

Appendix 1: Council Notification Report



te kaunihera ā-rohe o
matamata-piako
district council

Application for Land Use Consent:

**100.2023.12883, Lot 1 DP 380546, Lot 2 DP 380546 &
Part Section 2 Block II Tapapa SD, Matamata**

1 Application Details

Council Reference	100.2023.12883
Applicant	Matamata-Piako District Council
Property Address	121 Firth Street, Matamata
Legal Description	Part Section 79 Block II Tapapa Survey District, Part Section 79 Block II Tapapa Survey District, Lot 9-10 Deposited Plan 15616, Lot 2 Deposited Plan 34755
Record of Title	1067298
Date Lodged	10 November 2023
Proposal	Construct an indoor sports and recreation facility (Te Whare Whakapakari) and associated vehicle access to Station Road and new onsite vehicle access/parking.
Rule	Table 2.2 (Activity Table, 2.3) – Places of Assembly Rule 3.1.1 (Building Envelope) Rule 3.9.1 – Signage Rule 5.2.2 – Noise NES-CS Regulation 9(2)
Application	Section 88 Resource Management Act 1991 and Regulation 9(2) of the National Environmental Standards for Assessing and Managing Contaminants in Soil to protect human health (NES-CS)
Activity Status	Discretionary Activity (under the District Plan) and Controlled (NES-CS)

2 Location Map



Figure 1: Location Plan with subject site (in red)

3 Site and Surroundings

Overview

- 3.1 This report assesses an application by Matamata-Piako District Council (MPDC) to construct a new indoor sports and recreation facility. The activity also provides for a new vehicle access on Station Road, and new onsite access leg and car parking at Matamata College. The existing school gymnasium facilities will be demolished to accommodate the proposed facility. The subject site is located on the property at 121 Firth Street, Matamata.
- 3.2 The application has been lodged by Boffa Miskell Limited on behalf of the Applicant.
- 3.3 The subject site consists of one Record of Title which has the following details:

Identifier	Date	Legal Description	Area	Registered Owner
1067298	30 May 2022	Lot 9 DP 15616	0.1024ha	Her Majesty the Queen
		Lot 10 DP 15616	0.1047ha	
		Part Section 79 Block II Tapapa SD	5.9312ha	
		Part Section 79 Block II Tapapa SD	0.1391ha	
		Lot 2 DP 34755	6.0172ha	

There is one relevant interest registered on the title, set out as follows:

RFR 12472338.3

Certificate under section 135 of the Ngāti Hinerangi Claims Settlement Act 2021 that the within land is RFR land as defined in section 113 and is subject to Subpart 4 of Part 3 of the Act (which restricts disposal including leasing of the land) - 30.5.2022.

- 3.4 No disposal or leasing of the land is proposed in the application and therefore the above interest does not prevent the proposal from proceeding, and on the contrary the proposal will not be inconsistent with the requirements of the above interest.
- 3.5 The site is zoned Residential and is subject to a Designation (No.149) listed in the Matamata-Piako Operative District Plan (District Plan or Plan). Designation 149 is for Matamata College, the Ministry of Education being the Requiring Authority and the designation has a purpose of 'College'. A Heritage Site (No.21) is also listed on the property, being Matamata College "A" Block, and which will not be affected in any way by the application considered herein. The surrounding locality is zoned predominantly Residential, including the Residential Infill Area directly north of the site. Adjoining the western boundary of the site is Matamata Intermediate (designation 148 in the District Plan) and Matamata Primary school (designation 147 in the District Plan). The site's zoning map is illustrated in **Figure 2** below. The zoning map shows that the site contains three protected trees (English Oaks #84 and #85 and a Plane #87). These trees are located in the south-western corner of the site.
- 3.6 A Detailed Site Investigation (DSI) has been undertaken by BCD Group (Appendix 5 of the application documents). The DSI found that the site had been subject to the following potentially contaminating activities:
- School Playing fields – HAIL A10 – Persistent Pesticide application.
 - Historical Building Products – HAIL I – any other contaminant released onsite which poses a risk to human health.
- 3.7 Elevated concentrations of lead were identified in two samples above the Waikato Cleanfill Guidelines. Three other samples also contained elevated concentrations of lead. The presence of lead is not considered to be attributed to the buildings on the site, as the distance between the building and the investigation location (being over 30m) is much further than any expected migration of lead would extend. Therefore, the lead is potentially attributable to line markings for the school playing fields that may have been painted with lead containing paints. As such, the subject site is considered a 'piece of land' in

accordance with Regulation 5(7) of the National environmental standard for assessing and managing contaminants in soil to protect human health (NES-CS).

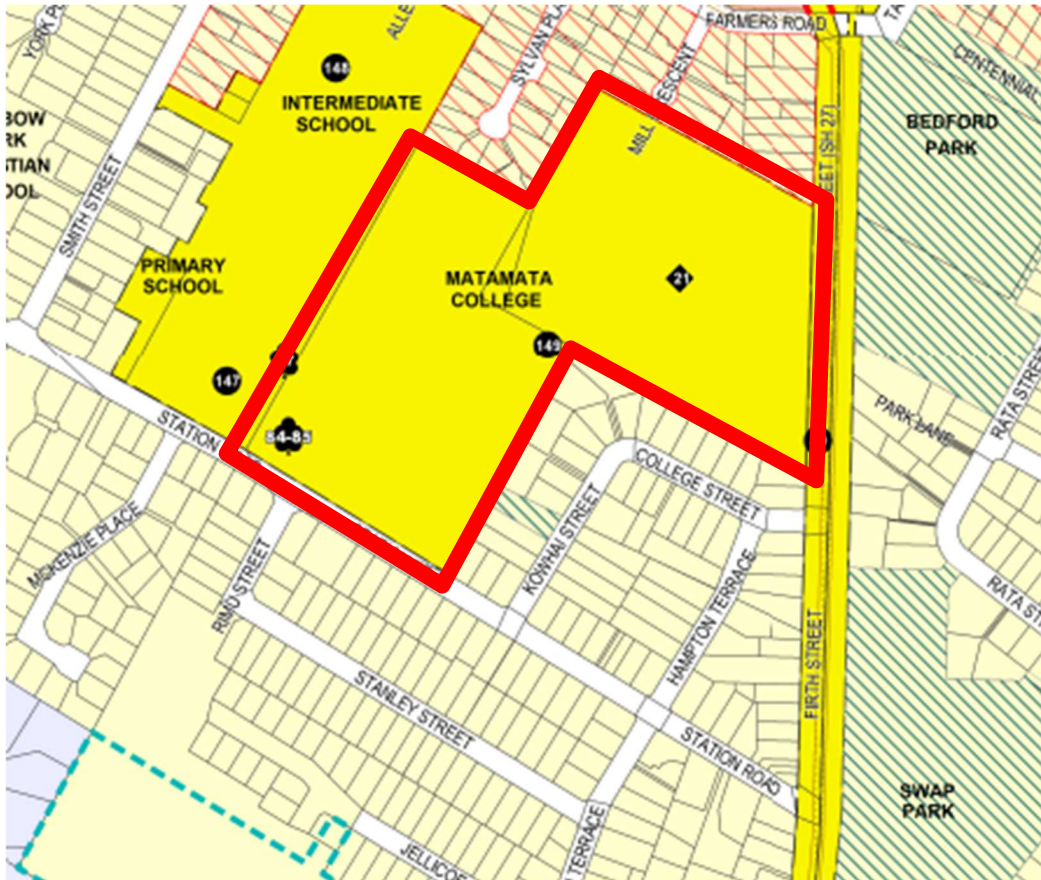


Figure 2: MPDC District Plan Zoning (site outlined in red)

3.8 The current site has been accurately defined and described in Sections 4.1 (Site Overview) of the Applicant’s resource consent application report, titled “Matamata Indoor Sports and Recreation Facility Application for Resource Consent and Assessment of Environmental Effects”, dated 10 November 2023. That description is adopted for the purposes of this report and is not repeated.

4 Description of Proposal

- 4.1 This application seeks resource consent to establish and operate an indoor sports and recreation facility (facility) to be known as Te Whare Whakapakari. The activity status is Discretionary under the District Plan. Resource consent as a Controlled activity, in accordance with Regulation 9(2) of the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NES-CS) is also sought.
- 4.2 A resource consent is required as the proposed stadium facility (facility) will be a “place of assembly” utilised by the wider community in addition to the College itself, thereby not strictly meeting the purpose of the Designation. In the event that this stadium was used only for College purposes, resource consent would not be required and the proposal would be subject to an Outline Plan of Works process associated with the underlying Designation.
- 4.3 The following sections of this report set out the proposal. This should be read alongside the resource consent application documents, which provides a more

detailed description of the development.

