-term being 2021-2031. Contemporary assessments including the 2024 Futureproof HBA and the Economics Assessment supporting this application find that supply is needed now appropriate.

9.5.4 RPS SUMMARY

Overall, the assessment set out within **Appendix 20** demonstrates that PC17 gives effect to the WRPS.

9.6 FUTURE PROOF STRATEGY | TE TAU TITOKI

The Future Proof Strategy is a 30-year growth management and implementation plan specific to the Hamilton, Matamata-Piako, Waipā and Waikato District sub-region. It sits within the context of the broader corridors between Auckland, Hamilton and Tauranga, their associated metropolitan areas as well as adjacent areas such as Pukekohe and Drury (see **Figure 14**). It is a collaborative strategic planning forum that is supported and implemented by the areas associated district and regional councils, iwi representative groups, central government and central government agencies.

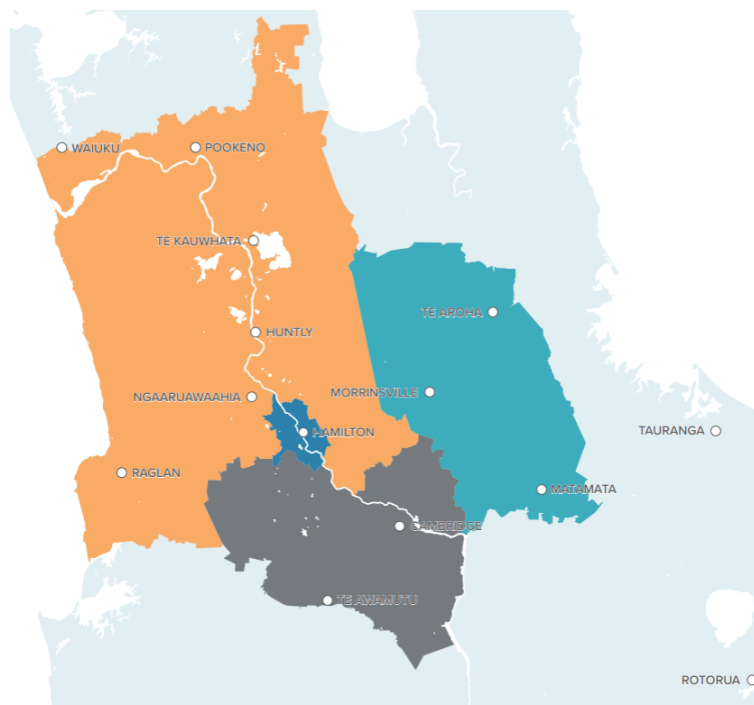


FIGURE 14: THE AREA EXTENT COVERED BY THE FUTURE PROOF STRATEGY

¹¹ M.E Consulting. (2021). Table 8-2. NPS-UD Housing Development Capacity Assessment Future Proof Partners. <https://www.futureproof.org.nz/assets/Future-Proof/Resources/HousingDevelopmentCapacityReportJuly2021.pdf>

Future Proof was originally completed in 2009, and this version was referenced in the WRPS. A phased review of Future Proof began in 2015 which was completed in 2022, incorporating the Hamilton to Auckland Corridor Plan (H2A), the Hamilton-Waikato Metropolitan Spatial Plan (MSP), the requirements of the NPS-UD and the Government's Urban Growth Agenda.

The 2022 Strategy has been reviewed and replaced with the now adopted Future Proof 2024. The 2024 strategy reflects the inclusion of Matamata-Piako as a strategy partner and changes in legislation, work that has been progressed relating to waters, transport and climate change, infrastructure that has been identified as critical and updated Housing and Business Development Capacity Assessments. As discussed in the previous section, the WRPS is currently subject to PC1, which looks to align the WRPS with the land sequencing set out in Future Proof 2024.

9.6.1 FUTURE PROOF STRATEGY 2024

Within the 2024 Future Proof Strategy, Te Rapa North is identified for 'Long-Term Development' between 2031-2050. Te Rapa continues to be identified as a metro-economic corridor and a location to be developed as a 'primary sub-regional centre' in the next 0-30 years.¹² Some 189ha of industrial land is identified as being required to meet forecast demand between 2020-2030 years across Horotiu, Te Rapa North and Rotokauri, with a further 50ha expected in the following 20 years.

PC17 has been assessed against the relevant 'Vision and Principles' and the "Growth Management Directives" outlined in the Future Proof Strategy 2024. This strategy was recently published and should be given regard to (rather than given effect to) under s74(2) of the Act because it is prepared under the Local Government Act 2002.

The full assessment of PC17 against the Strategy is contained in **Appendix 21**, and is summarised below.

- **B2:** Tangata whenua: A collaborative, mutually beneficial relationship has been established with tangata whenua and is committed to beyond this plan change process. The mātauranga and aspirations shared by the TWWG has identified spatial priorities, including the protection and restoration of the health of the Waikato awa, that have been incorporated into the PC17 Structure Plan and provisions.
- PC17 is considered to be consistent with **B4, B5 and B6** as future development will be supported by walking, cycling and public transport, protects upgrades for future rapid transit networks and key freight corridors and development is to be enabled through the upgrading of the existing road network to protect its safe and efficient operation.

The retention and enhancement of Te Rapa Stream and the Waikato River will contribute to the creation of a Blue-Green network that manages flood effects, supports biodiversity, sequesters carbon and promotes wellbeing.

- **B7 & B8** PC17 enables development within an identified key urban enablement area that is complimentary to the regionally significant employment node, Te Rapa Dairy Manufacturing Site. As such, future development will provide employment opportunities, supporting people's ability to meet their social and economic needs, whilst its delivery of infrastructure, including multi-modal transport networks, will increase surrounding communities to connect and potentially recreate.

