


INGHAMS ENTERPRISES (NZ) PTY LTD





PROPOSED CHANGE TO THE OPERATIVE MATAMATA-PIAKO DISTRICT PLAN

Inghams Enterprises (NZ) Pty Ltd

Proposed Change to the Operative Matamata-Piako District Plan

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EXECUTIVE SUMMARY

1. Inghams Enterprises (NZ) Pty Ltd ('Inghams') operates a poultry processing factory at Waiheke Road, Waitoa. The site is provided for in the Operative Matamata-Piako District Plan ('District Plan') in the form of a Development Concept Plan ('DCP'). Additionally, the site holds a number of resource consents granted by both the District and Regional authorities.
2. Progressive development of the Inghams site means that the DCP has effectively been superseded by resource consents and no longer provides for future growth of the facility.
3. The purpose of the Plan Change is to ensure alignment between Inghams existing resource consents and the DCP contained within the Matamata-Piako District Plan, and to provide for additional growth and development.
4. Specifically, the Plan Change seeks to achieve the following outcomes:
 - To increase (or delete) the daily processing number limit in birds per day, in order to allow for future growth;
 - To amend the noise level limits in order to better reflect current and future noise emissions; and
 - To update the DCP to reflect current site status and planned future development.
5. A range of environmental effects are relevant for consideration as part of the Plan Change process. This includes an assessment of traffic effects, noise, effects on rural character and amenity, odour, landscape planting and screening, and wastewater and stormwater disposal.
6. It is considered that any adverse effects of the proposal on the environment can be satisfactorily avoided, remedied or mitigated. The Plan Change will also have positive economic effects for the District because it promotes the sustainability of an existing business. This in turn will enhance the social, economic and cultural wellbeing of the local community.
7. It is concluded that the Plan Change will promote the sustainable management of natural and physical resources and will accordingly be consistent with the purpose and principles of the Resource Management Act 1991.

1 INTRODUCTION

1.1 Purpose of this Report

- 1.1.1 This report has been drafted in accordance with the information and process requirements of the Resource Management Act 1991 ("RMA") as the provisions relate to Plan Changes to operative District Plans. In particular Section 32 and the First Schedule of the Act have been considered in detail in the preparation of this assessment report.
- 1.1.2 The land affected by the Plan Change is located wholly within the Matamata-Piako District.
- 1.1.3 The purpose of this report is to describe and assess the matters subject to the proposed Plan Change in accordance with the statutory framework.

1.2 Report Structure

- 1.2.1 The report comprises the following:

Background (Section 2): background to this report, including historic consents relating to Inghams activity on the Waitoa site.

The Locality (Section 3): a description of the site and its surrounds.

Overview of the Plan Change Proposal (Section 4): an overview of the proposed Plan Change including changes to the proposed DCP and operational change to existing on-site activities. Detail is also provided on the rationale behind the proposed Plan Change.

Existing District Plan Provisions (Section 5): an analysis of existing planning provisions contained within the Operative Matamata-Piako District Plan and the relevant objectives and policies of Plan Changes 43 (Transportation) and 44 (Works and Network Utilities).

Specific Amendments to the Operative Matamata-Piako District Plan (Section 6): a description of the specific changes to the Inghams Development Concept Plan.

Statutory Framework (Section 7): an overview of the statutory framework for the Plan Change in terms of the First Schedule and Section 32 of the RMA. The impact on the Hauraki Gulf Maritime Park Act 2000 is also assessed.

Relevant Planning Documents (Section 8): an assessment of the proposal against the Regional Policy Statement, Regional Land Transport Strategy and the relevant Regional Plan.

Assessment of Effects on the Environment (Section 9): an assessment of the effects on the environment resulting from the proposed Plan Change.

Part II – Resource Management Act 1991 (Section 10): detailed analysis of the Plan Change in terms of the matters set out in Part II of the RMA.

Consultation (Section 11): an overview of the consultation strategy adopted in preparing the Plan Change, and results of consultation undertaken with various stakeholders prior to notification of the Plan Change.

Section 32 Analysis (Section 12): an assessment of relevant matters pursuant to Section 32 of the RMA, including consideration and identification of alternatives, benefits and costs.

Conclusion (Section 13): a summary of the overall outcome of the report.

- 1.2.2 A number of technical reports are included as appendices and form part of this Plan Change proposal. Those technical reports are relied on for the purposes of the assessment contained in this report and should be read in conjunction with the sections of the report outlined above.

2 BACKGROUND

2.1 Background Information

- 2.1.1 Inghams Enterprises (NZ) Pty Limited is a fully-owned subsidiary of the Australian company Inghams Enterprises Pty Limited. Based in the Waikato region, Inghams has been operating as a fully integrated poultry company in New Zealand since 1990 when it purchased the complete operations of Harvey Farms. The company employs approximately 1000 people and is now the second largest participant in the New Zealand poultry market.
- 2.1.2 Inghams presently operates a poultry processing factory at Waihekau Road, Waitoa. Currently the Inghams site is zoned Industrial in the Matamata-Piako District Plan ('District Plan'), and is subject to a Development Concept Plan ('DCP'). A DCP specifies what activities are permitted and where, or require resource consents. The site is otherwise unaffected by hazards or environmental overlays, and the District Planning Maps do not identify the zone as containing sites of archaeological or cultural significance. The District Plan Planning Map and site DCP are included as **Appendix 2**.
- 2.1.3 The DCP is dated June 2002. A significant resource consent (Council reference RCD 0688) (refer to **Table 1** following for details) was however approved by Council in December 2003 that goes beyond many of the performance standards, terms and development controls in the DCP. This now creates ongoing difficulties because most new buildings or site development require resource consents. Resource consents generally involve additional time and costs to process. There is also a risk that such resource consents could be the subject of third party involvement that again can unnecessarily delay or disrupt them.

Table 1: Matamata-Piako District Council Resource Consents Issued Since June 2002

Consent Reference	Issue Date	Consent Details
RCD 0688	November 2003	Consent granted under both the Transitional and the Proposed District Plan. Amongst other things, consented activities included the processing of up to a maximum 160,000 poultry per day and dispensations with regard to height of structures. In addition to enabling the

		construction of new buildings and the extension of wastewater treatment facilities, this consent authorised an exceedance of noise standards and enabled the construction of new access and manoeuvring areas for trucks. At the time of its approval, the proposed expansion was considered consistent with the Development Concept Plan for the site.
102.2010.10155	March 2011	Consent granted to enable the permanent use of an existing entranceway which was not located in accordance with the approved Development Concept Plan.

- 2.1.4 Therefore the purpose of the Plan Change is to develop an appropriate set of District Plan provisions for the Inghams site DCP, that allows it to continue to function, redevelop and grow without unnecessary planning procedures. At the same time its environmental effects need to be considered and development that creates significant effects needs to be catered for through some form of resource consent process.
- 2.1.5 Accordingly, the main objectives of the Plan Change are to bring the DCP and resource consents into line and to allow for natural development growth. In this respect, a number of ongoing conditions from the above two resource consents have been brought into the proposed DCP to maintain consistency between existing consented operations and the new DCP.
- 2.1.6 The process of this Plan Change has involved the input of various consultants and Council staff experienced in the fields of statutory planning, transportation and traffic engineering, civil design engineering, acoustics, landscape and visual assessment, soil resources and freshwater ecology. Adjacent and potentially affected neighbouring landowners, the local community, tangata whenua, the NZ Transport Agency, the Waikato Regional Council, and various other organisations with a vested interest have also been engaged and consulted in relation to the identification of issues and options, and in the preparation of the Plan Change.

3 THE LOCALITY

3.1 Plan Change Site

- 3.1.1 This Plan Change relates to an approximate 62.5 hectare site located 4.3km south-east of Waitoa. The site has frontage to Waiheka Road and Seddon Road.
- 3.1.2 The land that is the subject of the Plan Change is shown on the Locality and Site Maps below (**Diagram 1 and Diagram 2**).
- 3.1.3 The site is legally described as Lot 2 DP 446379 (certificate of title identifier 562237) and Section 19 Block IV Maungakawa SD (certificate of title identifier SA1049/235). Copies of Certificates of Title are attached as **Appendix 1** of this Plan Change report.

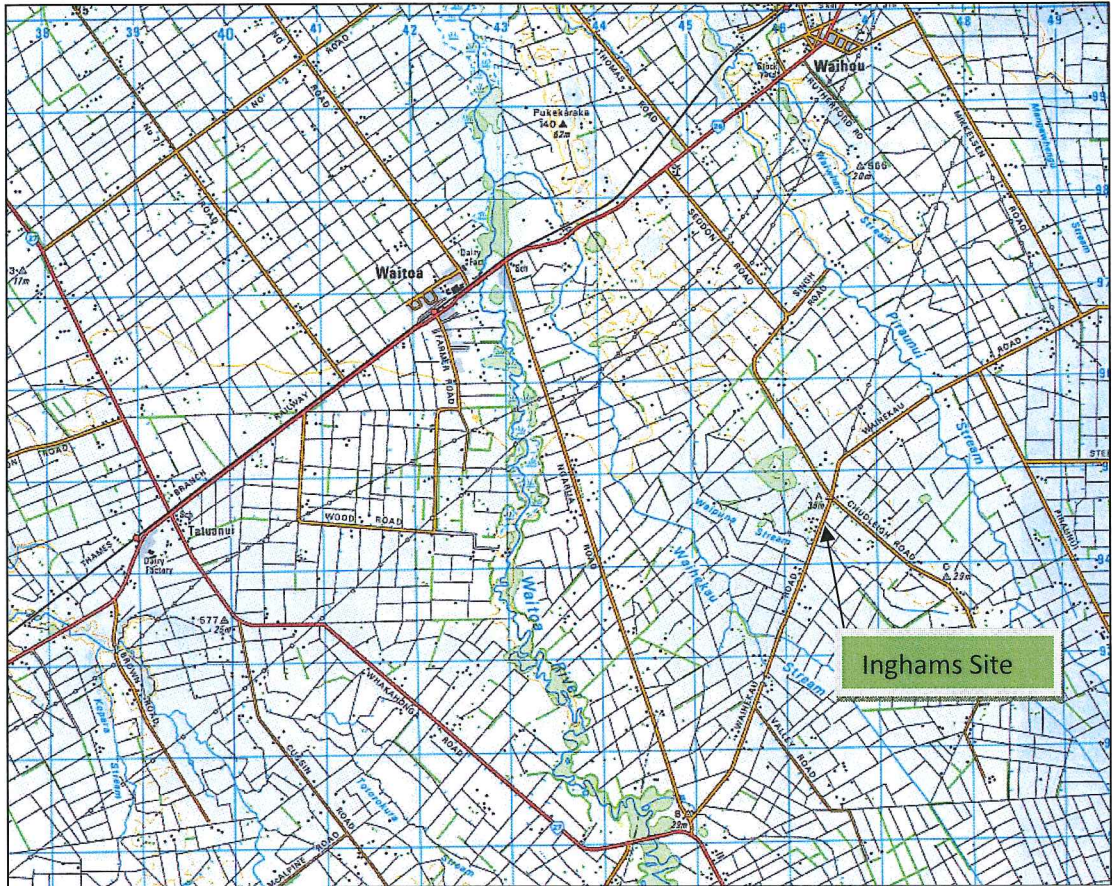


Diagram 1: Locality Map

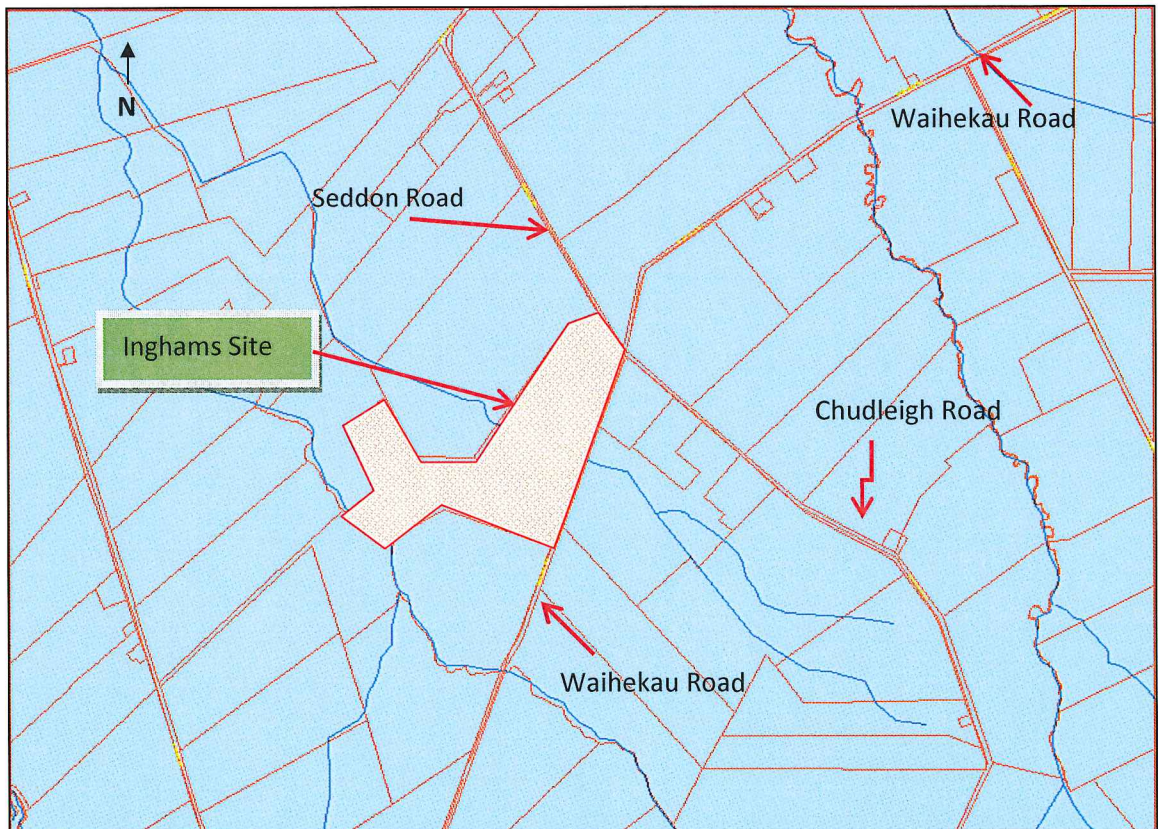


Diagram 2: Site Map

- 3.1.4 The Plan Change site relates to a poultry processing factory operated by Inghams. Structural on-site development is predominantly located on Lot 2 DP 446379, and irrigation areas extend into Section 19 Block IV Maungakawa SD.