Sports and recreation facility:

- 4.4 It is proposed to demolish the existing school gymnasium buildings and construct a new indoor sports and recreation facility in its place, comprising:
- A building with a gross floor area (GFA) of approximately 2320m² and a maximum height of 11.3m.
 - A building will include:
 - Main sports hall with two indoor courts, sports equipment storage, and spectator seating.
 - Ancillary areas including entry foyers, meeting and multipurpose rooms, changing rooms, showers and toilets.
 - A space for the school physical education office; and
 - Other utility spaces for storage and plant.
- 4.5 The site layout is illustrated in **Figure 3** below.
- 4.6 The building will be available for both school and community use, with the primary activity being indoor sporting activities (such as gymnastics, badminton, volleyball, basketball and netball).
- 4.7 The proposed hours of operation at 6am to 10pm, with half an hour each side to accommodate set-up and packdown. It is proposed that up to five days a year the facility is open till 11pm.
- 4.8 General day to day use of the facility by the school and the community will typically see occupancy levels at less than 200 at any one time. Being a two court facility, it may also cater for in-frequent larger events, of typically no more than 400 people. These larger events are proposed to be limited to no more than six (6) per annum.

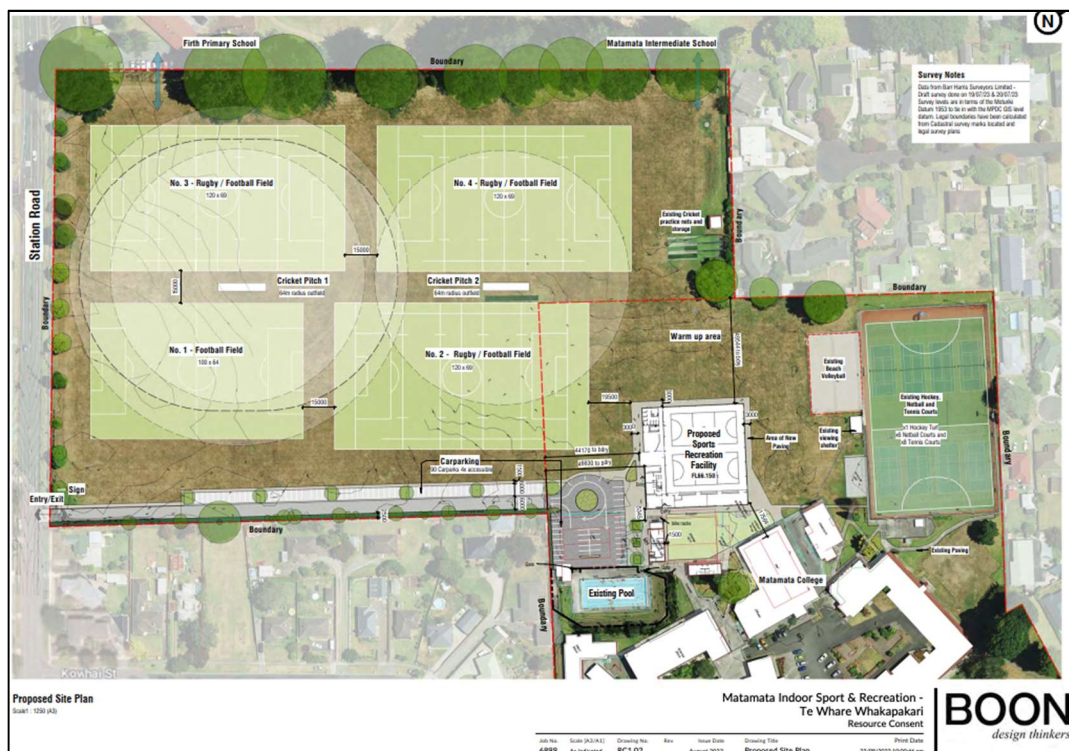


Figure 3: Proposed Site Plan

- 4.9 The architectural drawings of the proposed development have been prepared by Boon Architects (Appendix 6 of the application) outlining scale, form, and visual appearance of the proposed facility. The Architect's plans also outlines which of the existing buildings and structures will be retained, and which will be demolished. Further detailed information about each aspect of the proposal is provided in Section 5 of the AEE and is summarised below.

Servicing:

- 4.10 Two new water supply connections are proposed to Council's reticulation within Station Road. The connections are located adjacent to the proposed vehicle crossing and new reticulation will be installed along the length of the access leg to the new building. One of the connections is for potable water supply and the other for firefighting water supply. The firefighting water supply connects to a fire hydrant at the end of the access leg adjacent to the building.
- 4.11 Stormwater will be disposed via a soakage system on the site, as set out on the engineering plans. A wastewater main will be constructed and will connect to an existing wastewater main within the school to the east of the building. The internal wastewater reticulation connects to Council's wastewater reticulation in the road network.

Traffic, Access and Parking

- 4.12 The development is estimated on a day-to-day basis and at most 240 vehicles per day and 80 vehicles in the peak hour. Up to six (6) times per year, it is proposed that the facility will hold larger events in which could double the occupancy and increase the resulting traffic movements.
- 4.13 The proposal includes a new vehicle crossing to Station Road, and 6m wide chip-sealed access leg from Station Road. The access road leads to a turning area within the main parking area located directly adjacent to the proposed facility. There are also carparks proposed along, perpendicular to, the access leg. The proposal provides for 94 carparks, four of which are accessible parks.

Landscaping

- 4.14 It is proposed to undertake landscaping on the site between the access leg and the properties to the east, this will include hedge planting and planting of various tree species. It is also proposed to plant various trees and garden beds within the hardstand car parking areas. Various existing mature trees will also be retained, including the school's boundary adjoining Station Road.
- 4.15 A solid timber paling fence, of 2.0m high, is proposed along the neighbouring residential boundaries (to the east) which is adjacent to the new access road. Confirmation is required, from the Applicant, around the level of treatment proposed (i.e. fence, no fence or fence with gate) along 8 Kowhai Street, being that this title is a recreation reserve that adjoins the proposed walkway.

- 4.16 The perimeter of the new facility will be paved in concrete and service access to entry points.

Earthworks

- 4.17 Proposed earthworks are limited to topsoil scraping, shaping of the landform to achieve design level, installation of infrastructure, construct the new vehicle access and preparation of building foundations. The works will require approximately 2162m³ of cut and 161m³ of fill.

5 Reasons for Consent

Rules of the Operative Matamata-Piako District Plan

- 5.1 The subject site is zoned Residential under the Operative Matamata-Piako District Plan. That zoning is illustrated in **Figure 2** above. The site is also subject to Designation 149, the purpose of which is “College” and the requiring authority is the Ministry of Education (MOE). The designation is not subject to any conditions.
- 5.2 Section 176(2)¹ of the Resource Management Act (RMA) is relevant as the proposed facility will be for community use as well as school use, which does not meet the purpose of the underlying designation. The provisions of the District Plan are therefore applicable and resource consent is being sought as opposed to an Outline Plan of Works.
- 5.3 As a starting point, land use consent is required as a Discretionary Activity for a Place of Assembly in the Residential Zone.

The District Plan defines ‘place of assembly as follows:

“Means land or buildings for the purposes of the congregation of people for deliberation, entertainment, cultural, recreation or similar purposes and includes, but is not necessarily limited to, churches, halls, community facilities, funeral chapels including crematorium on the same site, clubrooms, taverns, restaurants, art galleries, theatres, sports fields, and tourist facilities.”

The proposed facility fits within the above definition. Places of assembly require a Discretionary activity consent approval. A full and detailed assessment of the District Plan has been undertaken by the Applicant in Section 6.1.3 of the application. I consider this assessment to be complete and accurate and therefore adopt it for the purpose of this report. Various non-compliances with the District Plan performance standards have been identified. These are summarised as follows.

District Plan Non-Compliances

- 5.4 Table 2.2 (Clause 2.3) – places of assembly in the Residential Zone requires a resource consent as a **Discretionary activity**.
- 5.5 Rule 3.1.1 (i. Building Envelope) – the proposed maximum building height for the facility is 11.3m, which exceeds the permitted building height of 9m for the Residential Zone by approximately 2.3m.
- 5.6 Rule 3.9.1 (3. Signage) – the proposed signage includes a 50m² sign, which will be fixed to the facility building, and a freestanding 8m² sign (as viewed from any direction), which will be located adjacent to the new entry on Station Road; this exceeds the permitted area which limits to a maximum of 2m² of total site signage (when the signage relates to the name and relevant information concerning the place of assembly).
- 5.7 Rule 5.2.2 (Noise) – the Acoustic Assessment (Appendix 8 of the application documents) has identified that the proposal will not comply with the evening and night-time noise limits specified in the District Plan (40dBA).
- 5.8 The above assessment does not change the activity status, and therefore

¹ Section 176(2) states: The provisions of a district plan or proposed district plan shall apply in relation to any land that is subject to a designation only to the extent that the land is used for a purpose other than the designated purpose.

resource consent is required as a Discretionary Activity.

National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health – NESCS

- 5.9 The NESCS seeks to manage actual and potential adverse effects of contamination in soil on human health. The NESCS includes a Hazardous Activities and Industries List (HAIL) that sets out a list of activities which have potential to contaminate soil. The NESCS applies to any 'piece of land' that an activity or industry described in the current edition of the HAIL is being undertaken, has been undertaken or is more likely than not to have been undertaken.
- 5.10 The DSI carried out by BCD Group Ltd concluded that HAIL activities HAIL A10 (Persistent Pesticide application) and HAIL I (any other contaminant released onsite which poses a risk to human health) has occurred on the subject site and therefore the site is considered a 'piece of land' under the NES-CS. Samples were collected across the site which identified elevated concentrations of lead in two samples above the Waikato Cleanfill Guidelines. Where soil disturbance or a land use change is proposed on a piece of land, the regulations of the NES-CS apply to the site.
- 5.11 The permitted activity standards in Regulation 8(3) limits earthworks volumes to 25m³ per 500m² site area. In this instance, the site area subject to earthworks is 9711m² therefore up to 485.55m³ of earthworks is permitted. The proposal includes up to 2162m³ of cut and 161m³ of fill therefore exceeds the permitted volume.
- 5.12 Resource Consent is therefore required as a Controlled Activity under Regulation 9(2) of the NESCS for the following reasons:
- A DSI exists and Matamata-Piako District Council has a copy of the report (Application 5 of the consent application); and
 - The DSI confirms that the soil contamination concentrations do not exceed the standards in Regulation 7 of the NES-CS.