¹² Page 79-83, Future Proof Partners, Draft Future Proof Strategy 2024, <https://www.futureproof.org.nz/our-strategic-direction/>

- PC17 is consistent with **B10** as the Plan Change Area is not identified as a wāhi toitu, wāhi tapu and wāhi tuupuna area under Future Proof and culturally significant sites, such as Mangaharakeke Pa, are outside the Plan Change Area.
- **B11** An assessment of Te Ture Whaimana is provided under B2 and Section 7.5.1 above. The Infrastructure Assessment (**Appendix 6**) has considered the implications of climate change and concluded that the Plan Change Area can be adequately and safely serviced

9.7 ASSESSMENT AGAINST OTHER MANAGEMENT PLANS AND GROWTH STRATEGIES

An assessment of P17 against the following Management Plans and Growth Strategies that Council is to have regard to under s74(2)(b), is provided in **Appendix 21**.

The assessment considers:

- Hamilton-to-Auckland Corridor Plan 2020
- Hamilton-Waikato Metropolitan Spatial Plan
- Waikato-Tainui Environmental Plan
- Hamilton-City District Plan Strategic Framework

10.0 ASSESSMENT OF ENVIRONMENTAL EFFECTS

Under clause 22(2) of Schedule 1 to the Act where environmental effects are anticipated, requests to change a plan shall describe those effects in such detail as corresponds with the scale and significance of the actual or potential environmental effects anticipated from the implementation of the change. Section 76 (3) of the Act also requires territorial authorities to have regard to the actual or potential effect on the environment while making a rule.

This section details the actual and potential effects that the proposal may have on the environment.

10.1 LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

The LVA in **Appendix 3** reviewed and assessed the physical and visual context of the Plan Change Area and effects that will incur from the change in land use. The LVA applied the principles and concepts of the Tuia Pito Ora / New Zealand Institute of Landscape Architects (**NZILA**) *‘Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines’* July 2022.

Landscape Effects

The key defining landscape features of Plan Change Area and its surrounds the LVA identified were the:

- Te Rapa Dairy Manufacturing Site;
- 90ha area north of the Plan Change Area, Te Awa Lakes;
- Waikato Expressway; and
- Waikato River.

No key defining landscape features were identified by the LVA within the Plan Change Area and did not identify any high-value, notable or sensitive landscape values.

The Waikato River is identified by the LVA as a strong and significant natural and cultural landscape feature that defines the eastern extent of the Plan Change Area. The other landscape features (identified above) were seen to define and characterise the landscape of the area, but do not have high values that warrant protection and enhancement. Rather, their presence supports the change in land use activity, as the landscape values of the area are already low and compromised by the presence of large-scale infrastructure and industrial activities.

The change in the land use activity arising from PC17 was not identified as detrimental, so long as the values of the Waikato River were provided for. The LVA considered that the proposed zoning, buffers and building setbacks would be an effective ‘buffer’ between the Waikato River and the future industrial land use, such that its landscape values would not be compromised. This has been ensured through the Structure Plan and related proposed provisions.

Visual Effects

The LVA assessed the potential level of effects on visual character arising from PC17 and the surrounding area’s ability to absorb visual effects. Multiple potential viewpoints were investigated, and of these, 13 viewpoints were selected for discussion in the report due to their outlook to the Plan Change Area and for their representativeness of public views.

The assessment found that developing the site in accordance with the proposed Structure Plan and provisions would have visual effects, as it would change the use of the land from rural to industrial.

However, the LVA found that the majority of the Plan Change Area in its current state has a very low level of landscape value. The LVA found that visual amenity values associated with rural land uses are already impacted by the presence of the Dairy Manufacturing Site and significant infrastructure that includes the Waikato Expressway and the NIMTL. The only landscape, visual and natural amenity values that the LVA identified as high-value and warranting protection were associated with the land to the east of the Plan Change Area along the Waikato River margins.

Any landscape and visual effects arising from the future development of the West Block would be well contained both physically and visually within the frame of the existing infrastructural elements in the landscape. The changes to the North and South-East Block would be perceived as a continuation of existing and imminent development in the surrounding area, including the Te Rapa Dairy Manufacturing Site, the West Block and the 'Te Awa Lakes' development north of Hutchinson Road. The properties to the south of the South Block would maintain the existing rural landscape character and visual amenity values, when viewed from Te Rapa Road and Pukete Road. The proposed Open Space Zoning and setback provisions were considered by the LVA as assisting in protecting the sensitive values in the eastern parts of the North and South-East Blocks.

There is potential for adverse visual effects for private properties adjacent to the Plan Change Area that are to remain rural-residential in nature, as their views will change to include industrial scale buildings and associated land use activities.

The LVA included several recommendations to mitigate potential adverse visual effects which have been reflected in the proposed Structure Plan and TRNIZ provisions including:

- The requirement for buffer planting at the interface of the Plan Change Area and the adjoining properties that are to remain subject to the Deferred Industrial Zone plan area overlay. The proposed Structure Plan provisions enable this planting to be treated as temporary, given these properties will eventually be developed for industrial uses in future.
- The recommended interface planting is a shelterbelt or planted buffer at least 5.0m in depth, that grows to a minimum of 10m height above ground within 5 years of planting.
- The interface planting is to be evergreen, to ensure its buffer/screening role is not compromised at any point during the year.

The interface buffer planting being temporary is considered appropriate to manage visual effects at the interface of the Plan Change Area and the Deferred Industrial Zone overlay, as these properties are anticipated to be developed for industrial purposes in the future. The proposed provisions have adopted this recommendation and as such, it is considered that any adverse visual effects arising at the interface of the Plan Change Area, will be adequately managed and mitigated.