3.2 Surrounding Locality

- 3.2.1 The Plan Change site has frontage to both Seddon Road and Waiheka Road, both of which are local roads administered by Matamata-Piako District Council. Waiheka Road is classified as a 'Collector Road' under Proposed Plan Change 43 (Transportation) to the Matamata-Piako District Plan. Waiheka Road is generally formed to a 2-lane carriageway of 3.5m lane widths, widening out alongside the Inghams site to include a 3m wide central flush median. Waiheka Road has a posted speed limit of 100kph and provides connectivity with State Highway 26 (via Seddon Road) to the north, and to State Highway 27 (via Ngarua Road) to the south. Seddon Road is classified as a 'Local Road' under Proposed Plan Change 43 (Transportation) to the Matamata-Piako District Plan. Seddon Road is also a 2-lane, sealed road comprising lane widths of approximately 3.5m.
- 3.2.2 Although the site is zoned 'Industrial' by the Operative District Plan, the site is located within a rural environment. Topography of the locality is characterised by flat to gently rolling pasture. The predominant activity is dairy farming, although there is also evidence of rural residential development and maize cropping in the locality.
- 3.2.3 Electricity transmission lines are located in Waiheka Road along the frontage of the site. A substation is also located with frontage to Waiheka Road adjoining the Inghams site. The transmission lines are identified under Proposed Plan Change 44 (Works and Network Utilities) to the Matamata-Piako District Plan to ensure that future development integrates and protects this public infrastructure.
- 3.2.4 The Waiheka Stream forms part of the western boundary of the site, while the Waipuna Stream flows in a northwest direction through the middle of the site. The water quality of both streams is moderate to poor, being impacted by upstream pastoral farm activities and iron deposits on the stream bed. Stream turbidity is also poor and they are not known to be significant or notable habitats for flora or fauna.
- 3.2.5 Waitoa is the nearest residential settlement located approximately 4.3km north-west of the Plan Change site. Waitoa has a population of just over 300 people (2006 census) and contains a Fonterra Dairy Plant.

4 OVERVIEW OF THE PLAN CHANGE PROPOSAL

4.1 Purpose of the Plan Change

- 4.1.1 The proposed Plan Change serves multiple purposes, including but not limited to:
- Ensuring that the Development Concept Plan contained within the District Plan is both sufficiently realistic and sufficiently flexibility to provide for Inghams future development needs;
 - Ensuring the DCP reflects the activities occurring on the site so as to provide realistic information to those people wishing to review the District Plan provisions;

- Ensuring alignment and consistency between consented activities and their consent conditions and the existing provisions of the District Plan / Development Concept Plan;
- Providing future development certainty for Inghams thereby avoiding the uncertainty of a resource consent process;
- Ensuring the sustainable use and development of Inghams Waitoa facility;
- Ensuring neighbours and the public generally know the activity limits of the site; and
- Ensuring transparency of Inghams long-term development needs for Council and the public.

4.2 Summary Overview of the Proposal

4.2.1 The underlying purpose of the Inghams site will not change as a result of the proposed Plan Change. The Waitoa Plant will continue to be used for poultry processing and food production purposes. However, physical changes will inevitably be necessary to the current site operations and layout in order to provide for Inghams future production needs. This has necessitated a change to the Development Concept Plan (DCP) contained as an Appendix within the Matamata-Piako District Plan.

4.2.2 Specifically, the proposed Plan Change seeks to provide for a staged increase in production from 160,000 birds per day (as currently consented) to an eventual maximum of 250,000 birds per day. A consequence of the increased production will be further development of the site facilities including:

- An enlarged live bird reception area and associated yard facilities;
- Additional processing plant area;
- Additional bulk and consumable storage facilities;
- The conversion of the current dispatch area to additional packing facilities;
- The relocation and rationalisation of dispatch facilities to a position further south on Waiheka Road;
- The addition of a new water treatment plant and new water reservoirs;
- The rationalisation of site entrances, including the creation of a new entrance on Seddon Road;
- An enlarged staff car park to cater for long term increased production needs; and
- An updated noise emission control boundary to reflect current noise emissions and increased production and its associated effects.

4.2.3 In order to accommodate the required infrastructure development and to provide for future development growth, it is proposed to increase the size of the 'Building and Plant Management Area' as currently shown on the existing DCP (that is, an area increase of approximately 4.8ha to a total of approximately 19.9ha). The converse effect of this is a marginal reduction of the 'Irrigation Management Area' which accounts for the majority of Inghams overall site.

4.2.4 Opportunity is also being taken to amend the 'Noise Emission Control Boundary' as currently shown on the existing DCP. Recent monitoring by acoustic engineers has shown that the existing boundary does not reflect where noise is projected and this consequently presents difficulties to Inghams in terms of compliance. The proposed Plan Change advocates a more realistic noise control threshold, based upon existing noise emissions.

- 4.2.5 Central to the Plan Change therefore is an updated DCP which provides for increased production opportunities. In addition to providing for an enlarged Building and Plant Management Area, the updated DCP is intended to provide clarity on performance standards by including all relevant standards and assessment criteria within the DCP rather than the current approach of cross-referencing to existing rules and assessment criteria within the District Plan.
- 4.2.6 **Schedule 1** contains a copy of the updated Development Concept Plan for the Waitoa site. Section 6 of this report details the specific amendments to the District Plan.

5 EXISTING DISTRICT PLAN PROVISIONS

5.1 Objectives and Policies

- 5.1.1 The Matamata-Piako District Plan was made operative on 25th July 2005. The following provides an analysis of the objectives and policies of the Matamata-Piako District Plan (inclusive of Plan Changes thereto) that are considered relevant to this Plan Change.
- 5.1.2 The objectives and policies relevant to the 'sustainable management strategy' for 'Industry' are as follows:

Objective O1

To enable the orderly and coherent development of processing and extractive industry in a manner that promotes the sustainable management of natural and physical resources in the rural areas.

Policy P1

The adverse effects of processing and extractive industries should be avoided, remedied or mitigated in accordance with the amenity values of the adjacent community.

Comment

- 5.1.3 The Plan Change proposal is consistent with the above objective and policy in that it promotes the future development of an existing poultry processing facility whilst also ensuring the amenity values of the locality are maintained.
- 5.1.4 The objectives and policies relevant to 'landscape character' are as follows:

Objective O1

To retain and enhance the varied landscape qualities of the District.

Policy P1

The scale, location and design of buildings, structures and activities in outstanding landscape types of the District should:

- *Preserve the elements which contribute to its natural character.*
- *Not detract from the amenity values of the landscape.*

Policy SP2

Council will encourage landowners to plant trees which reflect the native character of the ecological District.

Policy P2

To avoid, remedy or mitigate the adverse effects of activities that have the potential to compromise, damage or destroy significant areas of indigenous vegetation and habitats of indigenous fauna.

Comment

- 5.1.5 Inghams Waitoa facility is situated within a highly modified agricultural landscape. Neither the Waitoa site nor the immediate locality is identified as a significant landscape. Nor does the site contain areas of significant indigenous vegetation or habitats for significant flora or fauna. Consistent with Policy P2, however, the proposed Development Concept Plan includes provision for screen planting and riparian planting as a means of enhancing landscape values and mitigating the effects of development on the natural environment. Activity areas within the Development Concept Plan have been designed and located to ensure that buildings and structures do not detract from the amenity values of the landscape. The proposal is consistent with the above-listed objective and policies.

- 5.1.6 The objectives and policies relevant to 'land and development' are as follows:

Objective O1

To maintain and enhance the District's land resource to enable activities that do not threaten the life supporting capacity of the soil and consequently water and ecosystems.

Objective O2

To manage all activities in a manner that maintains and enhances the District's rural land resource and ensures that the productive capability of this resource is not compromised.

Policy P2

To avoid, remedy or mitigate any adverse effects on the intrinsic values of the land from the disposal of solid and liquid wastes and or stormwater.

Policy P3

To avoid, remedy or mitigate adverse effects of land use practices on the land resource in a way that avoids any potential for soil erosion and sedimentation of waterways.

Comment

- 5.1.7 The subject property is set aside and zoned for Industrial purposes. Implicit therefore, is an acceptance that soils will inevitably be lost from productive capability in the course of accommodating industrial activity. Whilst parts of the site are utilised for liquid and solid waste disposal purposes, treatment mechanisms are in place to remedy potentially adverse effects prior to discharge. In that way, potentially adverse effects on the intrinsic values of the land are avoided. Mitigation measures are also in place via Regional consents to avoid soil erosion and the sedimentation of waterways.

- 5.1.8 The objectives and policies relevant to 'amenity' and 'nuisance effects' are as follows:

Objective O1

To ensure that residences are free from the effects of unreasonable and excessive noise, odour, dust, glare and vibration.

Policy P1

To protect residential and rural amenity by the use of performance standards for noise, glare, odour, particulates and vibration control which generally ensure that generated effects do not exceed background or ambient levels.

Objective O3

To recognise the existing character of rural areas and acknowledge that some adverse effects will arise from rural activities that may require management.

Policy P3

To reinforce existing mitigation measures and to encourage those who generate the nuisance effect to maintain and enhance those measures, including separation between industry, public or designated works or intensive farming operations and Residential Zones and the notional boundaries of rural residences.

Objective O4

To ensure that lawfully established activities which generate minor nuisance effects are not unreasonably compromised by the proximity or action of neighbouring land users or non-rural activities.

Policy P4

To avoid, remedy or mitigate significant adverse noise, odour, dust, glare and vibration effects generated by rural activities and other activities in rural areas.

Policy P6

To ensure that appropriate buffers and other mitigation measures are established between incompatible activities and zones.

Comment

5.1.9 The above-listed objectives and policies recognise that in rural, working environments, minor odour, noise, dust, glare and vibration effects can normally be accommodated provided that a healthy and safe environment is maintained. The objectives and policies also recognise that legitimate rural based industries (including conventional farming) can create minor nuisance effects and a degree of acceptance is warranted. In this instance, the Inghams facility is a long-established and accepted part of the Waitoa locality, and is not known to generate significant adverse effects beyond the boundary of the site. None of the activities envisaged by the Development Concept Plan will result in significant adverse noise, odour, dust, glare or vibration effects. The proposed Development Concept Plan retains and enhances landscape mitigation measures to ensure, as far as is practicable, visual separation between on-site activities and neighbouring land use activities. As potentially adverse effects are neither unreasonable nor excessive, the proposal is considered consistent with the above-listed objectives and policies.

5.1.10 Relevant objectives and policies under Proposed Plan Change 43 (Transportation) relating to 'transportation' include the following:

Objective O1

The strategic importance of significant transport infrastructure is recognised.

Objective O3

The avoidance, remediation or mitigation of the adverse effects of transportation.

Objective O4

To ensure that those activities that place demands on the roading network contribute fairly to any works considered necessary to meet those demands.

Objective O7

Provision for parking and loading is adequate to ensure the safety and efficiency of the road network, without stifling development or leading to inefficient use of land

Policy P1

Subdivision, use and development shall be managed to recognise, enable, and protect:

- a) The primary function of significant transport infrastructure as inter-regional connectors; and*
- b) The local, regional, and national benefits of significant transport infrastructure.*

Policy P2

The District's road hierarchy shall recognise and manage significant road corridors as the highest order of road.

Policy P3

Subdivision, use and development shall enable a safe, integrated, efficient, and well-connected transport network that provides for all modes of passenger and freight transport in a manner that:

- a) Ensures land-use and transport successfully interface with each other;*
- b) Manages the adverse environmental effects of the network, and the effects of other activities on the network (i.e. reverse-sensitivity effects);*

Policy P4

The road network shall be hierarchical, differentiating between roads according to their primary function thereby assisting in the planning and management of the network and surrounding land-uses.

Policy P5

To ensure that access points and intersections meet safe sightline and spacing standards for the class of road within the hierarchy and are formed to appropriate design standards.

Policy P6

To manage the location of subdivision and land use activities to avoid compromising road intersection and railway level crossing safety sightlines.

Policy P7

To ensure that the safety and efficiency of the state highways and district road networks are not compromised by proposed subdivision and/or development and the cumulative effect of subdivision and/or development.