6 Consultation and Written Approvals

- 6.1 A pre-application meeting with Council was undertaken on 1 September 2023. The pre-application meeting with MPDC assisted in identifying the key resource management issues, information requirements required to support a resource consent application, and given the nature and scale of the proposal and consequential effects, the likely scope of potentially affected parties. That feedback has informed the limited notification assessment undertaken by the Applicant.
- 6.2 On 20 September 2023, an information meeting was held with neighbouring property owner to inform neighbours of the proposal and receive feedback. Feedback received has not been shared with Council.
- 6.3 The Ministry of Education as landowner/requiring authority have provided a written letter of support for the application which has been included in Appendix 12 of the application. This confirms that although the proposal is not in accordance with the designation, the Ministry support the application.
- 6.4 Written approval has also been obtained from Northpower confirming that power can be supplied to the proposed facility.

- 6.5 Council has received written confirmation² that all three iwi connected with Matamata (Ngāti Hauā, Ngāti Hinerangi, Raukawa) are in support of the Matamata Indoor Sports and Recreation Hub/Te Whare Whakapakari.

7 Notification Assessment – Is Public Notification Required?

- 7.1 In processing a resource consent application, the consent authority must decide whether to give public or limited notification of that application. The criteria for determining the notification pathway of a resource consent application is outlined in sections 95A and 95B of the RMA. These sections have been discussed below.

Section 95A - Determination of whether public notification is required.

- 7.2 **Step 1: Mandatory public notification in certain circumstances:**
- (a) *the applicant has requested that the application be publicly notified;*
 - (b) *public notification is required under section 95C;*
 - (c) *the application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977.*

Comment:

Mandatory public notification is not required as none of the above criteria have been triggered in this instance.

- 7.3 **Step 2: If not required by Step 1, public notification may be excluded in certain circumstances:**
- (a) *The application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:*
 - (b) *the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - (i) *a controlled activity;*
 - (ii) *a restricted discretionary activity, discretionary, or non-complying activity, but only if the activity is a boundary activity*

Comment:

None of the above criteria are triggered in this instance.

- 7.4 **Step 3: If not precluded by Step 2, public notification required in certain circumstances:**
- (a) *The application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or national environmental standard that requires public notification:*
 - (b) *The consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

Section 95D

A consent holder that is deciding, for the purpose of Section 95A(8)(b), whether an activity will have or is likely to have adverse effects on the environment that are more than minor -

² Email from Hinerangi Vaimoso to Ally van Kuijk dated 19 February 2024.

- (a) *must disregard any effect on persons who own or occupy:*
 - (i) *the land in, on, or over which the activity will occur; or*
 - (ii) *any land adjacent to that land; and*
- (b) *may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect; and*
- (c) *in the case of a restricted discretionary activity, must disregard an adverse effect of the activity that does not relate to a matter for which a rule or national environmental standard restricts discretion; and*
- (d) *must disregard trade competition and the effects of trade competition; and*
- (e) *must disregard any effect on a person who has given written approval to the relevant application.*

Comment:

Permitted Baseline

- 7.5 The site of the proposed development is designated for 'College' purposes and would typically be subject to an Outline Plan of Works process for the construction and use of such a facility. However, part of the facilities' use, is for the community (alongside the school use) and therefore the outcome is not entirely consistent with the purpose of the designation, and the provisions of the District Plan apply.
- 7.6 The Applicant has concluded that if the proposed building were to be consistent with the purpose of the designation, the effects would be limited to those set out in Section 176A of the RMA and the District Plan provisions would not apply. I concur with this assessment.
- 7.7 This is relevant when considering the effects associated with the bulk and scale of the building. Under Section 176A, the bulk and scale of the building would not be limited by the requirements of the underlying residential zoning. There is, however, no permitted baseline associated with the proposed use of the building.
- 7.8 Furthermore, Section 95D(b) states that when determining whether an activity will have, or is likely to have adverse effects on the environment that are more than minor, a consent authority:
 - “may disregard an adverse effect of the activity if a rule or national environmental standard permits an activity with that effect;”*
- 7.9 With respect to the permitted rules of the Residential Zone, a residential building with a maximum height of nine (9) metres, yard of five (5) metres to the front, and 1.5 metres to the side and rear would be permitted. While this would form the permitted baseline for built development in the area, there is no permitted baseline associated with places of assembly or non-residential buildings in a residential setting.

Land to be excluded from the assessment.

- 7.10 For the purpose of assessing the application to establish whether public notification is required, effects on owners and occupiers of the subject site and adjacent sites, and persons who have given written approval, must be disregarded. The adjacent properties to be excluded from the public notification assessment are outlined in **Figure 4** and listed in **Table 1** below. In addition to those set out below, written approval has also been obtained from Northpower. Note that while 9 College Street (adjoining the southern boundary of the subject site, shaded blue in **Figure 4** below) is not technically included in the site description in this report, it is clearly used as car parking for the school and is

therefore determined to be part of the subject site for the purposes of the notification assessment.

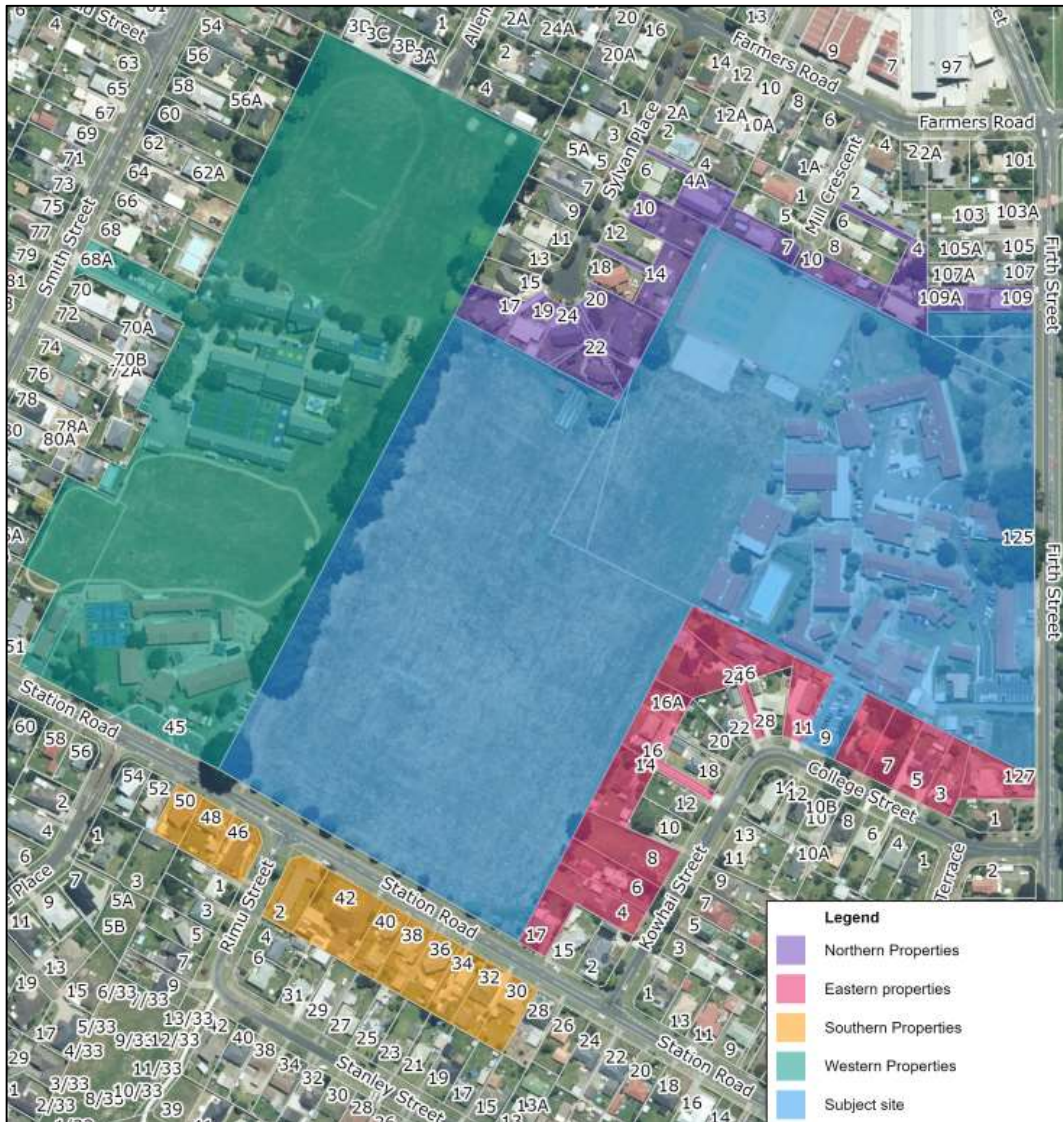


Figure 4: Adjoining and Adjacent Property Owners

Table 1: Adjoining and Adjacent Property Owners

Property ID#	Address	Legal description	Registered Owners	Property
Properties coloured purple				
1	17 Sylvan Place	Lot 9 DPS 8302	Jason Russell Muir	
2	19 Sylvan Place	Lot 10 DPS 8302	George Richard Coleman, Veronica Faith Coleman	
3	24 Sylvan Place	Lot 11 DPS 8302	Janet Patricia Harwood, Robert James Harwood	
4	22 Sylvan Place	Parcel: Lot 4 DPS 9340	Lesley Ann Theobald	