As stated above, the LVA assessed public views (from roads or footpaths) for effects arising from PC17. The LVA finds that for the southernmost parts of the Plan Change Area and the parts immediately adjacent to the Dairy Manufacturing Site, the industrial land uses would be seen as a continuation of existing industrial activities. These existing activities, along with the "transitional character" of the area's land use activity and the significant infrastructure which bounds the Plan Change Area, all lessen the potential visual impacts of the future development. Finally, it is noted that the land's eventual transition to industrial activities is already anticipated by the HCODP due to the TRINZ zoning. In addition, the LVA identified that these public views would

primarily be experienced from those travelling through the Plan Change Area in vehicles and so the views would be temporary.

As the proposed provisions include measures to provide for the visual amenity of nearby rural-residential properties and the landscape values of the Waikato River, and as they transition from rural to industrial activities is anticipated, it is considered that any potential adverse landscape and visual amenity effects will be minimised.

10.2 ECONOMIC ASSESSMENT

The Economic Assessment in **Appendix 14** considered the proposal against both the NPS-UD (which requires high-growth areas like Hamilton City to provide sufficient business land to meet future projected demand) as well as the WRPS (which identifies industrial locations through Future Proof and allocates a share of projected future growth to each). For consistency with other HCC plans, strategies and reports, the Economics Assessment adopted the findings of the latest Business Development Capacity Assessment 2023 ('BCA') for Future Proof Partners ('Future Proof') to understand industrial land demand and supply.

Industrial Land Market Assessment

The Economic Assessment reviewed and agreed with the findings of the Future Proof BCA. It found that the Te Rapa area is expected to have sufficient capacity in the short-term (i.e. the next three years), with shortfalls of nearly 84 hectares over the medium term, and 87 hectares over the long term. Major shortfalls are forecast at all industrial nodes across the Future Proof region, over both the medium and longer terms.

As such, the assessment found that PC17 would:

- Unlock industrial land supply shortfalls in the short and medium-term; and
- Increase land supply to the extent that it would reduce the average price of industrial land in the sub-region.

There are shortfalls identified across all industrial nodes in the medium- and long-term, except for Ruakura. The Economics Assessment noted that the land supply at Ruakura is largely leasehold, a form of land ownership that is not desirable to some parties and so may not address demand entirely.

As such, PC17 addresses a significant gap in the market and will not negatively impact the market of other locations by drawing potential purchasers/leases away from plan enabled and infrastructure ready land. Rather, it will have a positive effect on the Industrial Land Market of Hamilton City and the broader Future Proof sub-region.

Effects of PC17 on Council Costs

Consistent with the assessment requirements of Appendix 13 of the WRPS (PC1), the Economics Assessment considered the potential for PC17 to create unwarranted costs on Hamilton City and Waikato Regional Councils, as a plan change that would enable out-of-sequence development.

The assessment found that as PC17 is already located in an identified growth location, it does not cause the unforeseen extension of major infrastructure network. The proposed provisions limit development according to the delivery of identified transport and land use or subdivision applications cannot progress without detailing the area's water servicing solutions. As such, those wishing to proceed with development would be required to contribute to the cost of delivering these upgrades and/or demonstrate how servicing can be achieved. Development contributions would also apply.

Finally, PC17 is located where there are existing, well-connected road networks, avoiding the need for significant roading upgrades.

The assessment concluded that Council has a multitude of levers to cover costs associated with PC17 and as such, it is expected that any costs can be readily managed.

Economic Benefits

As discussed above, PC17 will have a positive effect on the operation of the industrial land market in Hamilton as the increased land supply and choice will potentially reduce increases in industrial land prices.

The Economic Assessment found that the development of the Plan Change Area would have one-off direct economic impacts (being those arising from construction and development activities directly enabled by PC17) with an approximate value equivalent to \$80m in GDP and \$55m in wages. Indirect effects (being those experienced by businesses supplying goods and services to onsite activities) are calculated as approximately as \$250m in GDP and \$130 in wages. The effects have a total value of \$185m in wages and \$330m in GDP, spread across approximately 12 years.

The long-term economic impacts of PC17 were calculated according to the potential developable area (58ha) and average square meterage per full time worker for typical industrial activities (400spm per worker). Using these assumptions, the Economic Assessment found that future onsite activity enabled by PC17, once fully developed, could generate:

- Full time employment for around 1,450 people;
- Annual output of \$553 million;
- Annual GDP of \$220 million; and
- More than \$105 million in annual salaries/wages.

Te Rapa Farm, which forms the majority of the Plan Change Area, currently generates approximately \$750,000 per annum and supports fewer than 2 full time workers. As such, the development and future land use enabled by PC17 will be a more productive use of this land.

As such, the benefits of the proposal are expected to outweigh any adverse economic effects.

10.3 URBAN DESIGN ASSESSMENT

The Urban Design Assessment ('UDA') provides a Context Analysis and Policy Context which master planning process and development of the proposed Structure Plan and provides an assessment of the proposal for its likely achievement of positive urban design outcomes.

The Urban Design inputs were key to ensuring an integrated and well-considered proposal. The urban design opportunities included the size of the area, its greenfield nature, excellent transport connectivity, strong business identity along Te Rapa Road, recreation opportunities along the Waikato River Corridor, potential for a NIMTL rail siding, retention of watercourses as a green element and for ecological and stormwater function. Constraints identified include the building setbacks from Te Rapa Road and SH1C, need for limited access to Te Rapa Road, current limited access of Onion Road, flood hazard areas, retention of SNAs, street connectivity of no exit roads, the Noise Emissions Boundary and the future NRC, which is shown to cross the western part of PC17.

The UDA concludes that the Structure Plan and proposed provisions would achieve good urban design outcomes, by expanding upon the opportunities presented by the Plan Change Area, resolving constraints posed by the existing HCODP and providing

guidance to future development that has considered and integrated multiple factors, as detailed in the following paragraphs.

Te Rapa Stream's alignment is sought to be retained and its ecological and hydrological values expanded upon. It is also a source of amenity for local employees, with the Focal Area shown in the Structure Plan Map being located adjacent to the Riparian and Stormwater reserve area.