Policy P12

To ensure that subdivision and development takes into account the existing and proposed capacity and design of the transportation networks and that any adverse effects are avoided, remedied or mitigated.

Policy P16

Parking and loading facilities must be designed to ensure safe manoeuvring of vehicles and safe movement of pedestrians and cyclists.

Comment

- 5.1.11 The proposed Development Concept Plan provides sufficient off street parking and loading spaces to meet both the existing and the foreseeable needs of the Waitoa plant. The self-sufficiency of the site with respect to parking and loading means that there is no conflict with on-road usage. The proposed Development Concept Plan provides for future development needs which have the potential (over time) to increase vehicle movements onto and off the site. The accompanying Traffic Impact Assessment (TIA) (refer to **Appendix 4**) demonstrates that any increase in traffic is unlikely to affect the efficiency or integrity of the District road network. Similarly, an increase in traffic is not expected to impact upon the safety or efficiency of the State Highway network. The findings of the TIA demonstrate that the proposal is not inconsistent with transportation-related objectives and policies.
- 5.1.12 All of the relevant existing objectives and policies in the Operative Matamata-Piako District Plan (including those within Proposed Plan Change 43 (Transportation)) have been taken into account in the development of this Plan Change. The objectives and policies will remain relevant following incorporation of the updated Development Concept Plan into the District Plan. No amendments are required to existing objectives and policies.

5.2 Rules and Provisions

Activity Table

- 5.2.1 The Activity Table provided for in Part B, Section 2 of the District Plan lists the majority of activities anticipated within Matamata-Piako District. Activities are assigned one of six classifications ranging from 'Permitted' to 'Prohibited' status. For the purposes of this Plan Change application, the relevant sections of the Activity Table are as follows:
- Section 4.1 - Activities complying with a Development Concept Plan unless shown as P (Permitted), C (Controlled), D (Discretionary) or N/C (non-complying) on the DCP are Controlled Activities.
 - Section 4.2 - Buildings / activities defined for future development on the DCP unless shown as P, C, D or N/C are Discretionary Activities.
 - Section 5.4 – Industrial activities involving the extraction, processing and packaging of meat, milk, poultry, fish, seafood, animal by-products, beverages, produce and pulped paper are Discretionary Activities within the Industrial Zone.
 - Section 9.12 – Use of land for effluent disposal of non-human waste from industrial activities is a Permitted Activity unless otherwise stated on a DCP.

- 5.2.2 The Inghams Waitoa site is a scheduled site. Therefore, the provisions of sections 4.1 and 4.2 of the Activity Table take precedence over the generic provisions referenced in sections 5.4 and 9.12. The specific provisions of the DCP also take precedence over sections 4.1, 4.2 and 9.12. Any activities not listed in the Activity Table are deemed to be Non-Complying unless otherwise provided for.

Development Controls

- 5.2.3 Section 3.3 identifies the development controls applicable to the Industrial Zone and any site identified as a scheduled site with a Development Concept Plan. The relevant standards are as follows:

“3.3.2 Building Envelope (scheduled sites)

(Limits to apply unless otherwise specified on the DCP)

- (i) Maximum height20m*
- (ii) Yards adjoining any road or non-industrial zone80m*
- (iii) All other yards10m*
- (iv) Height relative to boundary:
Height (h) shall not exceed one quarter the distance (d) to the closest boundary adjoining (h=d/4) for boundaries adjoining an non-Industrial Zone*

3.3.4 Design and Appearance of Buildings (scheduled and non-scheduled sites)

All new buildings or structures shall be designed to minimise adverse visual impact on adjacent properties and on the road frontage in particular. No reflective material or unpainted surfaces should be used which could cause glare.

3.3.5 Landscaping (Scheduled and Non-Scheduled Sites)

(Except as otherwise provided on a DCP).

- i. A minimum of 50% of the front yard requirement shall be landscaped, planted and maintained for the full length of the boundary (excluding vehicle entrances). Landscaping shall be required and designed to either screen or enhance the appearance of the on-site industrial activities when viewed from any public space adjoining or non-industrial zone opposite or facing.*
- ii. The minimum dimension of any required landscaping area shall be half the width of the yard in which it is located or 10 metres whichever is the lesser.*
- iii. Landscaping shall be undertaken and maintained in accordance with a Landscape Plan and planting programme submitted to and approved by Council prior to development commencing.*
- iv. These landscaping provisions do not apply to the Development Concept Plans for Part Okauia 1 Block being Part DP7148, Okauia 4B Block, Lot DPS 24315 Block IV and VIII Tapapa SD as identified in Schedule 5 but will be considered in terms of Section 1.4.1 and 1.4.12.*
- v. These landscaping provisions do not apply to the Development Concept Plan for Part Section 126, Block II Tapapa East Survey District (CT SA5B/22) as identified in Schedule 5 but will be considered in terms of Section 1.4.1 and 1.4.12”*

3.3.7 Access, Parking, Loading and Manoeuvring (Scheduled and Non-Scheduled Sites)

See Section 9, Transportation.

All internal roading and parking areas shall be formed with an all weather surface designed to minimise dust and noise nuisance.

3.5.1 Signage- Permitted Activities (Business and Industrial Zones)

Permitted signage includes - signs related to permitted activities established on the site for the advertisement or identification of the established permitted activities.

Total site signage:

- *1.0m² per metre of site frontage in the case of signs attached to or forming part of the principal building to its walls or canopies.*

In addition, free standing signs are permitted where the surface area viewed from any one direction does not exceed the following:

- *For each site frontage less than or equal to 24.0m: 6.0m²*
- *For each site frontage greater than 24.0 metres: 0.25m² for every metre of site frontage up to a maximum of 16m².*

Notwithstanding the above: One planned arrangement of free-standing signs where more than one rear site shares a common accessway, maximum area of sign shall be: 12.0m²."

- 5.2.4 Of the above standards compliance with 3.3.2 and 3.3.5 for the Inghams site is not required on the basis that the existing Development Concept Plan already provides for reduced building setbacks (i.e. 70m within the Building and Plant Management Area and alternative landscaping requirements).

Performance Standards – All Activities

- 5.2.5 Section 5 of the District Plan specifies Performance Standards that are applicable to all activities. The relevant standards for the purposes of this Plan Change are:

"5.2.5 Noise - Scheduled Sites

The generic provisions of Section 5.2.5 are superseded by the specific provisions stipulated in DCP 50. Those provisions state:

The following corrected noise levels shall not be exceeded at the Noise Emission control boundary as shown on the DCP -

<i>Monday to Saturday</i>	<i>5.00am – 9.00pm</i>	<i>L₁₀ 50dBA</i>
<i>Monday to Saturday</i>	<i>9.00pm – 5.00am</i>	<i>L₁₀ 40dBA</i>
<i>All other times (including Sundays and public holidays)</i>		<i>L₁₀ 40dBA</i>
<i>At all times</i>		<i>L_{max} 75dBA"</i>

5.6.2 Effluent Disposal Systems

Any effluent disposal system (including disposal onto land by way of spray irrigation) associated with the disposal of non-human waste except those areas shown on a DCP shall comply with the following:

- i. Yards
 - 10 metres from a road boundary.
 - 300 metres from a school, marae, hall or public reserve only from spraying which is associated with or from intensive farming or an industrial use.
 - 300 metres from a residential zone only from spraying which is associated with or from intensive farming or an industrial use.
 - 150 metres from dwellings
***provided that** the required yards shall be reduced in respect of any school, marae, hall, public reserve or other facility where all persons owning and occupying those facilities give written consent to a specific reduced yard.*
- ii. Access
See 9.1.2(ix)
- iii. No spraying shall occur from a public road or place.”

5.3 Development Concept Plan

- 5.3.1 The existing Development Concept Plan for the Inghams Waitoa site (DCP 50) is attached within **Appendix 2** of this report.
- 5.3.2 The activity classifications currently provided for on DCP 50 are summarised in **Table 2** below.

Table 2: Activity Schedule and Classification for Waitoa Site

Activity Schedule - Development Concept Plan for Inghams Enterprises	
Activity Classification	Nature of Activity Provided For
Permitted Activities	<p>Subject to compliance with relevant performance standards, terms and development controls the following are permitted:-</p> <p>Irrigation Management Area</p> <ul style="list-style-type: none"> - Wastewater irrigation spraying. - Farming, excluding intensive farming - Existing dwellings erected prior to 1/9/95 <p>Building and Plant Management Area</p> <ul style="list-style-type: none"> - Processing of up to 50,000 poultry per day. - Manufacture of poultry products. - Associated and ancillary plant and buildings. - Vehicular access numbered 1-4, parking, loading and manoeuvring areas. <p>Total DCP</p> <ul style="list-style-type: none"> - Any activity identified in the activity table as a Permitted Activity in the Rural Zone not otherwise provided for in this DCP.

Controlled Activities	<p>Subject to relevant performance standards, terms and development controls the following activities are controlled:-</p> <p>Building and Plant Management Area</p> <ul style="list-style-type: none"> - Processing of between 50,000 and up to a maximum of 80,000 poultry per day. - Manufacture of poultry products in conjunction with other food products. - Wastewater treatment facilities. - Facilities for the storage and handling of hazardous substances and dangerous goods associated with a permitted or a controlled activity. - Energy plants and associated buildings ancillary to controlled activities. - Workshops and the repair and servicing of vehicles and machinery associated with a permitted or controlled activity. <p>Total DCP</p> <ul style="list-style-type: none"> - Earthworks - Any activity identified in the activity table as a Controlled Activity in the Rural Zone not otherwise provided for in the DCP.
Discretionary Activities	<p>Subject to the assessment criteria of 1.4 the following activities are discretionary:-</p> <p>Building and Plant Management Area</p> <ul style="list-style-type: none"> - Processing in excess of 80,000 poultry per day. - Manufacture of other food products not already provided for as a Controlled Activity. - Any activity identified in the Activity Table as a Discretionary Activity in the Rural Zone not otherwise provided for in the DCP. <p>Total DCP</p> <ul style="list-style-type: none"> - Any other permitted or controlled activity identified above not meeting the relevant performance standards, terms or development controls. - Any activity identified in the activity table as a Discretionary Activity in the Rural Zone not otherwise provided for in the DCP.
Non-Complying Activities	<p>Total DCP</p> <ul style="list-style-type: none"> - Any activity which is not provided for or contemplated as a Permitted, Controlled or Discretionary Activity and does not meet the performance standards. - Any activity which is not located in accordance with the plan shown on the DCP.
Noise Control Performance Standards	<p>The following corrected noise levels shall not be exceeded at the Noise Emission Control Boundary as shown on the DCP:-</p>

	<p>Monday to Saturday 5.00am-9.00pm L₁₀ 50 dBA</p> <p>Monday to Saturday 9.00pm to 5.00am L₁₀ 40dBA</p> <p>At all other times, including Sundays and public holidays L₁₀ 40dBA</p> <p>At all times L_{max} 75 dBA</p> <p>The general provisions of Rule 5.2.1 shall be taken into account.</p>
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5.3.3 Unless otherwise stated, the activities identified in **Table 2** above are required to comply with the relevant performance standards, terms and development controls stated elsewhere in the District Plan.

5.3.4 In addition to those performance standards, the DCP provides for a 70m building setback and screen planting along Waiheka Road and internally through the site, which differ from the requirements of Rule 3.3.2 – Building Envelope and Rule 3.3.5 – Landscaping.

6 SPECIFIC AMENDMENTS TO THE OPERATIVE MATAMATA-PIAKO DISTRICT PLAN

6.1 Development Concept Plan

6.1.1 Proposed changes to the Operative Matamata-Piako District Plan (the District Plan) are limited to an update of the Inghams Development Concept Plan. There are no consequential changes required to the objectives or policies of the District Plan. Nor are changes required to the General Rules contained within Section 1 of the District Plan.

6.1.2 In general, the proposed Development Concept Plan will retain the format of the existing Development Concept Plan. That is to say, it will provide a scaled, plan-form view of the Inghams site, and will include an associated activity schedule to identify Permitted, Controlled, Restricted Discretionary, Discretionary and Non-Complying Activities. Central to the proposed Development Concept Plan is the delineation of the 'Building and Plant Management Area' which defines the envelope for existing and future development works.

6.1.3 Proposed Changes to the Development Concept Plan are as follows:

- In order to cater for future development needs, the northern and western boundaries of the 'Building and Plant Management Area' (BPMA) are to be extended. The existing BPMA (of approximately 15.1ha) will increase by approximately 4.8ha to create of BPMA of approximately 19.9ha. The increased BPMA is primarily to accommodate future onsite parking.
- The noise emission control boundary has been realigned to more accurately reflect existing and future noise production effects.
- The location of vehicle accesses has been updated to reflect on-ground changes since 2002, and to provide improved access options associated with future increased production. Specifically;
 - Gate 1 is the southernmost access, currently used to access the substation.
 - Gate 2 is to provide for the proposed relocation of the despatch yard to a more southerly location. This relocation necessitates the creation of a new despatch access (Gate 2) on Waiheka Road.