5	20 Sylvan Place	Parcel: Lot 2 DPS 9340	Dorothy Kay Clarke, Kenneth Raymond Clarke
6	14 Sylvan Place	Parcel: Lot 16 DPS 8302	William John Perry
7	10 Sylvan Place	Section 1 SO 58065	Cooper Aitken Trustees Limited, Rose Marie Craig, William John Perry
8	4A Sylvan Place	Lot 19 DPS 8302	Brent Eric McIntosh, Heather Marion McIntosh
9	7 Mill Crescent	Lot 3 DPS 3229	Renee Kylie Uttinger
10	10 Mill Crescent	Lot 8 DPS 3229	Matamata College Board of Govenors
11	4 Mill Crescent	Lot 5 DPS 3229	Central North Island Kindergarten Trust
12	109A Firth Street	Lot 2 DP 545080	Naomi Sita Prisk
13	109 Firth Street	Lot 1 DP 545080	Elizabeth Jane Ohlsen
Properties coloured pink			
14	127 Firth Street	Lot 5 DPS 132	Glenn Clifford Dickinson, Edmonds Marshall Trustee Services No.2 Limited
15	3 College Street	Lot 4 DPS 132	Rhys Ian Robinson
16	5 College Street	Lot 3 DPS 132	Estelle Christine Walsh, Trevor William Walsh
17	7 College Street	Lot 1 DPS 132 Lot 2 DPS 132	Gwyn Denise Paterson
19	11 College Street	Lot 11 DPS 5650	Laura Kathleen Herbert, Shane Maurice Herbert
21	26 Kowhai Street	Lot 9 DPS 5650	Sun Kwan HWANG, Sung Sook LEE
22	24 Kowhai Street	Lot 8 DPS 5650	Jesusito Abundo Tan, Lovella Cipriano Tan
23	16A Kowhai Street	Lot 2 DP 565269	Hayden Matthew Aiken, Iona Mae Norris
24	16 Kowhai Street	Lot 1 DP 565269	Jacinda Maree Green, Benjamin Robert Olesen
25	14 Kowhai Street	Lot 2 DPS 5650	Fay Te Waiarangi Wharawhara
26	8 Kowhai Street	Lot 36 DPS 42	Matamata Borough Council
27	6 Kowhai Street	Lot 1 DPS 42	Daniel John Stocker
28	4 Kowhai Street	Lot 2 DPS 42	Antonia Bencetti-Muir, David Frank Carter Muir

29	2 Kowhai Street	Lot 5 DPS 42	Jhuan Ngahoia Martinez, Wally Baluyot Martinez
Properties coloured orange			
30	15 Station Road	Lot 4 DPS 42	Colin Peter Grounsell, Xiaohong Grounsell
31	17 Station Road	Lot 3 DPS 42	Himanshu Rasikbhai Vajani
32	30 Station Road	Lot 2 DPS 5471	Alyssa Georgina Rossier, Jeremie Rossier
33	32 Station Road	Lot 3 DPS 5471	Alexander James Bradley, Nicole Dianne Bradley
34	34 Station Road	Lot 4 DPS 5471	Eoin Casey, Wanda Jean Somervell
36	36 Station Road	Lot 5 DPS 5471	Bryan Antony Paton, Penelope Anne Paton
35	38 Station Road	Lot 6 DPS 5471	Foster & Milroy Trustee Company Limited, David Matthew Lopes, Raymond Arthur Lopes, Shane Russell Lopes
36	40 Station Road	Lot 7 DPS 5471	Graham John Murray, Patricia Phyllis Murray
37	42 Station Road	Lot 1 DPS 4000	Debbie Maree Sankey, Douglas Edward Sankey
38	2 Rimu Street	Lot 8 DPS 5471	TSK Ventures Limited
39	46 Station Road	Lot 32 DPS 5471	IHC New Zealand Incorporated
40	48 Station Road	Lot 31 DPS 5471	Linda Mary Morris
41	50 Station Road	Lot 29 DPS 24933	Katharina Lenggenhager, Christine Rudge
42	52 Station Road	Lot 28 DPS 24933	WD & JD Wilson Limited
43	54 Station Road	Lot 27 DPS 24933	Wilhelmina Huibrecht Cornelia Muller
44	56 Station Road	Lot 2 DPS 24933	Kieran Daniel Gurnick
45	58 Station Road	Lot 1 DPS 24933	H Advisors Limited
46	60 Station Road	Lot 1 DPS 5265	Landview Homes Limited
47	62 Station Road	Lot 1 DPS 26053	Keiron Roy Guinness, Wendy Margaret Guinness
48	51 Station Road	Section 1 SO 59780	IHC New Zealand Incorporated
49	92 Smith Street	Lot 3 DP 36359	Angus MacLeod Budge, Fiona Mary Orr, Murray Lindsay Mark Orr

Property coloured green			
50	68A Smith Street Station Road	Part Lot 3 DP 15176, Section 2 SO 59780	Her Majesty the Queen, Te Whata a Tamihana Limited

It is noted that there are no issues in respect of trade competition relating to this application.

Assessment of Adverse Environmental Effects 95D

7.11 Part 2 of the Act explains that the purpose is to “promote the sustainable management of natural and physical resources”. In addition, it is noted the meaning of ‘effect’ is defined under the Act as:

In this Act, unless the context otherwise requires, the term effect includes—

- a) *any positive or adverse effect; and*
- b) *any temporary or permanent effect; and*
- c) *any cumulative effect which arises over time or in combination with other effects – regardless of the scale, intensity, duration, or frequency of the effect, and also includes—*
- d) *any potential effect of high probability; and*
- e) *any potential effect of low probability which has a high potential impact.*

7.12 With the definition of ‘effect’ in mind, it is considered appropriate to further examine the effects of the proposed activity relating to landscape, character, amenity and visual, acoustic, transportation, reverse sensitivity, geotechnical, contamination, construction, and earthworks. It is acknowledged some of these effects are temporary and directly related to the construction of the development.

Effects on Landscape, Character and Amenity

7.13 The Act defines amenity values as “those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes”. Amenity is simply, the pleasantness and functionality of an area. The District Plan contains rules which seek to maintain a standard of high amenity residential areas, these generally relate to density, overlooking, overshadowing and solar access. Ensuring that these standards of amenity are complied with, amenity values of an area are able to be maintained and possibly enhanced in some instances.

7.14 Character typically refers to the “look and feel” of an area, with every property, public place and piece of infrastructure making a contribution, whether great or small. The cumulative effects of these contributions then form the neighbourhood’s character and ultimately their sense of place/community feeling of an area.

7.15 The character of the site and surrounding locality in this instance, is heavily influenced by school and community features, including the Matamata College, Matamata Intermediate and the Firth Primary school. These three schools sit within a residential neighbourhood, all contain numerous and large buildings and have large open space areas associated with the school’s sports. The construction of the facility on an existing school site is not in itself inconsistent with the character associated with a school site and further replaces existing built form. Once constructed the built form will be consistent with the character of the receiving environment.

- 7.16 It is also considered that the activities proposed in the facility are consistent with those which could be expected to occur at a school, such as physical education classes, sporting events and performances, albeit with some larger sized events and frequency of events associated with community use. The proposed activity is considered to complement the existing character established in the locality and in my opinion, will not necessarily give rise to specific amenity effects that will affect the wider environment in a more than minor way.
- 7.17 The amenity effects are twofold in that the community will benefit from a new facility that will improve the amenity offered to the community, however there will be a change to the amenity enjoyed by the surrounding locality in respect of a larger building and a higher level of activity. This will result in an increase of noise, vehicle movements, lighting, glare etc which has potential to adversely affect the amenity enjoyed in the surrounding locality. The effects will be more pronounced with the six (6) larger events and whereby more bespoke transportation controls are required. These effects, on adjacent residents, are discussed and assessed in section 8 of this report.
- 7.18 Boffa Miskell were engaged to provide a Landscape and Visual Effects Assessment (LVEA) for the proposal. The LVEA has provided an assessment of the visual catchment and potential viewing audiences of the development. The assessment advises that due to the surrounding flat topography and built form of the proposal, the primary public viewing audiences of the proposed development are limited, including:
- Distant views across the playing field from Station Road;
 - Intermittent views (between existing built form) from Kowhai Street, Sylvan Place and Mill Crescent.
 - Matamata Intermediate school
 - Firth Primary School
- 7.19 Overall, views of the proposed facility are limited in respect of the surrounding locality. The building is highly compliant, with the exception of 2.3m of height at the highest point of the building. The non-compliant portion of the building however will not be noticeable in the context of the existing scale and mass of the adjacent school buildings, and additionally the location directly adjoining the sports fields. It is considered that this size of building will be well received in the surrounding locality. The LVEA concludes that the building is not indifferent to that commonly associated with schools and community facilities, and that the materiality and split façade treatment of the building helps to vary the roof form and blend it into the location. Additionally, the building is setback from external boundaries and is located and orientated so that there are no shading effects on neighbouring properties. I concur with this assessment and consider that the visual effects on the wider environment will be less than minor. Accordingly, I adopt the findings of the LVEA in that:
- The proposed facility will be located on a site already subject to similar built form by way of existing Matamata College school buildings;
 - The building is consistent with the character of the school environment;
 - The proposed facility will not result in any shading effects on neighbouring residential properties.