The proposed building setbacks from road corridors have been developed with transport specialist, HCC and NZTA input to provide appropriate space for future upgrades, without significantly compromising developable area and Chapter 25.15 is sought to be amended to apply a non-complying activity status to new or intensified use of vehicle crossing to Te Rapa Road, within the TRNIZ.

The roading pattern has been tested and found to perform despite Onion, Old Ruffel and Ruffel Road remaining limited access and or closed. The Structure Plan and the proposed provisions within proposed Chapter 3.9 and Chapter 12 requires development to contribute to the delivery of this roading network. Additionally, the East-West Road, the proposed building setbacks holds space for the future delivery of the NRC whilst the cross-sections within proposed Chapter 3.9 provide guidance of space allocation and modes to be supported by the initial road and its potential future upgrade.

As such, the UDA found that the urban design outcomes of PC17 are positive, and it is aligned with strategic regional and national urban development policy documents.

10.4 TRANSPORT ASSESSMENT

BBO undertook a comprehensive analysis of the existing transport infrastructure in the area that is contained in **Appendix 4**. This included analysis of crash data to understand any existing safety issues in the surrounding network. The traffic generated from the development of the Plan Change Area for industrial purposes was modelled to determine when upgrades to existing roads and intersections must occur to protect functionality.

The ITA found that once fully developed, the Plan Change area is expected to generate approximately 1,030 trips per peak hour spread across four access points of which three are on Te Rapa Road and one on Ruffell Road.

The following summarises the ITA findings on road safety, network capacity and travel modes.

3. Road Safety

The review of the crash history found that crashes at various intersections were largely due to drivers' negligence. However, the DSI crashes recorded at mid-block sections on Te Rapa Road all related to high speeds.

The ITA concluded that whilst the estimated traffic volumes would increase road users' exposure to harm, the proposed intersections and upgrades to existing intersections, would significantly reduce travel speeds along Te Rapa Road.

The ITA found that PC17 would have acceptable safety outcomes as it delivers the upgrades detailed in the following sub-sections that will reduce road speeds and uncontrolled right-hand turns, as well as providing separated walking and cycling facilities.

4. Traffic Levels

The ITA found that the transportation effects on the adjoining road network enabled by the Plan Change can be managed and mitigated to acceptable levels, subject to the recommended infrastructure upgrades being delivered in accordance with the identified associated timing.¹³

These include the signalisation of intersections (Te Rapa Road / McKee Street and Te Rapa Road / Kapuni Street), alteration of turning lane allocation and the long-term closure of the Ruffel Road level crossing. As the proposed Structure Plan and plan provisions seeks to enable development in accordance with the delivery of the identified upgrades, any adverse effects arising from traffic generation will be avoided and the functionality of the network provided for.

The long-term functionality of Hamilton's and the broader Waikato Region's transport network will also not be adversely affected, as the proposed Structure Plan and provisions of PC17 has accounted for future upgrades. The ITA investigated and modelled various route alignments for the NRC for functionality and estimated development yields. The road west of Te Rapa Road proposed within the Structure Plan and its associated setback provisions protects and provides for the future NRC. The ITA has confirmed that alignments achieve compliance with the relevant geometric standards for arterial roads within the land to the West of Te Rapa Road (Section 4.1.1, **Appendix 4**). The proposed setbacks from the East-West Road and Te Rapa Road holds space for future upgrades, to provide the NRC and a rapid transit corridor, respectively.

5. Public Transport

With regards to public transport, the proposed roading network can be fully serviced by public transport and the provisions protect Te Rapa Road's future upgrade as a rapid transit corridor. As such, public transport services will not be detrimentally affected and rather, capacity for their improvement is enabled through PC17.

6. Walking and Cycling

Walking and cycling paths are accommodated by the roading network envisioned by the Structure Plan and proposed provisions. Cycleways are proposed to be separated on all roads except for collectors, which would have speeds and traffic volumes low enough that cyclists could safely share the road space. The delivery of these connections, along with the support of public transport, will enable future employees and visitors to access the area using modes alternative to private vehicles, reducing potential traffic volumes.

7. Rail Siding

An assessment of the Plan Change Area has concluded that a rail siding locating on the western edge of the West Block, to connect to the eastern side of the NIMTL is feasible (Appendix 20).

The rail siding will increase the holding capacity of the NIMTL and as such, will improve its function.

The ITA included the potential rail siding as part of its developable area when calculating potential traffic volumes. As such, the traffic generated as a result of the rail siding has been accounted for.

Overall, the development of the plan change provisions and the Structure Plan have been responsive to the ITA recommendations, so any anticipated traffic effects arising from the plan change can be managed to an acceptable level.

¹³ Pages 1-5 of ITA, Appendix 4

10.5 INFRASTRUCTURE AND SERVICING EFFECTS

As discussed in Section 6.4 of this report and Section 6.0 of the Infrastructure Assessment, whilst capacity limitations exist in the public water and wastewater supply and distribution networks, several interim solutions have been identified that can be pursued if the public infrastructure is unable to be upgraded in time for development of the Plan Change Area. This means that the Plan Change Area is capable of being fully serviced irrespective of when the necessary upgrades to the public water and wastewater infrastructure takes place.

The proposed provisions included in Chapter 3.9 prevent any application for land or subdivision application within the TRNI Structure Plan Area without the provision of the Infrastructure Plan that details how the servicing of the area is to be achieved. All subsequent applications within the zone are to demonstrate their consistency with this Infrastructure Plan. As such, no development will proceed without a servicing solution that has been supported by HCC.