- Gate 3 is an existing access. It is necessary to retain this access in the interim until the proposed despatch access (Gate 2) is formed, at which time Gate 3 will be closed.
- Gate 4 is the existing dispatch access that was consented in March 2011 under resource consent reference 'Landuse 102.2010.10155'.
- Gate 5 is the existing access for the parking area and inwards delivery goods. This access is to remain but will only be for access to the parking area upon construction of Gate 6.
- Gate 6 on Seddon Road is for the purpose of segregating staff traffic from delivery traffic once on-site production exceeds 160,000 poultry per day. The access will be for delivery traffic only.
- The processing of up to 160,000 poultry per day is to be a Permitted Activity within the BPMA. The current threshold of 50,000 poultry per day does not accord with consented limits, and is thus outdated.
- 'Workshops and the repair and servicing of vehicles and machinery associated with the site' are to be permitted within the BPMA. These activities are currently 'Controlled Activities' within the BPMA.
- 'Wastewater and water treatment facilities' are to be permitted within either the Irrigation Management Area (IMA) or BPMA. These facilities are currently 'Controlled Activities' within the BPMA only.
- Transportation depots are currently 'Controlled Activities' within the BPMA. This activity is to be removed as these activities are considered to be permitted activities under the 'parking and loading' activity.
- Energy plants and associated buildings ancillary to a permitted Activity are currently 'Controlled Activities' within the BPMA. This activity is to be removed as these activities are considered to be permitted activities under the activity 'associated and ancillary plant and buildings'.
- 'Earthworks' and 'Facilities for the storage and handling of hazardous substances and dangerous goods' have been removed as controlled activities and been listed as permitted activities as these activities are regulated under the Waikato Regional Plan and Hazardous Substances and New Organisms Act 1996 respectively.
- The construction of structures in, on, under or over the Waipuna Stream are provided for as a permitted activity. It is considered that such structures are more appropriately controlled through the Waikato Regional Plan.
- The processing of up to 250,000 poultry per day is to be a Controlled Activity, subject to the relevant performance standards, terms and development controls. The current maximum threshold for a Controlled Activity is 80,000 poultry per day, which is significantly less than the 160,000 threshold currently consented.
- It is proposed that processing in excess of 250,000 poultry per day is a Discretionary Activity, subject to assessment criteria. The discretionary threshold is currently more than 80,000 poultry, significantly less than the 160,000 threshold already consented to date.
- It is not anticipated that rendering activities will be undertaken on the site. Rendering as an activity has thus been excluded from the Permitted, Controlled, Restricted Discretionary and Discretionary Activity categories, resulting in rendering being a Non-Complying Activity.
- In the interests of simplicity, the delineation of individual buildings and structures within the BPMA will no longer be shown on the Development Concept Plan. Industrial facilities of this nature are typically in a state of continual flux, and therefore the

inclusion of that level of detail would risk outdated the DCP on a regular basis. Providing buildings and structures are erected in accordance with bulk and location requirements, and are sited within the required activity area, their individual depiction within the DCP is of limited public value.

- The aerial photograph background to the DCP provides clarity as to the location of areas and features. While the inclusion of the aerial photograph does risk outdated the DCP its inclusion assists with public reference and administration of the areas.
- The 70m front yard set-back on Waiheka Road has been reduced to 20m to be consistent with other site development, including the recently constructed substation on a neighbouring property (Lot 1 DP446379). The change is specific to this DCP and does not affect standards elsewhere in the District Plan.
- The proposed DCP introduces a new, site-specific car parking standard which supersedes the generic cross-referenced requirements of Section 9.1.2 of the District Plan. The proposed DCP advocates a standard of 15 additional spaces per 10,000 additional poultry above the currently consented 160,000 bird threshold.
- The DCP provides for the relevant and on-going access, carparking and manoeuvring consent conditions from the two existing resource consents.
- It is proposed that the DCP be amended to include all relevant performance standards and assessment criteria relevant to this site. The intent is to provide a 'one-stop shop'. It does not require change to standards elsewhere in the District Plan.
- It is proposed to update the DCP with a more accurate representation of drainage and landscape features. The updated DCP provides additional landscaping to assist with mitigating any adverse visual effects of future on-site development.

6.1.4 As summarised in section 4 of this report, proposed on-site development includes provision for additional yard, processing, storage and despatch facilities. The addition of new reservoirs and a new water treatment plant will also be necessary to supplement existing on-site utilities. Importantly, each of these works is scheduled to take place within the proposed BPMA. Therefore, providing consented processing thresholds are not exceeded, these works are Permitted under the current DCP (i.e. they are not in themselves the subject of this Plan Change).

6.1.5 **Schedule 1** of this report contains a copy of the updated Inghams Enterprises (NZ) Development Concept Plan. This includes the overall DCP for the site, a table of the performance standards, assessment criteria and the Mansergh Graham Landscape Architects Mitigation Plans L1, L2, L4 and L5.

7 STATUTORY FRAMEWORK FOR THE PLAN CHANGE

7.1 General

7.1.1 It is proposed to undertake a Plan Change to the Operative Matamata-Piako District Plan in order to better reflect Inghams existing Waitoa site development and to provide for its future development needs. This involves a change to the Inghams Enterprises (NZ) Development Concept Plan referenced in Schedule 5 of the Operative District Plan and included as one of the Planning Maps.

7.1.2 The proposed Development Concept Plan is included as **Schedule 1** to this report.

7.2 Statutory Framework

- 7.2.1 The Plan Change process is subject to the provisions of the Resource Management Act 1991 (RMA). In particular: Part II, Sections 31, 32, 74, and Part II of the First Schedule. The preparation of this Plan Change report has been conducted in accordance with the First Schedule of the RMA.
- 7.2.2 Any Plan Change is subject to the *Purpose and Principles* of the RMA (Sections 5 to 8) with the overriding purpose of the RMA being ‘to promote the sustainable management of natural and physical resources’. These matters are specifically addressed in section 10 of this report.
- 7.2.3 Section 73(2) of the RMA enables a person to request a change to a district plan, subject to the provisions set out in Schedule 1. Section 74 of the RMA sets out the matters to be considered by Council when preparing or changing a District Plan. It states as follows:

“74 Matters to be considered by territorial authority

- (1) A territorial authority shall prepare and change its district plan in accordance with its functions under section 31, the provisions of Part 2, a direction given under section 25A(2), its duty under section 32, and any regulations.*
- (2) In addition to the requirements of section 75(3) and (4), when preparing or changing a district plan, a territorial authority shall have regard to—*

(a) Any—

(i) Proposed regional policy statement; or

(ii) Proposed regional plan of its region in regard to any matter of regional significance or for which the regional council has primary responsibility under Part 4; and

(b) Any—

(i) Management plans and strategies prepared under other Acts; and

(ii) Repealed.

(iia) Relevant entry in the Historic Places Register; and

(iii) Regulations relating to ensuring sustainability, or the conservation, management, or sustainability of fisheries resources (including regulations or bylaws relating to taiapure, mahinga mataitai, or other non-commercial Maori customary fishing),—

to the extent that their content has a bearing on resource management issues of the district; and

(c) The extent to which the district plan needs to be consistent with the plans or proposed plans of adjacent territorial authorities.

- (2A) A territorial authority, when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority*

and lodged with the territorial authority, to the extent that its content has a bearing on resource management issues of the district.

- (3) *In preparing or changing any district plan, a territorial authority must not have regard to trade competition or the effects of trade competition."*

7.2.4 Section 31 sets out the Functions of Territorial Authorities under the RMA. Notably it identifies the functions of a Council at Section 31(1)(a) as including:

"The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district."

7.2.5 Council is therefore required to consider this plan change application according to its function of achieving the integrated management of land use.

7.2.6 Part 2 of the First Schedule to the RMA outlines the procedures for private plan changes, with Clause 29 linking the private plan change process to the provisions of Part 1 (Council initiated plan changes).

7.2.7 Section 32 of the RMA imposes on Council a duty before making a decision on a plan change application to consider the matters set out in subsection (3) and (4). A detailed evaluation of Section 32 is provided in Section 12.2 of this report. The relevant parts of Section 32 are:

"32 Consideration of alternatives, benefits, and costs

- (1) *In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—*

(a);

(b);

(ba);

(c) the local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or

(d) the person who made the request, for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of the Schedule 1.

- (2) *A further evaluation must also be made by—*

(a) a local authority before making a decision under clause 10 or clause 29(4) of the Schedule 1; and

(b)

- (3) *An evaluation must examine—*

- (a) *the extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (3A) ...
- (4) *For the purposes of the examinations referred to in subsections (3) and (3A), an evaluation must take into account—*
 - (a) *the benefits and costs of policies, rules, or other methods; and*
 - (b) *the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
 - (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*
 - (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.”*

7.3 Hauraki Gulf Marine Park Act 2000

- 7.3.1 When considering an application for a Plan Change in the Hauraki Gulf, its islands and catchments, a consent authority is to have regard to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 in addition to the matters contained in the Resource Management Act 1991. The recognition of the national importance of the Hauraki Gulf as set out in section 7 emphasises the significance of the Hauraki Gulf to New Zealand. In examining section 8, Management of the Hauraki Gulf, it is considered that the relevant matters regarding the proposed Plan Change are appropriately examined in the Assessment of Environmental Effects section of this report and the other sections of the report generally.
- 7.3.2 The proposed amendment to the Inghams Development Concept Plan will not offend the objectives for the management of the Hauraki Gulf, its islands and catchments as set out in the Hauraki Gulf Marine Park Act 2000. The effects of the ongoing poultry processing and associated activities on the natural character, coastal processes, ecology, cultural values, access to and public enjoyment of the Hauraki Gulf will be minimal/non-existent.

8 RELEVANT PLANNING DOCUMENTS

8.1 General

- 8.1.1 There are three statutory planning documents relevant to this Plan Change application. These are, the Operative Matamata-Piako District Plan (the District Plan) including Proposed Plan Changes 43 (Transportation) and 44 (Works and Network Utilities), the Waikato Regional Plan (WRP), and the Waikato Regional Policy Statement (RPS) and

Proposed Waikato Regional Policy Statement (PWRPS). The Matamata-Piako District Plan is the primary planning document and consistency with that document has been addressed in section 5 of this report, above. The following section identifies the key provisions of the WRP and the RPS and provides commentary on the consistency of the Plan Change with each of these provisions.

8.2 Waikato Regional Policy Statement and Proposed Waikato Regional Policy Statement

- 8.2.1 A Regional Policy Statement sets out the objectives, policies and implementation methods to address the significant resource management issues of a region. It provides policies and a range of methods to achieve integrated management of natural and physical resources, and guides the development of sub-ordinate plans (such as Regional and District plans) in the consideration of resource consents.
- 8.2.2 The first Waikato Regional Policy Statement (RPS) became operative in October 2000. The RPS has been reviewed by the Waikato Regional Council to reflect amendments to the RMA and changes in policy, economic and environmental direction over the past ten years since the first RPS became operative.
- 8.2.3 The Proposed Waikato Regional Policy Statement (PWRPS) was publicly notified on 3 November 2010 and 200 submissions were received. The PWRPS incorporating Council's decisions on submissions (the "Decisions Version – November 2012") was publicly notified on 2 November 2012; 37 appeals were lodged with the Environment Court. Provisions that have not been appealed still remain 'proposed' until such time as they are officially made operative. However, the provisions must be given due consideration with the weight that is assigned to the provisions varying as the document moves through the appeal process (i.e. provisions that have been appealed generally have less weight as they may change through the appeal process).
- 8.2.4 Given that unchallenged provisions in the PWRPS are considered to have greater relevance (weight) than the corresponding provisions in the Operative RPS, the starting point for assessment in regard to this Plan Change is the PWRPS. Where provisions are the subject of an appeal, and thus in a state of flux, an assessment against the equivalent provisions of the Operative RPS is subsequently provided. The assessments of the relevant issues, objectives and policies are included as **Appendix 11** to this report.
- 8.2.5 The key issues, objectives and policies in the PRS and PWRPS relating to this Plan Change are broadly defined under the following issue headings; 'resource use and development', 'ecosystem services', 'sustainable and efficient use of resources', 'built environment', 'Mauri and health of fresh water bodies', 'riparian areas and wetlands', 'values of soils', and 'high class soils'. The Plan Change is considered to be consistent with the relevant RPS and PWRPS provisions.

8.3 Waikato Regional Land Transport Strategy

- 8.3.1 The Waikato Regional Land Transport Strategy 2011- 2041 (RLTS) is a statutory document prepared under the Land Transport Management Act 2003 (LTMA). The strategy is prepared by the Waikato Regional Transport Committee (Regional Transport Committee) on behalf of the Waikato Regional Council in collaboration with key regional transport

partners and stakeholders. The 2011-2041 RLTS replaces the Regional Land Transport Strategy 2006-2016.

- 8.3.2 The RLTS promotes an integrated approach to planning for business and industry growth, identifying that a key consideration must be the integration of business areas with the region's transport system. This is particularly necessary to ensure the more efficient movement of people and goods. The land that is the subject of this Plan Change is strategically located in close proximity to State Highways 26 and 27, thereby maximising connectivity options for the movement of freight.
- 8.3.3 Future growth resulting from the Plan Change is considered unlikely to affect the efficiency or integrity of regional transport corridors. Overall therefore, the Plan Change is considered consistent with the RLTS.