Acoustic Effects

- 7.20 Noise generating activities in the Residential Zone have potential to cause adverse effects on the amenity enjoyed by the neighbourhood. The facility will give rise to noise effects associated with the use of the indoor facilities,

particularly larger events where more spectators are expected. Given the proposal includes community use and evening events a noise assessment has been undertaken, by Marshall Day Acoustics to determine compliance with noise standards and to assess potential adverse noise effects.

- 7.21 The report assessed the potential noise effects from both the construction and operation of the proposed indoor sports facility. Specifically, the assessment considered indoor sports activities, community events and the occasional performance, such as kapa haka, with the general operating hours being 6am – 10pm. The assessment identified that the existing ambient noise environment prior to the construction of the facility is above the District Plan noise limits in the daytime and night time.
- 7.22 The key conclusions of their reporting was that the indoor sports activities and community events will be able to comply with the recommended noise limits on the site during the daytime and evening (when measured from the closest sensitive receiver, i.e. 22 Sylvan Place), subject to specific design measures being included in the building construction (i.e. specific internal linings and a suspended ceiling).
- 7.23 As a by-product of the proposed facility, traffic movements will increase as a result of the new access leg location, parking area and additional scope for community events. Traffic noise generated is assessed using the peak hour traffic volume calculated for the proposal. The predicted 80 peak hour vehicle movements will comply with the proposed limit provided an effective noise barrier is established between the driveway and adjacent residential properties. The application proposes a 2.0m high timber paling fence along the boundary of the new access leg to act as a noise barrier between traffic movements and adjoining residential receivers. This will allow for the traffic to comply with the recommended noise limits during the daytime period, however there will still likely be non-compliances with the recommended evening and night time noise limits, therefore resulting in noise effects in the evening and night time period. Noise effects however will be limited to those directly adjoining the site and consequently, will be no more than minor on the wider environment.
- 7.24 While non compliances with the District Plan standards have been identified, the acoustic report notes that sound emissions are anticipated to be reasonable (i.e. will not breach s16 RMA) with the potential to generate moderate noise effects only during certain periods, such as nighttime and evenings when events are occurring (derived from traffic movements and loud performances). It is considered that there is opportunity for enhanced building design to incorporate acoustic mitigation to contain noise. It is considered that conditions of consent will be able to manage adverse noise effects to be acceptable and will guide detailed building design to that extent.
- 7.25 Construction noise is predicted to comply based on standard construction methodologies. The construction noise will be required to comply with the NZS 6803:1999
- 7.26 To conclude, the proposal will result in noise limits being exceeded during nighttime and evening operation of the facility, particularly from vehicle movements. I consider these effects to be no more than minor in respect of the wider environment. Noise effects on the directly adjoining properties are assessed in detail in section 8 below.

Traffic and Roading Effects

- 7.27 The District Plan promotes an integrated approach in regard to land use and transportation. At a local level, new development should be undertaken in such

a way that ensures that the roading network can continue to function in a safe and efficient manner.

- 7.28 The Applicant engaged Harrison Transportation to prepare a Transportation Assessment to support the application. The Transportation Assessment assesses the potential effects of the proposed development on the surrounding Matamata transport network.
- 7.29 The Transportation Assessment was peer reviewed by BBO who raised a number of questions in relation to the assessment undertaken, but more importantly how transportation effects from the six (6) larger events was to be managed. Further information was therefore provided including additional assessment and a Traffic and Parking Management Plan (TPMP) that is proposed to be used for the six (6) larger events to manage off-site parking and transportation effects. This assessment expanded upon the initial assessment by addressing matters such as the width of Station Road, kerbside parking on Station Road, Cyclist / Pedestrian Safety, Station Road parking occupancy rates, access, and vehicle occupancy rates.
- 7.30 The transportation assessment undertaken for the development calculates traffic movements to increase by an additional 240 movements per day and 80 movements per hour in the peak hour. The direction that the traffic is travelling has been modelled to understand the suitability of the existing road network to accommodate additional traffic generated by the proposal. It was found that the additional traffic movements will predominantly be from the east along Station Road. This is expected to result in a 12.5% increase in total traffic generated in the locality, from the east of Station Road and a 1.4% increase from the west of Station Road. This increase was concluded as being relatively small and will occur primarily during off-peak times. Consequently, the additional traffic movements in themselves can be readily accommodated within the local road network without safety concerns or road upgrades required. Additionally, the proposed travel and parking management plan (TPMP) assessed in further detail below will address impacts of traffic generation from the proposed facility during peak hours of operation.

Parking, Overflow, and Width of Station Road

- 7.31 The proposal will provide 94 parking spaces (four accessible) on site. The assessment provided in the AEE and by Harrison Transportation confirms that this is sufficient for typical operation of the proposed facility, (with an occupancy of 144 people based on a typical vehicle occupancy of 1.2 persons per vehicle (allowing for car sharing for both players and supporters)).
- 7.32 During non-typical operation, these events may occur up to six (6) times per annum and are predicted to enable an occupancy of 400 people. This generates an additional parking demand of 88 vehicles, generating a maximum parking demand of 182 spaces. The assessment concludes that these additional vehicles will utilise on street parking on Station Road. Station Road has been assessed as having 126 vehicles spaces between Firth Street and Smith Street, suitable for this outcome, meaning that overflow parking during special events can be entirely accommodated on Station Road.
- 7.33 The existing carriageway width of Station Road is 10.5m comprising two 3.25m wide traffic lanes and 2.0m wide parking spaces either side, which is less than the requirement minimum for Collector Roads in the Matamata-Piako Development Manual. It was concluded in the traffic assessment, that given the total volume of traffic on Station Road is relatively low, and there is limited use by heavy vehicles, as such the non-compliant lane widths are suitable and are

within the recommended range set out in the Austroads guide. However, additionally, the existing carriageway width of Station Road does not provide for compliant on-street parking and is determined to be unsuitable for consistent parking on both sides of the road on a regular basis. For the larger events, it is proposed that the TPMP will be used to manage the parking associated with these events. The TPMP includes measures such as restricting parking on one side, implementing a temporary reduced speed limit during large events and restricting parking in critical locations near intersections and driveways and providing for suitable crossing points. The TPMP is discussed in further detail below.

- 7.34 Overall the impact of up to 88 additional vehicles, during large events up to six (6) times per year, parking on Station Road and the accumulation of their effects may impact the ability of residents along Station Road to safely and efficiently access their property. These effects are assessed in more detail in section 8. In respect to the wider environment, these effects will be temporary and infrequent and it is not considered there will be adverse effects that are more than minor on the surrounding road network. Further, the ability of the temporary parking effects can be mitigated by a TPMP (as discussed in further detail below).

Cyclist and Pedestrian Safety

- 7.35 The existing carriageway does not provide dedicated cycle facilities. Cyclists presently travel in the parking lane and then move over into the traffic lane to pass parked cars. This is appropriate with the existing low level of on-street parking and, as the parking associated with the regular use of the stadium is expected to be fully contained within the site, this is expected to have no additional significant effect on cycle safety.
- 7.36 During the larger events, overflow parking on Station Road will result in cyclists moving into the traffic lane to pass parked vehicles. This may present a safety concern for cyclists, however, it is not one that is not already occurring, but instead, will occur more frequently. The proposed TPMP provides recommendations to mitigate the potential safety impacts, including lowering speed limits during large events. This will allow cyclists to travel at or near the operating speed of vehicles and will not result in unreasonable delays on the road network. The car parking occupation is only expected to occur between Firth Street and Smith Street therefore is only a short distance. For these reasons, it is not considered on road cyclist safety will be compromised.
- 7.37 Pedestrian effects during typical use of the stadium are expected to be negligible as a result of sufficient parks to contain vehicles onsite. During the aforementioned larger events overflow parking will result in an increased number of pedestrians crossing Station Road to access the site. The TPMP provides measures to mitigate these effects and ensure that pedestrians are able to cross the road safely.

Access Layout

- 7.38 The width of the site access to Station Road is proposed to be 6.0m wide. Tracking paths confirms that simultaneous bi-directional light-vehicle access can be accommodated by the access configuration. It is recommended however that the crossing be widened to 8m wide to accommodate tracking of an 8m long two axle truck. A widened vehicle crossing is able to be provided (as demonstrated in the updated plans provided with the s92 response), therefore access is considered to be appropriate. Additionally, the sight lines from the vehicle access exceed the minimum requirements therefore effects of potential impacted sight lines are negligible. Sight lines have the potential to be impact by the bus stop

located on the northern side of Station Road. It is also recommended that the bus stop be relocated further west on Station Road which is also able to be accommodated. Access is therefore suitable, subject to the recommendations of the ITA being implemented.