The Infrastructure Assessment has identified a number of interim solutions for the servicing of the Plan Change Area, whilst the HCC WTP and PWWTP have their capacity upgraded. These solutions enable the Plan Change Area to be serviced without any reliance on municipal supply, conveyance, storage, treatment or disposal. As such, development can proceed without any adverse effects on the network and its current users. To further ensure that initial development is aligned with available capacity, a moratorium on wet industry will be applied to the PC17 area and water-sensitive design measures such as grey-water reuse is to be included in the requirements of the lot developers, to reduce the demand for water supply and wastewater treatment.

The interim solutions proposed also protect the Plan Change Area's ability to connect to the municipal network in the future once the necessary upgrades to the public infrastructure are delivered and/or sufficient capacity in the network is realised.

As the recommendations actionable at this point in the application process has been incorporated into the proposed provisions, it is considered any potential adverse effects on existing users and the environment in relation to water supply and wastewater servicing can be managed. Fonterra is committed to working collaboratively with HCC (as the asset owner) throughout the plan change and the subsequent resource consent and detailed design process.

Electrical and communication services have indicated they are able to service future development. Upgrades to the network may be required but this is dependent on the nature of future land use activities and will be managed in future resource consent applications. As such, connections and upgrades will occur as needed in future and adverse effects are not anticipated.

10.6 FLOODING AND NATURAL HAZARD ASSESSMENT

The Infrastructure Assessment in **Appendix 6** has identified and recommended stormwater management solutions that would enable the Plan Change Area to be developed for industrial purposes while avoiding any adverse flooding effects. The stormwater management solution recommended for the site is in accordance with the WRSMG, which HCC has communicated is an appropriate point of reference whilst the Te Rapa North ICMP is under development.

The recommended artificial wetlands solution would detain stormwater runoff up to and including a 100-year event with controlled outlets to ensure the post-development peak flows do not exceed the pre-development peak flows. The resource consent and construction phase will provide detailed design of stormwater management solutions in accordance with the proposed level of development. Other natural hazards identified by the HCODP within the Plan Change Area include the Waikato Bank Stability and the

Waikato Riverbank and Gully Hazard Area. These hazards are contained within the proposed Open Space Zoning and Waikato River and riparian setbacks where development will not be enabled in these locations to avoid any increase in natural hazard risk.

Overall, no adverse flooding effects or other natural hazards are anticipated to arise. This is because development is precluded in these locations and where hazards may impact developable land, they can be readily managed through solutions that will be designed in detail in the resource consent and construction phases.

10.7 ECOLOGICAL ASSESSMENT

10.7.1 TERRESTRIAL ASSESSMENT

VEGETATION

The Ecological Assessment in **Appendix 7a** found that the Plan Change Area did not contain any high value vegetation cover. The assessment found that the quality of the SNAs (C59 & C76) proposed by PC9 were impacted by the dominance of exotic species. However, their significance was generated from their buffering of the river, connectivity to other SNAs, and the presence of the 'At Risk' little black shag (*Phalacrocorax sulcirostris*) and black mudfish (*Neochanna diversus*). The planted riparian margins were also identified as holding value, despite being patchy and lacking scale, as they provide important shading and bank stability services. The remainder of the Plan Change Area is exotic pasture with scattered mature trees.

The mature exotic trees distributed across the Plan Change Area are identified by the Bat Ecology Report in **Appendix 17b** as possible roosting trees for solitary bats, although there was no evidence of these trees being in use. These trees have been identified as High Value Trees within the report and are shown in **Figure 15** below. The proposed provisions respond to this potential, as set out in 10.7.3.

LIZARDS

A pre-liminary lizard search was undertaken during RMA Ecology's visit to the Fonterra-owned parts of the Plan Change Area, with potential habitat (debris, logs, corrugated iron, etc) being inspected. No lizards were detected during the field visit, but a potential habitat was noted, which was primarily on the eastern boundary of the Plan Change Area, along the interface with the Waikato River. The closely grazed pasture that forms the majority of the Plan Change Area was described by the assessment as inhospitable for native lizards and as such, they are unlikely to be present. The possible habitat for lizards and bats are provided for through the proposed plan maps and provisions which greatly reduce the likelihood of disturbance, through the proposed 50m setback from the Waikato River Corridor and zoning pattern as set out in 10.7.3.

BIRDS

Seven native bird species and eight exotic bird species typical of rural or peri-urban Hamilton were recorded within the parts of the Plan Change Area that was surveyed. The loss of original vegetation at and surrounding the Plan Change Area and the lack of comprehensive pest animal control across the Surveyed Area suggests that rare or threatened species are either at very low density or are absent.

LONG TAILED BATS (PEKAPEKA)

The pekapeka habitat appraisal found that the landscape within the Plan Change Area may have some lower-level value for foraging and the mature exotic trees may be used for roosting by solitary bats. The potential roosting trees are marked as high value is shown below in **Figure 15** and in the Bat Ecology Report (**Appendix 7b**).

The bioacoustics survey was carried out across four different locations within the Plan Change Area during the late spring and summer of 2023. Four automated bioacoustics bat monitors were deployed across the Plan Change Area (as shown in **Figure 15**) which were operational for 12 valid survey nights. No bat calls were recorded by any of the ABMs during this time. Despite this, the assessment noted that bats could still utilise the area as the survey events did not cover all of the periods where bats are potentially most active.