8.4 Waikato Regional Plan

- 8.4.1 The Waikato Regional Plan (WRP) is the implementation arm of the Waikato Regional Policy Statement. It became operative in September 2007. The WRP contains policy and methods to manage the natural and physical resources of the Waikato Region.
- 8.4.2 The Waitoa plant benefits from a number of regional consents relating to the discharge of treated wastewater and waste, the discharge of stormwater and the abstraction of groundwater. These consents (refer **Table 3** below) were issued under the provisions of the Waikato Regional Plan and have various expiry dates. Intensified on site activity resulting from the Plan Change may or may not affect the status of those consents. Inghams are committed to engaging with the Waikato Regional Council on regional consenting issues during any design development to determine if additional consents or changes to existing consents are required. In the event additional consents or changes to existing consents are required, these will be applied for in due course.

Table 3: Waikato Regional Council Resource Consents

Consent Reference	Issue Date	Consent Details	Expiry Date
108877	September 2003	Consent granted for the discharge of up to 1800 cubic metres of treated wastewater onto land, at up to 200 kg N/Ha/yr, and any subsequent discharge to air.	30 September 2023
108878	September 2003	Consent granted for the discharge of up to 1460l/second of stormwater to the Waipuna Stream.	30 September 2023
108879	September 2003	Consent granted for the discharge of contaminants (including odour and flared biogas) to air.	30 September 2023
108880	September 2003	Consent granted for the discharge of up to 2400 cubic metres of treated wastewater to the Waiheka Stream	30 September 2023

110161	March 2004	Consent granted for the discharge of up to 2,400 cubic metres per day of treated poultry processing wastewater onto land (Lyndhurst Farm Ltd).	5 March 2024
120820	August 2009	Consent granted for the abstraction up to 827 cubic metres of groundwater per day (maximum of 100,000 cubic metres per year) for pasture irrigation purposes.	1 July 2029
120821	August 2009	Consent granted to use groundwater for pasture irrigation purposes.	1 July 2029
124793	December 2012	Consent granted for the abstraction of up to 3500 cubic metres of groundwater per day for poultry processing and land irrigation purposes. (Note that this consent has not yet been exercised and that consent 120820 needs to be surrendered before this consent can be used for land irrigation purposes).	30 November 2032

8.4.3 On the basis that on-site activities are already consented by Waikato Regional Council, and that the Plan Change will not change the nature of those activities, it may be inferred that the Plan Change is consistent with the objectives and policies of the WRP.

9 ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

9.1 General

9.1.1 The main environmental issues that need to be considered as part of the Plan Change are:

- visual effects;
- traffic effects;
- noise effects;
- ecological effects;
- loss of high quality soils;
- impact on archaeological sites;
- built and infrastructure effects;
- odour effects; and
- amenity effects.

9.1.2 The above listed environmental issues are addressed in more detail as follows.

9.2 Visual Effects

9.2.1 The proposed DCP has been reviewed within the context of the extent of the existing development and against the backdrop of the existing Waitoa area by Landscape

Architects, Mansergh Graham. The 'Landscape and Visual Assessment' report is included as **Appendix 3** to this report.

- 9.2.2 While it is conceivable that development within the Inghams site may take a different form, the report considers that the proposed DCP reflects a likely development direction that illustrates the general distribution and intensity of development likely to arise under the proposed Plan Change.
- 9.2.3 The assessment report analyses the proposed 'Building and Plant Management Area' (BPMA) within the context of the characteristics of the wider landscape, and the view locations, and found that:
- The existing screen planting and to a lesser extent topography highly influence the visual catchment, which is assessed as limited;
 - The proposed development will be typically screened from neighbouring dwellings and public roadways by surrounding buildings and/or existing screening within and surrounding the site. However partial views will be attainable during the winter months when some trees within the landscape are not in leaf; and
 - The existing development occupies a prominent location, and from some close proximity locations represents a focal feature. For this reason, additional in context site development is not likely to affect the key attributes of the surrounding landscape or detract from the existing characteristics of the rural landscape (i.e. although additional buildings and building extensions will increase the visual bulk of existing development, they will be provided a significant level of context by the existing industrial development which affords partial screening and back-dropping of the additional elements).
- 9.2.4 However, in reaching the above conclusions the report also considers that a planting mitigation strategy should be implemented to further integrate the site with the surrounding landscape. The intent of the mitigation strategy is to screen low level views of the proposed development from the surrounding local roads, as these roads are the locations confirmed as being most potentially affected by development. The proposed mitigation includes:
- Hedge planting (with a mature height of 6m) will be planted around the edge of the BPMA to fill in the gaps in the existing screen planting and provide more extensive screening along the northwest edge of the BPMA;
 - Under planting of both the proposed and existing screen planting along the northern boundary of the site to reduce adverse effects of the increased built development, associated traffic and headlight glare from the proposed carpark area;
 - Planting along the new dispatch entranceway (Gate 2) along Waiheka Road to screen traffic movements;
 - Riparian planting along the Waipuna Stream and the lower portion of the unnamed tributary/ephemeral watercourse to increase landscape values and provide additional screen planting; and
 - Retain, where practical, existing screen planting surrounding the site.
- 9.2.5 The proposed mitigation strategy provides that planting will emulate shelter hedgerows, which are common elements in the surrounding rural landscape. In combination, the mitigation strategy will screen low level views into the development from close proximity

neighbours and road users. Once implemented, the overall effect will be to enhance the amenity of the area and provide suitable screening of the site.

- 9.2.6 To implement the mitigation strategy the report recommends that the following be included in the Development Concept Plan and performance standards associated therewith:

“That the mitigation screen planting and riparian management planting proposed within the Mitigation Plan be adopted and implemented. The identified mitigation techniques includes:

- *The establishment of evergreen specimen tree mitigation screen planting, capable of reaching a minimum height of 6m, along the western boundary of the proposed carpark expansion/industrial development and to fill in gaps in the existing screen planting along the northern, eastern and southern BPMA boundaries;*
- *A dense swath of evergreen under-planting beneath the proposed screen planting along the carpark capable of reaching a height of 1m; and*
- *The establishment of riparian planting along the Waipuna Stream margins and the lower portion of the un-named ephemeral watercourse.”*

- 9.2.7 The above planting has been included on the DCP and the requirement to implement the planting has been included with the performance standards (refer to **Schedule 1**).

- 9.2.8 Overall, the assessment report concludes that the adverse effects of the proposed Plan Change on existing visual amenity associated with surrounding landscape character will range between low and negligible (with the mitigation strategy). That is, from the majority of close proximity view locations development that may arise from the proposed Plan Change will result in less than minor visual effects on existing amenity associated with the surrounding landscape with the mitigation strategy.

9.3 Traffic Effects

- 9.3.1 A Traffic Impact Assessment (TIA) has been prepared to address the traffic effects resulting from changes to the Matamata-Piako District Plan. The TIA is attached as **Appendix 4** to this report. The purpose of the TIA is to address the traffic effects resulting from the proposed changes to the Matamata-Piako District Plan promoted by this application. Based upon the DCP’s proposed intensification of on-site activities, the TIA assesses the developed sites trip generation rate, directional flow of traffic to and from the site, safety and parking demand. The impact of the proposed changes on the safety and efficiency of the surrounding road network is also assessed.

- 9.3.2 The TIA is based upon the premise that the proposed Plan Change will enable intensification of on-site activities to support increased production from 160,000 birds per day (as currently consented) to 250,000 birds per day. Under the proposed Plan Change, that threshold represents a Controlled Activity.

Traffic Generation

- 9.3.3 Traffic generation resulting from on-site activities stems from a combination of staff vehicles, visitors and heavy commercial vehicles (HCV) deliveries and collections. Staff vehicles account for the largest number of movements, with approximately 530 staff

presently employed on a daily two-shift basis. The existing average daily trip generation rate is 1,010 vehicle movements per day (vpd), relating to a production rate of 130,000 birds processed per day. Most of these vehicle movements occur at 'Gate 4' as shown on the current DCP (or 'Gate 5' as shown on the proposed DCP in **Schedule 1**).

- 9.3.4 On a pro-rata basis, the current consented threshold of 160,000 birds per day means the site would generate approximately 1,245 vpd. The proposed increase to a threshold of 250,000 birds per day would represent a 56% increase in production above the consented baseline. This new threshold is expected to generate a total of 1,685 vpd at the site, of which approximately 1,470 vpd will use the existing 'Gate 4' (proposed 'Gate 5'). The proposed 56% increase in bird production over the consented baseline is to be achieved through an approximate 22% increase in gross floor area (gfa), and a 35% increase in daily traffic movements. The predicted increase in staff vehicles and HCV movements has been based on Inghams data pro-rated using the proposed increase in bird production.

Access and Flow Patterns

- 9.3.5 Currently, the majority of site vehicles enter and exit the Inghams site through the northern-most entrance (existing 'Gate 4' or proposed 'Gate 5'), located approximately 70m south of the Waiheka Road / Seddon Road intersection. This entrance provides access to the staff and visitor carpark, and access for inbound delivery of live birds and outbound offal and bird feathers.
- 9.3.6 The majority of vehicles currently entering existing 'Gate 4' (proposed 'Gate 5') approach from the south of Waiheka Road, and turn left into the site. These trips are predominantly from the wider catchments of Morrinsville and Hamilton to the southwest and Matamata to the southeast. The directional split for outgoing traffic is almost even, with slightly more traffic travelling in a southbound direction (turning right out of the site). Those flow characteristics are not expected to change as a result of the proposed Plan Change.
- 9.3.7 Most of the vehicles using existing 'Gates 2 and 3' (the dispatch access) (or proposed 'Gates 3 and 4') are HCVs. A current consent condition requires all HCVs using the dispatch access to enter from the south on Waiheka Road only. This together with the catchment populations to the south and west minimises traffic flows using Seddon Road.
- 9.3.8 The Plan Change includes provision for a new dispatch facility which will be accessed by the existing 'Gate 1' (new 'Gate 2') entrance. Once the existing 'Gate 1' (new 'Gate 2') entrance is constructed, the existing 'Gate 2' (new 'Gate 3') entrance will be closed.
- 9.3.9 The Plan Change also includes provision for a new site access for HCV traffic on Seddon Road, located approximately 75m north-west of the Seddon/Waiheka Road intersection. This access is necessary to enable separation of staff/visitor vehicles from the heavy freight and servicing vehicles, which is an undesirable situation at present that is not conducive to growth. The vehicles that will use the Seddon Road access (referred to as 'Gate 6') include all future live bird deliveries and waste management, plus other day to day deliveries involving trucks. The typical daily volume (in and out) using 'Gate 6' will be 120 heavy vehicle movements.
- 9.3.10 The proposed Seddon Road access is close to Waiheka Road and given the locality of chicken farms being predominantly to the south west and north of the site it is expected

that the majority of HCVs will continue to arrive and depart using Waiheke Road as at present. To ensure this, Inghams are prepared to limit HCVs using Seddon Road north of the new access to those travelling northeast of the site only (in the direction of Te Aroha).

- 9.3.11 The TIA recommends that the proposed new 'Gate 6' be required to operate when on-site production exceeds 160,000 birds per day.

Parking and Loading

- 9.3.12 Parking of 435 spaces is currently provided on site, accessed via existing 'Gate 4' (proposed 'Gate 5'). The TIA confirms that this level of parking is sufficient for both the present level of operation (130,000 birds) and that typical parking demand is 332 spaces. It confirms also that the parking capacity of 435 spaces is sufficient for the consented 160,000 birds/day production threshold. In both cases, the existing number of parking spaces exceeds District Plan requirements of 358 spaces for a site with a gfa of approximately 17,900m².
- 9.3.13 Full development of the site is expected to increase the total floor area of on-site buildings to approximately 21,900 m² gfa, requiring 438 parking spaces in order to comply with the District Plan requirements. However, based upon 'real time' parking data rather than the District Plan's generic requirements, the TIA predicts an eventual peak demand increase from 332 spaces to 564 spaces when the site is fully developed. To cater for this, the updated DCP incorporates an area towards Seddon Road as a future car park extension. The proposed extension has capacity for up to 820 car park spaces, thereby significantly exceeding the requirements of both the District Plan and the predicted parking demand.
- 9.3.14 The TIA recommends a minimum of 564 car parking spaces be provided to meet the parking demand for the proposed production threshold of 250,000 birds/day. It is likely that production will increase to this new threshold over a period of years, and therefore it is considered practical to increase the car parking supply in stages from the current 435 capacity. The TIA recommends that, for every 10,000 birds/day increase over 160,000 birds/day, the car parking on site should be increased by 15 spaces. The updated DCP provides for this.
- 9.3.15 An increase in the number of on-site parking spaces is considered the best solution to cater for the increased number of staff. Whilst Inghams actively encourage staff to car pool where they can, for example employees often use the staff noticeboards to facilitate arranging transport to and from the site with other employees, little multi-person car pooling occurs. Inghams has also invested in subsidised bus transport for staff, however again this option was not pursued for the following reasons:
- Geographical locations of where all of the staff come from required multiple bus routes. Paeroa, Matamata, Te Aroha, Morrinsville and Hamilton were identified as main locations.
 - Shift start and finish times are not consistent (Inghams use staggered start times). This meant employees had to arrive on-site for the earliest start time, and then wait for the latest finish time.
 - The bus service limited employees ability to work overtime when required.
 - Inghams start/finish times coincided with School times (particularly in the afternoon) which proved to be problematic for the bus transport providers.

- It was cost prohibitive.

9.3.16 Inghams will review the option of bus transportation again if the issues listed above were able to be resolved.

9.3.17 The Matamata-Piako District Plan requires that loading facilities and turning areas comply with the 90 percentile design two axle truck swept path. The updated Development Concept Plan provides for the relocation of the dispatch facility towards the south-eastern corner of the site. Adequate area is shown on the Development Concept Plan for 90 percentile manoeuvring without the need for HCV's to reverse onto or off Waiheke Road.