Travel and Parking Management Plan

7.39 A draft TPMP has been prepared by Harrison Transportation to mitigate the effects of overflow parking during the special events occurring at the proposed stadium up to six times per year. The TPMP proposes the following measures to be implemented during special events:

- Temporary reduction in speed limit, e.g. 30km/h on Station road;
- Temporary pedestrian crossing points;
- Temporary “no parking” road cones in locations near intersections and high-use vehicles accesses to maintain sightlines during ingress and egress from the site;
- Resident-only access in streets adjacent to Station Road to contain traffic overflow to Station Road only; and
- Ongoing monitoring during each large event to inform methods of refinement to the TPMP.

7.40 I am satisfied that the TPMP can adequately address parking overflow effects during large events and will not give rise to adverse safety and efficiency effects that are unreasonable.

Effects on Infrastructure

7.41 A Water Impact Assessment has been prepared by BCD Group for the subject site which assesses the effects of the proposal in terms of water supply, stormwater and wastewater. The following summarises the suitability of the proposed three waters servicing:

- The proposed water supply connections will provide for the water requirements of the facility, for both day to day operation and firefighting purposes.
- The stormwater runoff from the development is proposed to be managed by soakage. The site has been split into sub catchments and the stormwater runoff will be directed to various soakage devices to service each sub catchment. Council’s Team Leader – Consents Engineer has identified that the carparking and access road will require additional treatment which can be addressed through consent conditions and EPA approval.
- The wider school site currently contains several separate wastewater pipes that service existing buildings and run toward Firth Street where it enters Council’s reticulation. A new service main is proposed to run from the eastern corner of the building and feed into the existing wastewater manhole to the south east.
- The proposed building is not expected to significantly increase the total wastewater generation from the site. Based on the proposed facility replacing and existing use, albeit at a greater intensity, in conjunction with upgrades to the existing system, I concur with the conclusions drawn in the application that effects on wastewater from the proposal will be less than minor.

7.42 The Water Impact Assessment has been reviewed by Council’s Team Leader – Consents Engineer and no fundamental concerns around capacity or supply have been raised to give rise to effects that may be more than minor on the wider environment.

Geotechnical Effects

- 7.43 A Geotechnical Assessment Report has been completed by BCD Group. The assessment found the site to have a low fault risk and a low risk of possible liquefaction. The proposed facility has also been designed with a stiff structural raft to account for potential differential movement from liquefaction.
- 7.44 The geotechnical reporting has confirmed that the ground conditions of the site are acceptable for the proposed development and the geotechnical effects of the proposal will be negligible, subject to the implementation of the Geotechnical Assessment Report's recommendations. I defer to this conclusion.

Contamination Effects

- 7.45 The site has been identified as a being subject to potentially contaminating activities and soil sampling undertaken across the site confirmed elevated concentrations of contamination above background concentrations but no concentrations which pose a risk to human health. The concentrations of potential contaminants encountered on the site meet adopted human health guidelines for the proposed landuse however, they are considered to pose a risk to other more protective guidelines. As such should any soils be removed from site these investigation findings should be provided to the receiving facility to ensure appropriate disposal process has been followed. Based on these findings, contamination effects are considered to be no more than minor.

Construction and Earthworks Effects

- 7.46 Earthworks are required to prepare the site for construction, construct infrastructure, prepare building platforms, construct the access and parking areas and to achieve finished design levels on the site. The works will require approximately 2162m³ of cut and 161m³ of fill.
- 7.47 The earthworks will be carried out in accordance with an erosion and sediment control plan (ESCP), which has been provided as part of Appendix 7 of the application. The implementation of the plan will mitigate any adverse effects that may arise as a result of construction, including sediment runoff.
- 7.48 Construction will be undertaken in accordance with the requirements of NZS 6803:1999 Acoustics – Construction noise. Further, effects associated with construction and earthworks will be temporary in nature.
- 7.49 As assessed, any adverse construction or earthworks effects will be appropriately managed and will not give rise to affects that are more than minor on the wider environment.

Conclusion of Effects

- 7.50 Overall, I conclude that any actual or potential adverse effects of the proposal on the wider environment (excluding owners and occupiers of properties that adjoin the subject site) will be minor at most. Given the potential effects are below the more than minor threshold, the proposal does not require public notification.

Step 4: Further notification in special circumstances

Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under s95E as not being affected persons).

Comment:

- 7.51 There are no special circumstances which warrant public notification of the applications.

Section 95C - Public notification after a request for further information or report.

- 1) *A consent authority must publicly notify an application for a resource consent (see Step 1 above) if –*
 - (a) *it has not already decided whether to give public or limited notification of the application; and*
 - (b) *subsection (2) or (3) applies.*
- 2) *This subsection applies if the consent authority requests further information on the application under section 92(1), but the applicant –*
 - (a) *does not provide the information before the deadline concerned; or*
 - (b) *refuses to provide the information.*
- 3) *This subsection applies if the consent authority notifies the applicant under Section 92(2)(b) that it wants to commission a report, but the applicant –*
 - (a) *does not respond before the deadline concerned; or*
 - (b) *refuses to agree to the commissioning of the report.*
- 4) *This section applies despite any rule or national environmental standard that precludes public or limited notification of the application.*

Comment:

None of the above criteria have been triggered in this instance.

Summary

7.52 Pursuant to Section 95A, the application has been assessed to determine if public notification is required. In this instance, and for the reasons outlined above, it is not considered that the proposal warrants public notification. Therefore, the application shall be assessed to consider whether limited notification is warranted below.

8 Notification Assessment – Is Limited Notification Required?

8.1 If the application is not publicly notified, a council must decide if there are any affected persons and give limited notification to those persons. Section 95B and 95E outline the relevant criteria, which has been included below:

Step 1: Certain affected groups and affected persons must be notified:

Determine whether there are any –

- (a) *affected protected customary rights groups; or*
- (b) *affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*

Comment:

None of the above criteria have been triggered in this instance.

Determine –

- (a) *Whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
- (b) *Whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

Comment:

None of the above criteria have been triggered in this instance.

Step 2: If not required by Step 1, limited notification precluded in certain circumstances:

- (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification:*
- (b) *the application is for a controlled activity (but no other activities), that requires a resource consent under a district plan (other than a subdivision of land)*

Comment:

Limited notification is not precluded as none of the above criteria have been triggered in this instance.

Step 3: If not precluded by Step 2, certain other affected persons must be notified:

- (a) *In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person.*
- (b) *In the case of any other activity, determine whether a person is an affected person in accordance with section 95E.*
- (c) *Notify each affected person identified under subsections (a) and (b) of the application.*

Section 95E -

- 1) *For the purpose of giving limited notification of an application for a resource consent for an activity to a person under section 95B(4) and (9) (as applicable), a person is an affected person if the consent authority decides that the activity's adverse effects on the person are minor or more than minor (but are not less than minor).*
- 2) *The consent authority, in assessing an activity's adverse effects on a person for the purpose of this section, -*
 - (a) *may disregard an adverse effect of the activity on the person if a rule or a national environmental standard permits an activity with that effect; and*
 - (b) *must, if the activity is a controlled activity or a restricted discretionary activity, disregard an adverse effect of the activity on the person if the effect does not relate to a matter for which a rule or a national environmental standard reserves control or restricts discretion; and*
 - (c) *must have regard to every relevant statutory acknowledgement made in accordance with an Act specified in Schedule 11.*
- 3) *A person is not an affected person in relation to an application for a resource consent for an activity if –*
 - (a) *The person has given, and not withdrawn, approval for the proposed activity in a written notice received by the consent authority before the authority has decided whether there are any affected persons; or*
 - (b) *The consent authority is satisfied that it is unreasonable in the circumstances for the applicant to seek the person's written approval.*
- 4) *Subsection (3) prevails over subsection (1).*

Comment:

8.2 Potentially affected parties are outlined in **Figure 5** and **Table 2** below. In addition to this, NZ Transport Agency Waka Kotahi (NZTA) are also considered to be potentially affected. Note that these parties extend further than the adjoining and

adjacent properties outlined in **Figure 4**, for the purpose of exclusion from public notification assessment, based on noise and transportation effects.