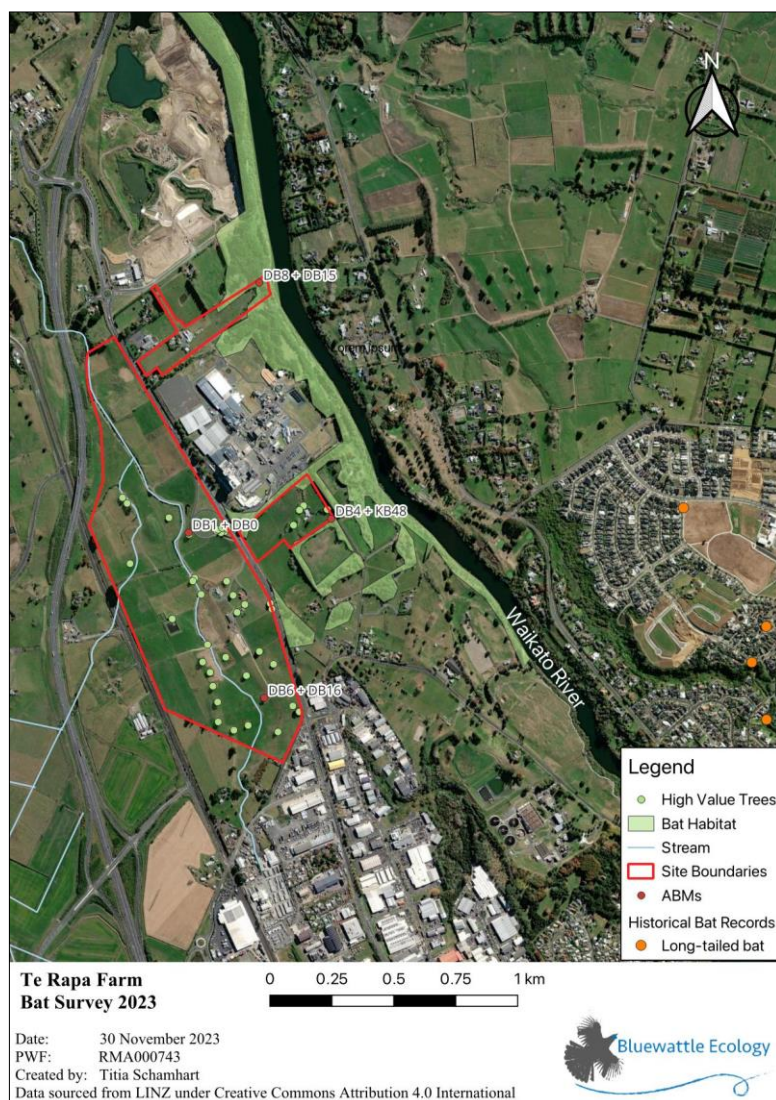


FIGURE 15: HIGH VALUE TREES AND LIKELY BAT HABITAT IDENTIFIED IN AND NEARBY THE INVESTGATED PARTS OF THE PLAN CHANGE AREA

10.7.2 FRESHWATER ASSESSMENT

The are multiple freshwater features across the Plan Change Area, as described in Section 7.3.1.

The Ecological Assessment found that all NPS-FM qualifying wetlands in their current state, have low ecological value, being dominated by exotic plant species. However, they are typically fenced from stock, hold habitat values for fish, eels and birds and could have their values greatly improved.

The watercourses identified in the assessment were also considered to have low ecological values, being impacted by deforestation, sedimentation and modification

that has resulted in stream lengths being straightened or channelised. Parts of watercourses are smothered, and they lack species representation. The assessment finds that the watercourses also have significant potential for enhancement and restoration.

Five native and two exotic fish species were recorded across the watercourses within the Plan Change Area. The species included the At Risk – declining native species, the longfin eel and giant kokopu. The assessment also noted that there is suitable habitat within the Plan Change Area for the two At Risk species, Inanga and black mudfish. This finding has been responded to with the proposed plan objective, which seeks the maintenance and enhancement of ecological values, which includes the Structure Plan that seeks to protect the alignment of Te Rapa Stream and use green stormwater infrastructure approaches, that minimise the use of pipes and hard engineering that would reduce habitat.

10.7.3 EFFECTS ON ECOLOGICAL VALUES

Section 4.0 of the Ecological Assessment considered earlier iterations of the Structure Plan and provisions for their effectiveness in protecting the terrestrial and freshwater ecological values of the Plan Change Area. The assessment found that the PC17 would enable development that is aligned with good ecological practice and provides for the restoration of waterways and aquatic biodiversity. However, to further reduce any potential effects, the assessment recommended the following:

- Riparian planting along Te Rapa Stream is to be native species and achieve a minimum width of 10m;
- Riparian margins along tributaries shall have a minimum width of 5m; and
- Where adverse effects are unavoidable, an assessment of effects and application of the effect management hierarchy shall be applied.

These recommendations have been adopted by the proposed provisions. Other recommendations relate to resource consent and construction phases so cannot be achieved through the proposed provisions. However, PC17 does not prevent the sought outcomes. As the recommendations have been incorporated into the proposed Structure Plan and provisions, it is considered that any potential adverse effect of PC17 on terrestrial and freshwater values will be avoided and mitigated to an acceptable level.

The Bat-specific Ecological Report found that the likelihood of effects on bats associated with future land use changes are low, given the lack of bat activity during the surveys and limited potential habitat within the Fonterra-owned parts of the Plan Change Area. In the instance that pekapeka are using the Plan Change Area for commuting, foraging or roosting, to minimise any potential effects, BlueWattle Ecology recommended that:

- A 50m buffer limiting development is provided along the Waikato River;
- Habitat inspection and potential bat roost survey protocols are required if tree felling is sought during future development activities;
- Residual effects management and compensation modelling is to be undertaken for each specific future development resource consent application; and
- Artificial lighting restrictions are put in place along the edge of the buffer with the Waikato River.

The proposed provisions have adopted all of the recommendations relating to good ecological outcomes, with the exception of the lighting limitation, as the proposed zoning and setbacks are considered sufficient to limit artificial lighting in this area and the presence of the artificial lighting already used at the Te Rapa Dairy Manufacturing

Site would limit the effectiveness of such a rule as well as imposing additional constraints on the operation.