TIA Recommendations

9.3.18 The TIA concludes that, with the implementation of the below recommendations, the traffic effects associated with increased production are no more than minor and well within the capacity of the surrounding road network. The below TIA recommendations have been included with the performance standards on the DCP (refer to **Schedule 1**).

- *A new access is recommended off Seddon Road to separate all HCV traffic from the staff and visitor carpark access at Gate 5. The access on Seddon Road should be located a minimum 75m from the Seddon Road / Waiheke Road intersection and be designed to the 'Large Vehicle Entrance – Rural Zone' standard in accordance with the requirements of the Matamata-Piako District Council Development Manual 2010 and the recommended 7 metre wide gate amendment in Figure 8 of this [TIA] report. The new access should be constructed and made operable following an increase in production over 160,000 birds/day.*
- *All heavy vehicles travelling south, west or northwest to and from the site must be required by Inghams to travel via Waiheke Road and SH27. Only heavy vehicles with destinations to the northeast should be permitted to use the Seddon Road / SH26 intersection.*
- *A new Gate 2 entrance should be designed to a 'Large Vehicle Entrance – Rural Zone' standard in accordance with the requirements of the Matamata-Piako District Council Development Manual 2010 and the recommended 7 metre wide gate amendment in Figure 8 of this [TIA] report, and located at least 75m south of Gate 3 as shown on the proposed DCP in Appendix A. The existing painted flush median on Waiheke Road should be extended to a point 90m south of the access. This will require some localised shoulder widening of the carriageway.*
- *Inghams main car park should be extended in stages as production increases to ultimately provide a minimum 564 car park spaces at the production threshold of 250,000 birds/day. Car parking spaces should be increased at a rate of 15 spaces per 10,000 birds/day in excess of the present baseline 160,000 birds/day. All car park areas should be sealed and spaces line marked to an all-weather standard in accordance with the requirements of the Matamata-Piako District Plan and to the satisfaction of the Transportation Manager, Matamata-Piako District Council.*

9.4 Noise Effects

9.4.1 Inghams proposes to expand its poultry processing plant to increase the production capacity. Further buildings and equipment would be required to achieve this, as well as an increase in personnel numbers and vehicle movements. Marshall Day Acoustics (MDA) was

commissioned to determine the existing environmental acoustic impact on the community and to determine the likelihood of compliance when any required expansion takes place. The MDA report on noise emissions is attached as **Appendix 5** to this report.

Background

9.4.2 The processing plant is currently zoned as “Industrial” in the Matamata-Piako District Plan. The immediate area surrounding the plant is zoned as “Rural” with the closest dwelling, some 300m to the north east of the administration building.

9.4.3 A Noise Emission Control Boundary (NECB) has been set for the site on the existing DCP and follows the Ingham property boundary except to the southeast along Waiheka Road where it extends 100m into neighbouring properties (Lot 3 DPS 35427 (Jersey Rest Limited) and Lot 1 DPS 35427 (Lyndhurst Farm Limited)). Lot 3 DPS 35427 and Lot 1 DPS 35427 are located on the opposite side of Waiheka Road, to the east of the plant and include the closest dwelling (located on Lot 1 DPS 35427).

9.4.4 The noise conditions set by the Council for the site within the Resource Consent reference RCD 0688, which authorises the production of 160,000 birds/day, state:

“8.2 That, except as provided for in Condition 8.3 below, the corrected noise level L 10 measured at the Noise Emission Control Boundary shown on the Development Concept Plan shall not exceed the following:

- *Monday to Saturday (5 am to 9 pm) 50 dBA*
- *All other times including Sundays and Public Holidays 40 dBA*
- *The L max shall not exceed 75 dBA*

8.3 That the corrected noise level L 10 measured at the Noise Emission Control Boundary on Lot 3 DPS 35427 and Lot 1 DPS 35427 shall not exceed:

- *Monday to Saturday (5 am to 9 pm) 50 dBA*
- *All other times including Sundays and Public Holidays 45 dBA*
- *The L max shall not exceed 75 dBA.*

8.4 That, all noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:1991 “Measurement of Sound” and New Zealand Standard NZS 6802:1991 “Assessment of Environmental Sound” ...”

9.4.5 The above noise conditions reference a NZ standard which has a more recent revision. It is proposed that the most recent New Zealand Standards (“NZS 6801:2008 “Acoustics – Measurement of environmental sound” and NZS 6802:2008 “Acoustics - Environmental Noise”) be referenced on the updated DCP for this Plan Change. The revised standards now recognise the A-weighted equivalent continuous sound level (LA_{eq}) as the noise index that best represents the community response to noise as opposed to the L_{A10} noise index used in previous standards. The LA_{eq} noise index is adopted in most International Standards.

Environmental Noise Survey

9.4.6 MDA has measured acoustic emissions from the Inghams poultry plant at Waitoa. The objective of this survey was to measure the plant noise at the Noise Emission Control Boundary and assess for compliance against the Resource Consent limits. Further measurements were then conducted in order to determine the extent of non compliance,

if any. Specifically, on-site plant surveys were undertaken to establish the most significant sound sources and to consider what the practicable mitigation options are to achieve compliance with the relevant limits.

- 9.4.7 Based upon both recent and historical environmental noise surveys and the near field surveys, the following **Diagram 3** illustrates the typical night-time sound emissions from the facility and the extent of area within which the night-time NECB limits are exceeded.

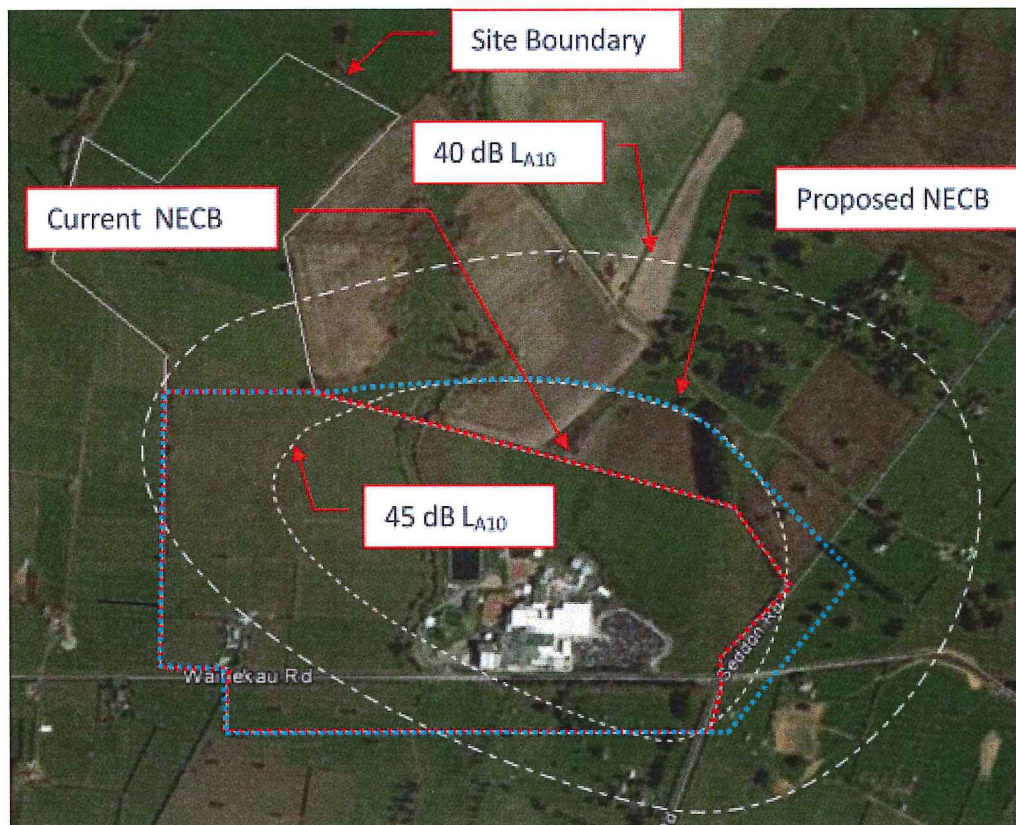


Diagram 3: Sound Emission Envelope

- 9.4.8 Note that the above is not a 'noise contour' and does not take into consideration terrain and its potential effect on noise levels, nor mitigation measures currently being undertaken on plant. The areas inside the envelopes represent the places at which the sound levels from the Inghams site are likely to be at or above the corresponding sound levels indicated in the diagram. Furthermore, it should also be noted that the envelope does not define positions at which a certain sound level is predicted.
- 9.4.9 Individual sound sources could be treated with the mitigation measures described in the MDA report (attached as **Appendix 5**). These measures, together with the implementation of a sound management plan, make it feasible to achieve reductions in sound emissions from the current facility so as to comply with the current Noise Emission Control Boundary (NECB) limits. However with plant expansion, further reductions of sound from the current facility is likely to be impractical. Thus the MDA report concludes that it would be onerous and potentially impractical to continue to comply with the current NECB limits following any significant plant expansion.
- 9.4.10 In order to address this, a less stringent NECB has been proposed as part of the proposed Plan Change. The proposed NECB is based, in part, on the existing sound emission from the

site. The proposed NECB has been presented and discussed with the directly affected neighbours who have positively supported the new NECB.

9.4.11 It is proposed that site operations generally comply with the 45 dB LA_{eq} noise contour illustrated on **Diagram 3**, above. To achieve this it is proposed to amend the NECB on the DCP into three neighbouring properties (Part Lot 2 DP 23161 (WD & SG Farquhar), and Part Lot 4 DP 7322 and Lot 2 DP 12904 (both Lyndhurst Farm Limited) and include the following noise performance standard condition:

- (a) *That the corrected noise level measured at the Noise Emission Control Boundary shall not exceed:*
- *Monday to Saturday (5 am to 9 pm) 50 dB LA_{eq}*
 - *All other times including Sundays and Public Holidays 45 dB LA_{eq} and 75 dB LA_{max} .*

That, all noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and New Zealand Standard NZS 6802:2008 "Acoustics - Environmental Noise"

9.4.12 It is generally accepted that a noise limit of 45 decibels is the upper threshold of acceptability for night-time noise levels to neighbouring dwellings. The MDA report is supportive of the limit in the particular circumstances of this proposal.

9.4.13 Under the proposed noise contour illustrated on **Diagram 3** above, four dwellings will receive levels of 40 dB LA_{eq} or lower. Thus to ensure that these dwellings do not experience greater noise levels the following noise performance standard conditions are also proposed:

- (b) *That the corrected noise level measured at the notional boundary of any dwelling which exists at the date of the DCP (October 2014), except dwellings on the Lots detailed in (c) following, shall not exceed:*
- *Monday to Saturday (5 am to 9 pm) 50 dB LA_{eq} ,*
 - *All other times including Sundays and Public Holidays 40 dB LA_{eq} and 75 dB LA_{max} .*
- (c) *The performance standard in (b) above does not apply to the following Lots:*
- *Section 3 SO 432231*
 - *Part Lot 4 DP 7322*
 - *Lot 1 DPS 35427*
 - *Lot 3 DP 7322*
 - *Lot 2 DP 473506*

That, all noise levels shall be measured and assessed in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics – Measurement of Environmental Sound" and New Zealand Standard NZS 6802:2008 "Acoustics - Environmental Noise"

9.5 Ecological Effects

9.5.1 The proposed Development Concept Plan includes the expansion of the 'Building and Plant Management Area' (BPMA) to include the upper reaches of an unnamed tributary of the Waipuna Stream. An assessment of the natural freshwater resources in the unnamed

tributary was carried out to determine the potential level of effects of development on the unnamed tributary. The freshwater ecological assessment is included as **Appendix 6** to this report.

- 9.5.2 The freshwater assessment indicates the lower section of the unnamed tributary is intermittent and likely only flows for part of the year. The upper reach of the unnamed tributary which is noted to be within the extended BPMA appears ephemeral and is likely to only flow during periods of high rainfall.
- 9.5.3 The freshwater assessment reports that the unnamed tributary represents intermittent and low quality aquatic habitat with limited, and in many cases no significant riparian vegetation (illustrated by the pastoral grasses found across the stream channel). Due to the ephemeral nature of the stream and poor habitat quality, the freshwater assessment concludes that effects from the proposed plan change are likely to be no more than minor.
- 9.5.4 Should the unnamed tributary be filled or diverted, the freshwater assessment considers that the ephemeral reach of the unnamed tributary would be adequately compensated for by riparian planting along the lower section. The amendment to the Development Concept Plan thus incorporates riparian planting in the lower reaches of the unnamed tributary which will enhance habitat quality along that reach in the long term.