Figure 5: Potentially Affected Parties

Table 2: Potentially Affected Parties

Property ID#	Address	Legal description	Registered Owners	Property
Properties coloured yellow				
1	109A Firth Street	Lot 2 DP 545080	Naomi Sita Prisk	
2	109 Firth Street	Lot 1 DP 545080	Elizabeth Jane Ohlsen	
3	127 Firth Street	Lot 5 DPS 132	Glenn Clifford Dickinson, Edmonds Trustee Services No.2 Limited	

4	1 College Street	Lot 6 DPS 132	Antony David Millar
5	3 College Street	Lot 4 DPS 132	Rhys Ian Robinson
6	5 College Street	Lot 3 DPS 132	Estelle Christine Walsh, Trevor William Walsh
7	7 College Street	Lot 1 DPS 132 Lot 2 DPS 132	Gwyn Denise Paterson
8	11 College Street	Lot 11 DPS 5650	Laura Kathleen Herbert, Shane Maurice Herbert
9	28 Kowhai Street	Lot 10 DPS 5650	Luke Sean Knudsen
Properties coloured purple			
10	4 Mill Crescent	Lot 5 DPS 3229	Central North Island Kindergarten Trust
11	10 Mill Crescent	Lot 8 DPS 3229	Matamata College Board of Govenors
12	7 Mill Crescent	Lot 3 DPS 3229	Renee Kylie Uttinger
13	17 Sylvan Place	Lot 9 DPS 8302	Jason Russell Muir
14	19 Sylvan Place	Lot 10 DPS 8302	George Richard Coleman, Veronica Faith Coleman
15	24 Sylvan Place	Lot 11 DPS 8302	Janet Patricia Harwood, Robert James Harwood
16	22 Sylvan Place	Lot 4 DPS 9340	Lesley Ann Theobald
17	20 Sylvan Place	Lot 2 DPS 9340	Dorothy Kay Clarke, Kenneth Raymond Clarke
18	14 Sylvan Place	Lot 16 DPS 8302	William John Perry
19	10 Sylvan Place	Section 1 SO 58065	Cooper Aitken Trustees Limited, Rose Marie Craig, William John Perry
20	4A Sylvan Place	Lot 19 DPS 8302	Brent Eric McIntosh, Heather Marion McIntosh
Property coloured green			
21	68A Smith Street 45 Station Road	Part Lot 3 DP 15176, Section 2 SO 59780	Her Majesty the Queen, Te Whata a Tamihana Limited
Properties coloured orange			
22	147 Firth Street	Lot 28 DPS 42	Timothy Malcolm Laing
23	149 Firth Street	Lot 27 DPS 42	DAS International Holdings Limited
24	151 Firth Street	Lot 26 DPS 42	DAS International Holdings Limited
25	153 Firth Street	Lot 25 DPS 42	Jack SHIN, Rosa SHIN
26	155 Firth Street	Lot 1 DPS 243	Roderick Ernest Scott
27	1 Station Road	Lot 24 DPS 42	Dean Phillip William Dinnington
28	2 Station Road	Lot 1 DP 551542	Kieran John Barclay
29	2A Station Road	Lot 2 DP 551542	David Roy Hayden, Teresa Ann Hayden
30	3 Station Road	Lot 23 DPS 42	Campbell Bruce Catchpole, Karen Lyndsay Alice Catchpole
31	4 Station Road	Lot 2 DPS 113	Gordon Leslie McPherson, Judith Marie McPherson
32	5 Station Road	Lot 22 DPS 42	Cameron James Nicholls, Emma Jane Nicholls

33	6 Station Road	Part Lot 2 DPS 151	Edward David Dean, Kerry Lynne Dean
34	8 Station Road	Lot 1 DPS 151	John Walsh Panapa, Kelsey Meirene Pryor
35	10 Station Road	Lot 1 DP 382406	Colleen-Anna Jacoba Kruger, Daniel Jacobus Kruger
36	4 Hampton Terrace	Lot 21 DPS 42	Caron Michelle Stewart
37	12 Hampton Terrace	Lot 8 DPS 1535	Merran Leigh Greenhalgh, Maurice John Hodgkinson, Johnston O'Shea Trustee Limited, Ronald Eric Maddern
38	13 Hampton Terrace	Lot 16 DPS 42	John Michael Ikin, Pauline Anne Ikin
39	7 Station Road	Lot 15 DPS 42, Part Lot 14 DPS 42	Margaret Isobel Orbell
40	9 Station Road	Lot 13 DPS 42, Part Lot 14 DPS 42	Jonathan Robert Dornbusch, Jemma Lee Guyton
41	11 Station Road	Lot 12 DPS 42	Leah Joanne Higgins, Brydie Patricia Laidler
42	12 Station Road	Lot 8 DPS 1535	Merran Leigh Greenhalgh, Maurice John Hodgkinson, Johnston O'Shea Trustee Limited, Ronald Eric Maddern
43	13 Station Road	Lot 11 DPS 42	Betty Winifred Duggan
44	14 Station Road	Lot 7 DPS 1535	Mac Donald James Robinson, Melissa Joy Robinson
45	16 Station Road	Lot 6 DPS 1535	Jacqueline Anne Ryan, Roderick Morgan Ryan
46	18 Station Road	Lot 5 DPS 1535	Tayla Jane Roa, Amy Michelle Siviter-Smith
47	20 Station Road	Lot 4 DPS 1535	Dylan Benjamin Brough, Jennifer Aza Kim
48	22 Station Road	Lot 3 DPS 1535	Kerry Louise Mason, Paul Bernard Mason
49	24 Station Road	Part Lot 2 DPS 1535	Robert Longstaff, Lucinda Thomas
50	26 Station Road	Lot 1 DPS 1535	Alessandro Francesco Reina
51	1 Kowhai Street	Lot 10 DPS 42	Tyrone Rewiti Ritai
52	2 Kowhai Street	Lot 5 DPS 42	Jhuan Ngahoia Martinez, Wally Baluyot Martinez
53	15 Station Road	Lot 4 DPS 42	Colin Peter Grounsell, Xiaohong Grounsell
54	28 Station Road	Lot 1 DPS 5471	Garreth William Anderson, Shannon Melissa Anderson
55	30 Station Road	Lot 2 DPS 5471	Alyssa Georgina Rossier, Jeremie Rossier

56	32 Station Road	Lot 3 DPS 5471	Alexander James Bradley, Nicole Dianne Bradley
57	34 Station Road	Lot 4 DPS 5471	Eoin Casey, Wanda Jean Somervell
58	36 Station Road	Lot 5 DPS 5471	Bryan Antony Paton, Penelope Anne Paton
59	38 Station Road	Lot 6 DPS 5471	Foster & Milroy Trustee Company Limited, David Matthew Lopes, Raymond Arthur Lopes, Shane Russell Lopes
60	40 Station Road	Lot 7 DPS 5471	Graham John Murray, Patricia Phyllis Murray
61	42 Station Road	Lot 1 DPS 4000	Debbie Maree Sankey, Douglas Edward Sankey
62	2 Rimu Street	Lot 8 DPS 5471	TSK Ventures Limited
63	46 Station Road	Lot 32 DPS 5471	IHC New Zealand Incorporated
64	48 Station Road	Lot 31 DPS 5471	Linda Mary Morris
65	50 Station Road	Lot 29 DPS 24933	Katharina Lenggenhager, Christine Rudge
66	52 Station Road	Lot 28 DPS 24933	WD & JD Wilson Limited
67	54 Station Road	Lot 27 DPS 24933	Wilhelmina Huibrecht Cornelia Muller
68	56 Station Road	Lot 2 DPS 24933	Kieran Daniel Gurnick
69	58 Station Road	Lot 1 DPS 24933	H Advisors Limited
70	60 Station Road	Lot 1 DPS 5265	Landview Homes Limited
71	62 Station Road	Lot 1 DPS 26053	Keiron Roy Guinness, Wendy Margaret Guinness
72	51 Station Road	Section 1 SO 59780	IHC New Zealand Incorporated
73	92 Smith Street	Lot 3 DP 36359	Angus MacLeod Budge, Fiona Mary Orr, Murray Lindsay Mark Orr
Properties coloured pink			
74	17 Station Road	Lot 3 DPS 42	Himanshu Rasikbhai Vajani
75	4 Kowhai Street	Lot 2 DPS 42	Antonia Bencetti-Muir, David Frank Carter Muir
76	6 Kowhai Street	Lot 1 DPS 42	Daniel John Stocker
77	8 Kowhai Street	Lot 36 DPS 42	Matamata Borough Council
78	14 Kowhai Street	Lot 2 DPS 5650	Fay Te Waiarangi Wharawhara
79	16 Kowhai Street	Lot 1 DP 565269	Jacinda Maree Green, Benjamin Robert Olesen
80	16A Kowhai Street	Lot 2 DP 565269	Hayden Matthew Aiken, Iona Mae Norris
81	24 Kowhai Street	Lot 8 DPS 5650	Jesusito Abundo Tan, Lovella Cipriano Tan
82	26 Kowhai Street	Lot 9 DPS 5650	Sun Kwan HWANG, Sung Sook LEE

- 8.3 The following provides an assessment of the adverse effects of the proposal on the parties identified above. The assessment is undertaken per colour group as each property within each colour group is considered to experience the same or similar effects.

Properties coloured yellow

- 8.4 These properties all directly adjoin the Matamata College school site, however are adjacent to the existing school buildings on the east side of the school. As a result of their location, each of these properties are largely separated from the proposed facility, and are also afforded screening, both visual and noise, from the existing school buildings located between them and the facility. For this reason, it is considered that effects on these properties will be less than minor and limited notification to these properties is not required.