The proposed building setbacks from the Waikato River and SNAs together readily achieve the recommended 50m setback from the Waikato River and the landscaping requirements adopt those recommendations for riparian planting. The first land or subdivision consent is to provide an Ecological Management Plan ('EMP'), that includes a Bat Management Plan ('BMP'). The BMP is to provide planting specifications to support bat habitat within SNAs, a potential roost tree assessment and tree-felling methodology and pre- and post-development monitoring. Other matters the EMP is to cover is measures to avoid or offset adverse effects on habitats of indigenous fauna including birds and lizards and the nature of required riparian planting. The EMP and its associated BMP are to consider the whole Structure Plan Area and all subsequent land use and/or subdivision consent applications within the zone are to demonstrate their consistency with these management plans.

As such, PC17 has adopted the recommendations of these specialist reports and any potentially arising effects will be appropriately managed and mitigated.

10.8 GEOTECHNICAL

The Preliminary Geotechnical Investigation Report in **Appendix 5** found no geotechnical natural hazards (as listed in the Act) that were considered an undue impediment to future development for an industrial use or that could not be reasonably addressed by typical engineering design and construction. The Plan Change Area has a 'Medium Liquefaction Vulnerability', and it is recommended that liquefaction-induced settlement is to be considered in development design.

The report outlined several recommendations to be adopted during construction and building design, depending on excavations and the future building loads. These recommendations would be implemented by designs proposed in the resource consent stages.

As the Plan Change Area's soil characteristics do not present any unreasonable risks and can be responded to in the detailed design phase, no adverse geotechnical effects are anticipated.

10.9 ARCHAEOLOGICAL ASSESSMENT

The Archaeological Assessment in **Appendix 18** identified one New Zealand Archaeology Association ('NZAA') recorded archaeological site within the Plan Change Area – S14/17. It is the remains of a pa site related to the Mangaharakeke Pā (S14/18) and has significant archaeological value. Further sites associated with traditional gardening sites were also identified and recorded within the southeastern corner of the West Block, most notably being a series of burrow pits (S14/505). The CIA reiterated the importance of the two Paa sites and expressed that the retention and protection of these sites were an absolute priority. The retention of the burrow pits was also identified by the CIA as being desirable if possible.

The recommendations of the Archaeological Report include:

- The extent of pā site S14/17 be excluded from future development;
- A management plan be developed to manage the pā site going forward;
- Further site visits will be undertaken to investigate the northeastern and southeastern portion of the Plan Change Area extent that were not covered by this Archaeological Assessment;

- All future development works will be subject to an Archaeological Authority; and
- Mana Whenua shall be consulted regarding the cultural effects of PC17 and any possible future development. *This consultation has occurred and is discussed within Section 10.12 and Appendix 13.*

To ensure the exclusion of pā site S14/17 from development and its management plan are an effective means of protection, a site visit to the pā in collaboration with tangata whenua will be undertaken where the pā will be mapped and closely inspected to record visible features. The pā management plan will be informed by this site visit, inspection and mapping as well as the recommendations shared by mana whenua.

The three areas of horticultural activity (burrow pits) included in archaeological site S14/505, were assessed as likely having been heavily impacted and that determination of their condition requires further investigation. Although further investigation will determine the state of those sites that were not inspected in the initial site visit, horticultural sites are not considered rare and these sites specifically have limited amenity value, being located on private land.

On the basis that the pa site S14/17 will be excluded from all future development but with the understanding that S14/505 or other unrecorded archaeological features may be impacted by future development, the archaeological assessment found that, if mitigated through investigation and reporting under the provisions of the Heritage New Zealand Pouhere Tāonga Act ('HNZPTA'), the effects on the overall heritage values of the area will be minor to moderate. As well as these sites location in relation to the PC17 extent and the application of setbacks and zoning that limits development, the proposed Structure Plan Chapter specifically identifies Paa Site S14/17 and Mangaharakeke Pa S14/18 as areas of significance that are to be avoided and protected.

As the footprint of future development and whether sites would be impacted, is yet to be determined but with the knowledge that all work would be subject to an archaeological authority, this assessment is adopted.

10.10 CONTAMINATION

The Contamination Report in **Appendix 16** identified that activities on the Hazardous Activities and Industries List activities have, or potentially have, occurred at the site and analysis of soil samples found contaminants concentrations exceeding applicable Human Health criteria and Background Levels.

The report details several recommendations to ensure the safe management of contaminants during future earthworks and construction.

Contaminated soils are managed under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (the 'NESCS').

This applies to any subdivision or change in the use of a piece of land, and therefore would apply to the type of land use change that would be facilitated by PC17.

However, as this is a request for a zone change, and not to determine the actual use of the site, the NESCS does not strictly apply. The detailed site investigation (Appendix 17) that has been prepared for the site will need to be considered and responded to by resource consents seeking to undertake the enabling works to prepare the site for future development in accordance with the NESCS.

10.11 ACOUSTIC ASSESSMENT

The Acoustic Assessment in **Appendix 19** found that the existing noise provisions contained within the HCODP were appropriate to manage the industrial development

enabled by PC17, including at the interface between those properties that would remain within the Deferred Industrial zone area.

10.12 MANA WHENUA

Mana and tangata whenua have been engaged in the development of PC17 and the TWWG, representing Ngāti Mahanga, Ngāti Wairere, Tamainupo, Turangawaewae Trust Board & Waikato-Tainui, have undertaken a CIA to inform PC17 and the future development that is likely to arise from the plan change.

Some of the matters of significance identified by the CIA include the health and wellbeing of the Waikato Awa and its associated taonga, the protection of archaeological sites and the ongoing acknowledgement of tangata whenua's rights to exercising rangatiratanga (chieftainship) and kaitiakitanga (guardianship).

The CIA includes recommendations that express how the TWWG desire those matters of significance be responded to. The recommendations in the CIA that can and have been adopted into the Plan Change request include:

- A full assessment of PC17 against the objectives of Te Ture Whaimana;
- Risk management strategies for wastewater;
- The enhancement ecological values through the revegetation of riparian margins using native vegetation; and
- Seeking to retain natural watercourses and SNAs.