9.6 Loss of High Quality Soils

- 9.6.1 The extension of the 'Building and Plant Management Area' (BPMA) for hardstanding car parking surfaces and buildings will result in an approximate 4.8ha area of the site being removed from potential rural production (despite the site being zoned Industrial as it is currently undeveloped). A 'Soil Assessment / Landuse Capability' report was commissioned to assess the impacts of this removal on the District's land resource. The soil assessment report is included as **Appendix 7** to this report.
- 9.6.2 The soil classifications of the site identify all parts of the site as either Class I or II high quality soils with multiple potential agricultural/horticultural uses. Both Class I and II soils can be considered versatile and/or high producing land which forms New Zealand's limited resource of productive/versatile land. Within the Matamata-Piako District, land classified as Class I and Class II occupies 23,965ha and 61,586ha respectively (85,551ha total), accounting for approximately 49% of the districts total land area.
- 9.6.3 Any further development of the site will thus result in the loss of a portion of the site soils productive capabilities, being replaced by hardstand carparking surfaces and/or buildings. However, in considering the scale of this loss in the context of the entire site and the overall high quality soil resource of the district, the extension of the BPMA by an approximate 4.8ha area for hardstanding car parking surfaces and buildings is considered to present a negligible loss and is not considered to create any risk or precedent to the high quality soil resources of the district. With the entire Inghams site and close to half of the district identified as comprising Class I or II high quality soils, Inghams ability to utilise an alternative area within the site or within the wider district for further development, which would not result in the loss of an area of high quality soils is significantly restricted. Moreover, as the entire site is currently zoned Industrial any expansion is within that zone not the Rural zone. The District Plan does not anticipate the use of Industrial zoned land as being for productive purposes.

9.6.4 Hence the proposed development through an extension around the periphery of the existing facilities, resulting in the loss of only a minor area of high quality soils and reducing potential fragmentation of the balance of the pastoral block within the site, is considered to represent the best practical option to allow site developments to proceed.

9.6.7 Furthermore, the proposed site development comprises a practical extension to the existing facilities, occurring adjacent to the existing carpark, site entrance and road frontage with carpark engineering requirements being dependent upon low gradient, structurally sound subsoils. Hence, the elevated land adjacent to the Seddon/Waiheke Road intersection is again considered to provide the most practical location for this facility while minimising potential impacts upon high quality soils.

9.7 Impact on Archaeological Sites

9.7.1 Archaeological sites are protected under the Historic Places Act 1993 (“HPA”) from damage or destruction. An archaeological site is defined under Section 2 of the HPA as any place –

“Archaeological site means any place in New Zealand that—

(a) Either—

(i) Was associated with human activity that occurred before 1900; or

(ii) Is the site of the wreck of any vessel where that wreck occurred before 1900;

and

(b) Is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.”

9.7.2 Protection of archaeological sites is provided by Section 10 of the HPA. This includes both known archaeological sites as well as lands where there is reasonable cause to expect that an archaeological site may exist.

9.7.3 Consultation has been undertaken with local tangata whenua regarding the proposed Plan Change, inclusive of the extension of the ‘Building and Plant Management Area’ (BPMA) for hardstanding car parking surfaces and buildings. This consultation has not resulted in the identification of any sites of likely archaeological interest.

9.7.4 The New Zealand Archaeological Association (‘NZAA’) records have also been checked and these records do not identify any recorded archaeological sites on the Inghams site or in the immediate vicinity. A copy of the NZAA Archaeological Site Record map is included as **Appendix 8** to this report.

9.7.5 As is common practice on sites where earthworks are proposed, Inghams will develop an accidental discovery protocol during the works and will ensure that the appropriate protocols are followed in the unlikely event that any archaeological features are uncovered during earthworks. On this basis it is expected that there will not be any adverse effects on any archaeological sites as a result of earthworks.

9.8 Building and Infrastructure Effects

9.8.1 To expand its poultry processing plant to increase production capacity to 250,000 birds per day Inghams will require facilities to treat additional industrial wastewater and a new

water treatment plant to process bore water. These facilities are able to be accommodated within the increased Building and Plant Management Area generally alongside existing treatment facilities. Inghams currently hold resource consents from the Waikato Regional Council to take ground water and to irrigate wastewater on the site.

- 9.8.2 In terms of the additional wastewater, the existing wastewater treatment facility installed on site is adequate to process the wastewater from 160,000 birds per day. To process the wastewater produced for 250,000 birds per day, which equates to an estimated 1,700m³ of additional wastewater per day, the current plant will only require upgrades to parts of the wastewater treatment plant (being the dissolved air flotation (DAF) and dewatering equipment, both upgrades of which will be within existing buildings so will not be detected from beyond the site). These upgrades are planned in the 2018 financial year (i.e. in 3 years' time). The existing ponds are able to accommodate the wastewater for 250,000 birds without upgrade.
- 9.8.3 The site expansion will increase the impermeable area by approximately 2.3ha, including new buildings/building extensions, increased hardstand work area and expansion of the carpark area. This change will result in higher surface discharge flows, which will require retention or treatment. A 'Preliminary Stormwater Management Study' report (refer to **Appendix 9**) has been prepared to determine whether the site is capable of treating the higher surface discharges. The report concludes that three viable options (being a rain tank, detention pond and/or soakage pit) are available to Inghams, all of which will adequately mitigate any adverse drainage effects.
- 9.8.4 There will also be some effects associated with the construction of new buildings, plant and vehicle parking, access and manoeuvring areas, which are expected to be undertaken over a non-continuous staged construction period of years. These effects will mainly result from the increased noise and dust associated with the earthmoving and construction equipment required to construct the buildings and associated facilities. However, the receiving environment for such effects is limited in that the neighbouring properties are predominantly used for rural purposes and there are no dwellings within close proximity to the site that may be adversely affected by dust or excessive noise emissions. Overall, it is considered that the construction related effects can be managed in order to ensure that they are no more than minor.

9.9 Odour Effects

- 9.9.1 Expansion of the processing capacity from 160,000 to 250,000 birds per day, will increase the wastewater generated on the site by an estimated additional 1,700m³ per day. As outlined above, the existing wastewater ponds are sized to accommodate this additional load and the only changes to the treatment equipment is upgrades to the DAF and dewatering equipment within existing buildings.
- 9.9.2 The additional wastewater raises the potential for odour. However, odour is not expected to be an issue as the main odour source, the DAF plant is housed inside a purpose-built shed to control any odour effects, and when upgraded will remain within the purpose-built shed.

9.9.3 Odour is generally not an issue Inghams experience on this site. According to the Inghams Environmental Complaints register, the most recent odour complaint from the community was received in 2007, and the source of odour was not determined as coming from the Inghams site. Daily Environmental Checks are carried out on site, which assesses odour effects, and these are proposed to continue to ensure odour effects are avoided.

9.9.4 Inghams have Waikato Regional Council consents that cover the additional wastewater produced for 250,000 birds, thus Inghams can continue to operate under the existing consents. Currently irrigation is carried out 5 days per week. Irrigation would thus be increased to 7 days a week with the increased volume, still within the bounds of the consents. Accordingly odour effects were considered as part of the Regional Council process and determined to be no more than minor.

9.10 Amenity Effects

9.10.1 The Inghams site is located within a rural, working environment where minor odour, noise, dust, glare and vibration effects can normally be accommodated provided that a healthy and safe environment is maintained. The expanded Inghams facility will not generate significant adverse amenity effects beyond the boundary of the site as outlined through the above assessment of environmental effects. That is, none of the activities envisaged by the Development Concept Plan will result in significant adverse noise, odour, dust, glare or vibration effects. Furthermore the proposed Development Concept Plan retains and enhances landscape mitigation measures to ensure, as far as is practicable, visual separation between on-site activities and neighbouring land use activities.

10 PART II – RESOURCE MANAGEMENT ACT 1991 (RMA)

10.1 An assessment of the Plan Change relative to Part II of the Resource Management Act 1991 (RMA) is provided as follows.

Section 5 – Purpose

10.2 Part II, section 5(1) of the RMA relates to the purpose and principles of the Act. The RMA's stated purpose is *"to promote the sustainable management of natural and physical resources."*

10.3 In the RMA, 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 cultural well being and for their health and safety while;

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

- 10.4 Applying Section 5 involves a broad overall judgement as to whether a proposal would promote the sustainable management of natural and physical resources. The proposed Plan Change will enable Inghams to provide for their social and economic wellbeing by providing for future industrial growth on a site already zoned for industrial purposes.
- 10.5 Development resulting from the Plan Change will benefit from existing on-site infrastructure, including but not limited to, existing irrigation fields, access crossings and vehicle parking areas. The ability to integrate with existing structures and activities represents sustainable use of the site. Furthermore, the Plan Change incorporates mitigation provisions to ensure that any adverse effects on the environment resulting from the Plan Change can be avoided, remedied or mitigated. Therefore the plan change is consistent with section 5 of the Act.

Section 6 – Matters of National Importance

- 10.6 Section 6 of the RMA sets out various matters of national importance that must be provided for when exercising functions under the Act. The following matters in Section 6 are considered to be relevant:

“(a) 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.”

- 10.7 The application site is bordered in part by the Waiheke Stream and the Waipuna Stream. Controls are in place via set-back buffers and Regional consents to ensure that discharges to land do not affect the integrity of either waterway. Collectively, these controls afford adequate protection in terms of ensuring that future development of the site occurs in a manner that is protective of stream margins and waterways. On this basis the proposal will be consistent with section 6(a).

“(e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga”

- 10.8 The Plan Change development process has included tangata whenua consultation. This has resulted in Ngati Haua and the Hauraki Maori Trust Board/Ngati Rahiri Tumutumu confirming their support for the Plan Change. Therefore the Plan Change process has acknowledged and respected the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga consistent with section 6(e).

Section 7 – Other Matters

- 10.9 Section 7 lists other matters that particular regard is to be had to in achieving the purposes of the Act. The listed matters are not threshold tests or criteria but, where a proposal raises issues of the kind listed, they are to be given particular regard. The section 7 issues that are relevant to this plan change are:

“(b) The efficient use and development of natural and physical resources”

- 10.10 In terms of section 7(b), the proposed Plan Change represents an efficient use and development of natural and physical resources. The site is already zoned for industrial

purposes and any development resulting from the Plan Change will be consistent with that function. The proposed Development Concept Plan has been designed to capitalise upon existing infrastructure, thereby maximising the efficient use of existing resources. It is considered that the proposal is consistent with section 7(b).

“(c) The maintenance and enhancement of amenity values”; and

“(f) Maintenance and enhancement of the quality of the environment”

10.11 Amenity values are the qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes. The Waitoa locality is highly modified and intensely farmed. People’s appreciation of the area stems from its rural outlook and open space values. Although the proposed Plan Change provides for intensification of on-site activities, associated development will generally be contained within the ‘Building and Plant Management Area’ (BPMA) as defined by the current Development Concept Plan. The containment of development within the BPMA, combined with existing and proposed screen planting will ensure the avoidance of ‘development creep’ and thus the protection of rural amenity values.

10.12 Both the existing and the proposed Development Concept Plan include mitigation measures to ensure the maintenance of environmental quality. This includes but is not limited to, the location of buildings within a pre-defined development envelope, set-back buffers from all property boundaries, riparian planting and a noise control boundary. This, in conjunction with Regional Council approved wastewater and irrigation ponds combines to ensure the maintenance and enhancement of environmental quality.

“(g) Any finite characteristics of natural and physical resources”

10.13 Section 7(g) refers to finite resources. The finite resource of greatest significance to this application is the land that is affected by the Plan Change. The use of the site for industrial purposes is considered to be an efficient use of the resource because no additional land is required to be set aside (or re-zoned) to give effect to the Plan Change. In other words, any future intensification of Inghams activities will be contained within the existing zone boundaries. By providing for on-site intensification of an existing Industrial Zone, it potentially avoids the need for ad hoc industrial establishment on nearby rural land. On this basis the proposal is considered consistent with Section 7(g).

Section 8 – Treaty of Waitangi

10.14 Section 8 of the RMA states:

“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 take into account the principles of the Treaty of Waitangi.”

10.15 In terms of this proposal, the relevant principles of section 8 are the principle of the active protection of rangatiratanga, the principle of partnership and the principle of mutual benefit. The consultation which has taken place is the usual way in which active protection of rangatiratanga is provided for. The consultation acknowledges the cultural authority status held by local iwi (Ngati Haua and the Hauraki Maori Trust Board/Ngati Rahiri

Tumutumu) and the continuing role that they play in traditional, cultural and heritage terms in the sustainable management of natural and physical resources of the Waitoa area.

- 10.16 The principle of partnership is one where both parties (Council's and iwi) participate in the resource management process. The active participation is reflected in both the consultation undertaken to date and the opportunity for submission if / when the Plan Change application is formally notified. It is evidence that this principle has been followed.
- 10.17 The principles of the Treaty of Waitangi have thus been taken into account in respect of this application.