Properties coloured purple

- 8.5 These properties are located to the north of the site and have direct line of sight to the proposed development. Each of these properties contain residential dwellings and are therefore considered to be sensitive receivers.
- 8.6 The proposed facility obtains access from the south of the site, with the vehicle access and parking areas located on the south side of the proposed building. Additionally, the overflow parking will be on Station Road to the south. For this reason, it is not considered these properties will be subject to any day to day or larger event transportation effects.
- 8.7 As noted above, these properties have a direct line of site in the direction of the facility with only the outdoor courts and/or field areas located between facility and these properties. Although the facility can be seen from these properties, there is a significant setback provided (approximately 50+m), and it is considered that the proposed building aligns with what could be expected to locate on a school site. Additionally, some of these properties (20 and 22 Sylvan Place) have large mature trees located on the common boundary of the property and the school which provides a level of visual screening of the facility. For these reasons, it is not considered these properties will experience inappropriate or unreasonable visual or character effects.
- 8.8 The noise assessment undertaken for the proposed development identified that these properties may be subject to higher levels of noise, more often. It is predicted that events that occur in the evening/night time period, are unable to comply with the recommended noise limits, and therefore exceed the noise limits identified as being reasonably expected in the Residential Zone. The predicted noise limits for the development were measured from 22 Sylvan Place, being the closest sensitive receiver to the facility. For this reason it is considered that the amenity effects from noise exceedance, on these properties will be minor, and therefore limited notification to these parties is recommended.

Properties coloured green

- 8.9 The properties coloured green in **Figure 5** above comprise the Matamata Intermediate school and Firth Primary School. These schools directly adjoin the western boundary of the subject site and are therefore adjacent to the school fields. There is a line of large mature trees located along the common boundary, providing separation and visual screening between the schools.
- 8.10 Both the Intermediate and Primary will have direct views of the new facility and have potential to be a noise receiver, however it is considered that the facility will appear as a typical school building which would be expected in this location, and is compatible with the general school environment between the property and site.

I consider that location of the facility, the separation distance to the schools and its scale will not result in minor or more than minor visual amenity or character effects for these properties.

8.11 Matamata Intermediate is located at the northern end of the property and accesses off Smith Street to the west. As such, it is not considered the Intermediate will be subject to any transportation effects associated with the traffic generation or parking overflow arrangements. Firth Primary School however obtains access from Station Road and therefore may be subject to transportation effects associated with higher traffic movements and overflow parking during larger events. These effects are assessed as follows:

- The traffic distribution expectations are that the majority of traffic will travel to and from the east, as a result of the location of the school being on the western edge of Matamata. As such, traffic movements occurring around the school have been calculated at 24 additional movements a day based on a typical operating day (i.e. not including large events), comprising only 10% of the overall traffic increase. This is considered to be a minor increase in traffic and will not result in adverse safety or efficiency effects.
- The operating hours of the Primary and Intermediate align with the operating hours of Matamata College. It is expected that any large events will occur outside of the normal operating hours and therefore increased traffic generation will not impact the safety and efficiency effects for road users associated with the Intermediate or Primary schools.
- Likewise, any overflow parking effects on Station Road, associated with the larger events, will not be experienced by the properties in green as the events will likely occur outside of typical operating hours.

8.12 As the operating hours of the schools are the same, it is unlikely that the community use of the proposed facility will interfere with the Matamata Intermediate School and Firth Primary School's operating hours. For this reason, noise and transportation effects of these events will result in negligible effects on the schools.

8.13 Overall, it is considered than any effects on these properties will be less than minor and limited notification is not required.

Properties coloured pink

8.14 These properties are located to the east of the site, and all contain residential dwellings, with the exception of 8 Kowhai Street which is held in Council ownership as a recreational reserve. These properties directly adjoin the proposed new access leg for the facility.

8.15 Visually, the facility replaces existing buildings in a similar location. The only issue in contention for these properties is the visual effects arising from the bulk of the new building and specifically the increased height of that building over the District Plan baseline. In this respect if the facility was solely for the school use the height and bulk would not be a matter of consideration, and secondly the scale is not indifferent to that commonly associated with schools. For these reasons, and because the increased height will not give rise to shading effects on these properties, I do not considered that the visual effects of the building will give rise to effects that are more or more than minor for these properties.

8.16 From a transportation perspective, overflow parking effects from the large events also have potential to generate adverse effects on Kowhai Street/College Street where these properties obtain access. Particularly as there are pedestrian connections to the school off these streets at 8 Kowhai Street and 9 College

Street. However the proposal includes a TPMP which includes limiting access to these streets to avoid overflow parking into this space resulting from the stadium. For this reason, it is my opinion that any transportation effects for these properties will be less than minor.

- 8.17 These properties will be primarily subject to amenity effects such as noise, lighting and glare as a result of the western boundary of these properties being located directly adjacent to the proposed access leg and associated parking area. The Acoustic Assessment has confirmed that the noise levels from vehicles accessing the site in the evening and night time period have will not comply with District Plan noise limits. A 2.0m high noise timber fence is proposed to mitigate these noise effects however, noise effects will still be experienced by those properties, particularly in the evening or night time period. High noise levels are not consistent with the underlying character of the residential area and therefore noise effects emanating from nighttime traffic will likely arise to a level that, in my opinion, may give rise to minor adverse amenity effects.
- 8.18 Overall, it is considered that these properties will be adversely affected to at least a minor level, in an amenity sense from the predicted noise levels, and therefore limited notification to these parties is recommended.

Properties coloured orange

- 8.19 The properties to the south of the site, coloured orange, are all residential properties that have access onto Station Road.
- 8.20 Not all properties will have direct views of the proposed facility. As the proposed building is consistent with other school buildings which are established or could be established on the site, I do not considered that these properties will be subject to any adverse visual effects. The facility is also significantly setback from the road boundary and the size and scale of the building will not be noticeable to these properties. Similarly, noise from events and activities within the facility will not result in adverse effects on the Station Road properties.
- 8.21 It is my opinion that the properties may be subject to transportation effects that are minor, as assessed below:
- Increased traffic generation from the site will be directed onto Station Road, as a result of the main access to the facility and its parking area being off Station Road. The increase in traffic from day to day operations will be small, with the peak hour consisting of 80 vehicles per hour. It is also identified, that the peak hour for the activity does not coincide with the peak hour of the surrounding road network and therefore additional traffic from normal operation will not affect the ability of these parties accessing their property.
 - While the anticipated day-to-day functioning of the site is able to provide sufficient onsite parking capacity (i.e. 80 vehicles for typical operation), larger events will occur up to six (6) times per year, which will require a total of 182 parking spaces. As 94 spaces are provided on the site, it is considered there will be an additional 88 parks required to service the large events. The overflow parking is able to be provided on Station Road, however this will result in potential for adverse effects to arise for these properties, associated with their ability to access their properties.
 - The implementation of the TPMP recommendations of restricting carparking around property access and intersections will help mitigate effects which may be at greater scale at these locations, however, this will

not offset the effects of increased traffic movements and parking demands that has the ability to affect these properties.

- 8.22 Whilst use of the facility for school purposes is a reasonable expectation and the associated effects would be within the realm of effects that could be reasonably expected to be absorbed in the locality, the community use of the building will elevate those effects, particularly when large events are occurring. This is not something that could be reasonably expected and will not be at size or scale that is representative of the day-to-day use of the school. As such, it is my opinion that the effects on these properties will be more than minor and limited notification is recommended.

NZTA

- 8.23 Station Road ends at Firth Street to the east, being State Highway 27 (SH27). SH27 is administered by NZTA. Matamata College's main entrance is off SH27.
- 8.24 The traffic assessment found that 90% of traffic will access the site from Firth Street. This will result in a 12.5% increase in daily traffic along Station Road to SH27 during the larger events. I consider that the larger events could give rise to transportation effects that a minor for the following reasons:
- The increase of vehicle movements through the SH27/Firth Street intersection;
 - The TPMP controls could lead to flow on effects of backing up of movements on SH27; and
 - Event users may seek to find alternative access to the facility through the existing school entrance, resulting in parking along SH27.
- 8.25 For these reasons, I consider that NZTA is an affected party.

Adversely affected parties

- 8.26 Having regard to the above assessment, the owners and occupiers of the following properties and the road controlling authority are considered to be affected by the proposal to a minor degree, and therefore require limited notification:
- NZ Transport Agency - Waka Kotahi;
 - The parties coloured purple in **Figure 5** above; and
 - The parties coloured pink in **Figure 5** above; and
 - The parties coloured orange in **Figure 5** above.

9 Section 95 Recommendation

That pursuant to Sections 95A-95E of the Act, this application proceeds on a limited notified basis because:

- 1 The adverse effects on the wider environment would be no more than minor and therefore, public notification is not necessary;
- 2 No special circumstances or National Environmental Standards exist that would require public notification to take place;
- 3 The following parties have been determined to be adversely affected in a minor way, and therefore require limited notification:
 - NZ Transport Agency Waka Kotahi;
 - The parties coloured purple in Figure 5 above; and
 - The parties coloured pink in Figure 5 above; and

- The parties coloured orange in Figure 5 above.

Report prepared for submission by:

Report reviewed by:



Trent Lynch/Emily Patterson
External Consultant

Kathryn Drew
External Consultant

This notification decision has been granted under delegation from the Matamata-Piako District Council, pursuant to section 34A of the Resource Management Act 1991, and in accordance with Council Resolution 7.8 dated 14 December 2022 by:



Dennis Bellamy
Group Manager Community Development

Date: 28 February 2024