The CIA reviewed the proposed Structure Plan map and plan provisions as well as specialist reports and recommended that PC17 should proceed, as the proposed objectives, policies and provisions providing for ecology, the health of natural water bodies and protection of paa sites are acceptable. As such, many of the recommendations provided by the CIA related to stages following the plan change process.

The recommendations relating to resource consent and development stages include:

- Ongoing engagement with the TWWG by Fonterra, HCC and future developers;
- The absolute avoidance and protection of the Mangaharakeke Paa site and its related paa site identified by NZAA (S14/17) and the retention of the borrow pits in the southeastern corner of the West Block (S14/505), if possible;
- Water management systems that use "green" features (i.e. swales, raingardens) and minimise structures' and flows' impacts on natural watercourses;
- Rainwater harvesting and greywater recycling to reduce water demand;
- Use of solar panels to reduce energy demand and engagement with Ruakura Energy for energy supply;
- Use of native plants supplied from iwi-owned nurseries;
- Application of accidental discovery protocols; and
- Incorporation of cultural narratives into future development.

TWWG has recommended that PC17 proceed following their review of the proposal and plan change documents and the CIA report has expressed that Fonterra has demonstrated commitment to the framework of co-governance by engaging early and acting in good faith. The TWWG's expertise is relied upon in reaching the conclusion that PC17 is acceptable to mana whenua. In relation to recommendations extending

beyond this process, Fonterra is committed to an ongoing relationship with the TWWG, as reflected by signed Letter of Intent.

10.12.1 SUMMARY OF EFFECTS

For the reasons detailed above, it is considered that any effects associated with development arising following the approval of PC17 can be readily managed through existing and/or amended provisions and through the subsequent consenting process.

11.0 SECTION 32 ANALYSIS

Section 32 of the RMA establishes a procedure for local authorities to test the appropriateness of any proposed provisions, including objectives, policies, rules and other methods when considering the merits of any plan change request. This procedure ensures that environmental issues are addressed and anticipated outcomes achieve the purpose of the RMA.

Section 32(1)(a) states that an evaluation must examine the extent to which the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA.

Section 32(1)(b) requires examination of whether the proposed rezoning provisions are the most appropriate way to achieve the PODP objectives. This examination is undertaken by:

- (i) identifying other reasonably practicable options for achieving the objectives; and
- (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and
- (iii) summarising the reasons for deciding on the provisions.

Section 32(1)(c) clarifies that the evaluation must contain a level of detail that corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.

Section 32(6) clarifies that where no actual objectives are stated in the proposal

The s32 Evaluation Report is included as **Appendix 22**.

12.0 CONCLUSION

This report has been prepared in support of Fonterra's request for a Private Plan Change to the Hamilton City District Plan. The request will protect the Te Rapa Dairy Manufacturing Site from land use incompatibility and reverse sensitivity effects while enabling an area that is anticipated for industrial development, to be developed for industrial activities in accordance with a Structure Plan and tailored plan provisions.

This request has been made in accordance with the provisions of Schedule 1 and Section 32 of the Act. The assessment has:

- Demonstrated that the proposal will have a positive environmental, social and economic effect;

- Demonstrated that any potential adverse effects arising from the proposal can be managed through the application of amended district plan rules;
- Found that the request will achieve the purpose of the Act and will give effect to the Waikato Regional Policy Statement.

The s32 evaluation has demonstrated that:

- The objectives of the proposal are the most appropriate way to achieve the purpose of the Act.
- The provisions of the plan change are the most appropriate way to achieve the relevant objectives and are preferred to alternative options.
- The overall benefits of the proposal outweigh the costs on the community, the economy and the environment.
- The provisions are an efficient and effective way of achieving the objectives.

Taking all of the above into account, the Council has sufficient information to decide on this request and it is appropriate for the request to be accepted and approved.

13.0 LIMITATIONS

This report has been prepared for the particular project described and for the purpose of satisfying the statutory information requirements for an application being made under the Resource Management Act 1991. No responsibility is accepted by Harrison Grierson Consultants Limited (or its directors, agents or employees) for the use of the report or any part of it in any other context or for any other purpose.

APPENDIX 1

PARCELS INCLUDED IN PLAN CHANGE APPLICATION

APPENDIX 2

RECORD OF TITLE

APPENDIX 3

LANDSCAPE AND VISUAL EFFECTS ASSESSMENT

APPENDIX 4

INTEGRATED TRANSPORT ASSESSMENT

APPENDIX 5

GEOTECHNICAL ASSESSMENT

APPENDIX 6

INFRASTRUCTURE ASSESSMENT

APPENDIX 7

ECOLOGICAL ASSESSMENT

A) Terrestrial And Freshwater

B) Bat

APPENDIX 8

EXISTING ZONING PATTERN (HCODEP & WPDP)

APPENDIX 9

MASTERPLAN

APPENDIX 10

PROPOSED STRUCTURE PLAN

APPENDIX 11

PROPOSED ZONING MAP

APPENDIX 12

PROPOSED HCODP PROVISIONS

- a) Clean Version
- b) Tracked Change

APPENDIX 13

STAKEHOLDER ENGAGEMENT

APPENDIX 14

CULTURAL IMPACT ASSESSMENT

APPENDIX 15

ECONOMIC ASSESSMENT

APPENDIX 16

URBAN DESIGN ASSESSMENT

APPENDIX 17

CONTAMINATED LAND ASSESSMENT

APPENDIX 18

ARCHAEOLOGICAL ASSESSMENT

APPENDIX 19

ACOUSTIC ASSESSMENT

APPENDIX 20

RAIL SIDING REPORT

APPENDIX 21

STATUTORY ASSESSMENT

- a) WRPS(PC1) Appendix 13 Assessment

APPENDIX 22

SECTION 32 ANALYSIS