11 CONSULTATION

- 11.1 The procedures and requirements for consultation set out in Clause 3 of the RMA have been met in the preparation of this Plan Change. The following provides an overview of consultation undertaken to date in relation to the Plan Change.
- 11.2 As part of the investigations into the proposed Plan Change, a substantial amount of consultation was undertaken with key stakeholders who either have an interest in the land, its servicing, access to it or the existing resource arrangements relating to it. Separate consultation was also undertaken with representatives of Iwi (Ngati Haua and the Hauraki Maori Trust Board/Ngati Rahiri Tumutumu), the New Zealand Transport Agency (NZTA), Matamata-Piako District Council (MPDC) and Waikato Regional Council.
- 11.3 Key outcomes of the Plan Change consultation process include the following:
- General support for the Plan Change from potentially affected neighbouring landowners;
 - Written support from the landowners directly affected by the amendment of the Noise Emission Control Boundary (NECB) on the DCP into their properties (Part Lot 2 DP 23161 (WD & SG Farquhar) and Part Lot 4 DP 7322 and Lot 2 DP 12904 (both Lyndhurst Farm Limited).
 - Iwi confirming their support for the Plan Change;
 - NZTA have confirmed their general support for the Plan Change and consider that the increased vehicle movements predicted to be generated from the site will generally not adversely impact on the State Highway network. In their review of the TIA, NZTA have however identified that the increase in vehicle numbers may necessitate a lengthening (by 5m) of the right turn bay at the SH27/Ngarua Road intersection. These works are not considered necessary by the evaluation and conclusions of the TIA;
 - Drafts of the proposed Plan Change was presented to MPDC planning and transportation staff. Planning staff provided general comments on the classification of activities and the use of a more general name for the DCP (i.e. Poultry Processing and Manufacturing site rather than the specific company name, Inghams). Planning staff also advised that the District Plan review is looking at moving the assessment criteria to each section it relates to rather than having generic assessment criteria, and as a consequence asked that Inghams consider creating unique assessment criteria for the site activities within the DCP (which is the format submitted within **Schedule 1**). Transportation staff identified a number of areas in the TIA that could be updated with more recent traffic data/standards but on the whole no significant issues were raised.

- A summary and relevant appendix reports of the proposed Plan Change was presented to WRC policy staff. Staff confirmed their overall support for the DCP and future plans for the site. Staff commented that existing stormwater and wastewater resource consents may be affected by the expansion of the site and that early discussions with Regional Council would be expected. Staff consider that the transportation effects of the expansion would result in no more than minor effects on the roading network. Staff also asked that additional Proposed Waikato Regional Objectives, Policies and Methods be assessed in relation to the proposed Plan Change.

11.4 A record of the consultation undertaken and the responses received is attached as **Appendix 10** of this report.

12 SECTION 32 ANALYSIS

12.1 General

12.1.1 Under section 32 of the Resource Management Act 1991 (RMA)¹, a person proposing to undertake a change to a District Plan must carry out an evaluation of alternatives, benefits and costs. The Environment Court in Eldamos Investments Ltd and others v Gisborne District Council (W047/2005) summarised the section 32 tests as follows:

a) *“An objective in a district plan is to be evaluated by the extent to which:*

- *It is the most appropriate way to achieve the purpose of the Act (s32(3)(a)); and*
- *It assists the territorial authority to carry out its functions in order to achieve the purpose of the Act (s72); and*
- *It is in accordance with the provisions of Part II (s74(1)).*

b) *A policy, rule, or other method in a district plan is to be evaluated by whether:*

- *It is the most appropriate way to achieve the objectives of the plan (s32(3)); and*
- *It assists the territorial authority to carry out its functions in order to achieve the purpose of the Act (s72);*
- *It is in accordance with the provisions of Part II (s74(1)); and*
- *If it is a rule whether it achieves the objectives and policies of the plan (s76(1)(b)).”*

12.2 Section 32 Assessment

12.2.1 A Section 32 analysis is provided as follows:

Section 32(1)(a) – Examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act

12.2.2 There are no proposed changes to the existing objectives (or policies) of the Matamata-Piako District Plan. The objectives and policies as described in Section 5.1 of this report remain the most appropriate way to achieve the purpose of the RMA and are consistent

¹ As amended by section 70 of the Resource Management Amendment Act 2013 that has effect from the 4th December 2013.

with the intent of the proposed Plan Change. Likewise there are no changes to the Development Controls and Performance standards contained within Part B of the District Plan. Therefore, the following assessment is limited to consideration of the Inghams DCP, which is the sole focus of the proposed Plan Change.

- 12.2.3 The Proposed Plan Change supports and retains the concept of DCP's. DCP's are considered to provide a good balance between providing flexibility for landowners and developers to undertake pre-stated activities, and providing certainty for the public and surrounding landowners as to the effects which can be expected. However, the effectiveness of DCP's are to some extent contingent upon the quality of related performance standards, and upon the currency of the Plan itself. Although the current DCP provides for Ingham's core on-site activities, the performance standards relating to production thresholds have been superseded by subsequent resource consents.
- 12.2.4 The proposed DCP includes an updated Activity Schedule to reflect currently consented production levels. The existing Permitted and Controlled production thresholds (50,000 and 80,000 birds respectively) have long since been superseded and therefore need updating to reflect the current situation (i.e. up to 160,000 birds). Provision is also made for the processing of up to 250,000 birds as a Controlled Activity, because the effects associated with that will not be materially different from consented levels.
- 12.2.5 The Plan Change also seeks to ensure that associated activities (such as 'workshops' and 'wastewater treatment facilities') are changed from a Controlled to a Permitted status, but are still subject to the relevant performance standards. The performance standards are now included within the proposed DCP. This is with the intent of minimising change to the Rules of the District Plan, and recognising the efficiency of existing standards in controlling environmental effects. The inclusion of these standards within the proposed DCP also has the benefit of providing a 'one-stop-shop' whereby all the constraints relating the site are immediately apparent for public and landowner alike. It is for the same reason that a schedule of assessment criteria is also included with the proposed DCP. The assessment criteria are derived from Part B of the District Plan.
- 12.2.6 Where new performance standards have been introduced (e.g. 'noise emission boundary', 'landscape screening' and 'parking'), the accompanying specialist reports have shown them to be appropriate for the scale and nature of on-site activities, with no more than minor effects on the environment. Alternatively, the performance standards give effect to existing and on-going consent condition requirements (e.g. access).
- 12.2.7 On balance, the combination of on-site zoning (e.g. 'Building and Plant Management Area / Irrigation Management Area') and performance standards (both 'generic' and 'site-specific') are considered the most appropriate mechanism for managing environmental effects. As the instrument which pulls these considerations together, the proposed DCP is the most appropriate mechanism for achieving the objectives for the Matamata-Piako District Plan.
- 12.2.8 The principal benefits associated with the proposed Plan Change are as follows:
- An updated DCP which more accurately reflects on-ground activities and is better aligned to existing resource consents;
 - Flexibility for Inghams in terms of future development options;

- The ability to plan with confidence due to the certainty of activity status provided by the DCP;
- A District Plan 'one-stop-shop' reference point for all activities affecting the Inghams site;
- Community confidence that the DCP is 'current' (relative to consented activities);
- The inclusion of assessment criteria and site-specific performance standards (where necessary) to ensure the effective management of environmental effects; and
- Future growth of the Inghams site is not unnecessarily constrained by RMA uncertainties.

Section 32(1)(b) – Examine whether the provisions in the proposal are the most appropriate way to achieve the objectives 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; and*

12.2.9 Section 32(1)(b)(i) of the Act requires an evaluation of the other reasonable options for achieving the objectives. The alternatives of the Plan Change are summarised under the relevant headings below:

Option 1 – Do Nothing

12.2.10 This option would see no change to the Operative Matamata-Piako District Plan. Under this scenario, Inghams would be required to operate within the constraints of the existing DCP, or alternatively, to apply for ad-hoc resource consents on an as-needs basis. This option does not provide for the development needs of Inghams, nor does the existing DCP accurately reflect existing on-site development.

12.2.11 The benefit of pursuing the status quo is that no change is required to the Operative District Plan. However, a cost associated with this option includes the need for resource consents if/when proposed development exceeds current permitted thresholds. The resource consent process has associated financial costs and provides little certainty for Inghams (or for neighbouring landowners) in terms of eventual outcome. Resource consents are also typically associated with procedural delays, whilst Council evaluates the merits of individual ad-hoc applications.

12.2.12 Another potential down-stream cost associated with the status quo is a loss of production opportunities if the Waitoa plant is not sufficiently adaptable to meet changing market demands.

Option 2 – Undertake a Change to the District Plan

12.2.13 This option would see changes to the Operative District Plan in the form of an updated DCP. The updated DCP Plan would signal existing on-site development and provide for long-term intensification of existing activities. This scenario is necessary to enable more efficient use of Inghams' Industrial Zoned land.

12.2.14 The benefit of pursuing this scenario is that Inghams future development needs are more accurately signalled within the District Plan and provision is made for future growth. In so

doing, it provides certainty for both Inghams and neighbouring landowners in terms of what can be expected on the Waitoa site. The ability to undertake a wider range of activities as either a Permitted or a Controlled Activity potentially avoids the need for ad-hoc resource consent procedures, and the associated cost and timeframes which accompany them. This option makes better use of a limited resource (land), thereby promoting a more sustainable use of the site. By permitting an intensification or adaptation of on-site activities, this option enables Inghams Enterprises to adapt more quickly to changing market demands.

- 12.2.15 The primary cost of pursuing this option is the financial outlay required to drive the Plan Change process. On the basis that all financial costs rest with the applicant, there are no knock-on costs for ratepayers or for Council. The financial outlay required for this option is typically far greater than that required for an individual resource consent, as is the timeframe required to process such applications. As with any Plan Change process, this option carries the risk of an appeal to the Environment Court if the outcomes are not to the applicant's or the submitter's liking.

Option 3 – Relocate and / or acquire additional land to meet future development needs

- 12.2.16 This option assumes that Inghams has effectively outgrown its Waitoa site, and that intensification of the existing site is neither feasible nor supported by Council. Under this scenario, Inghams would have the option of relocating to an alternative site, or acquiring additional land adjoining (or in close proximity to) their existing plant.
- 12.2.17 There are potentially significant capital costs associated with this option. This includes but is not limited to, the acquisition of additional land and the rebuilding of (or the unnecessary duplication of) existing facilities. This option potentially requires the rezoning of land to industrial purposes and / or the benefit of a resource consent approval. There is significant uncertainty and financial cost associated with either process. Relocation of the Inghams facility to an alternative site would also potentially result in the loss of localised jobs for the community. Relocation to an alternative site, or acquisition of additional land, is arguably an inefficient use of existing resources and contrary to the sustainability principles of the RMA. As such, this option could have avoidable and unnecessary environmental costs.
- 12.2.18 The benefit associated with this option is that a new or alternative facility would not be fettered by the existing DCP.

Option 4 – Update the DCP as part of the District Plan review process.

- 12.2.19 Option 4 represents a compromise between Options 1 and 2. This option would see Inghams persist with the status quo until such times as a review of the existing DCP is incorporated into Council's District Plan review process. The advantage of this option is that the required change to the DCP would be driven by Council as part of the wider Plan review process, and therefore RMA costs would lie with Council also. Deferring until the District Plan review would also enable a considerably longer period of time to consider associated issues and options.
- 12.2.20 The principal disadvantage with this option is the timeframe associated with the District Plan review process. Although Council has signalled its intent to undertake a rolling

review of the Matamata-Piako District Plan, it is not yet in a position to confirm timeframes. Realistically, a Council-led review of DCP's is not expected within the next 12-18 months. In the interim, Inghams would be unable to intensify on-site activities beyond consented thresholds, and construction costs would likely escalate between now and the Plan review process. Both of these outcomes have implications for the economic sustainability of the Waitoa plant.

- 12.2.21 The other disadvantage associated with this option is that Council, rather than Inghams, would be driving the Plan Change process and therefore there would be less certainty as to the final outcome of the DCP. As above, this option carries the risk of an appeal to the Environment Court in the event that outcomes are not to the satisfaction of Inghams or other submitters.
- 12.2.22 On balance, pursuing a change to the Operative District Plan (Option 2) is considered the most practical and cost-effective option. More so than any of the other options, this represents the most cost-effective and sustainable use of the existing land resource. It also provides the greatest certainty for Inghams and its neighbours and avoids the unnecessary duplication of facilities on alternative sites.
- 12.2.23 Section 32(1)(b)(ii) of the Act requires an assessment of the efficiency and effectiveness of the provisions of the Plan Change in achieving the objectives and requires consideration of the provisions of Section 32(2) as follows:

"Section 32(2) An assessment under subsection (1)(b)(ii) must –

- (a) Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for –*
 - (i) Economic growth that are anticipated to be provided or reduced; and*
 - (ii) Employment that are anticipated to be provided or reduced; and*
- (b) If practicable, quantify the benefits and costs referred to in paragraph (a); and*
- (c) Assess the risks of not acting if there is uncertainty or insufficient information about the subject matter of the provisions."*

- 12.2.25 In relation to the above, the existing DCP in the District Plan has been superseded by two resource consents for the site, which in turns makes the DCP redundant and potentially causes confusion between what has primacy (i.e. the DCP or the consents). To avoid any future confusion there is a clear advantage to Inghams, Council and residents in the locality from having an updated DCP in the District Plan that reflects existing operations and potential expansion of operations.
- 12.2.26 In terms of benefits, the Plan Change provides for the structured economic growth of Inghams Waitoa plant, being a site zoned for industrial development, by providing for a number of permitted uses and for a Controlled Activity consenting approach to increase production to 250,000 birds per day. This regime creates certainty and thus enables Inghams to invest in the site. That in turn has the potential to result in a direct growth of the business and an increase in job opportunities for the community.

- 12.2.27 For example, with the Plan Change certainty Inghams anticipate they will increase the average weekly production figures over the next five years by upwards of 117,000 birds. This increased production can be accommodated by fully utilising the afternoon shift (with the afternoon shift currently only employing half the staff numbers of the morning shift as it only utilises one of the two processing lines).
- 12.2.28 Moreover, Inghams' current contribution to the local economy includes approximately \$1m per week in wages (direct contribution), which is anticipated to grow by at least 50% when the processing number reaches the maximum of 250,000 birds per day (inflation adjusted). In addition, there is a significant economic contribution via associated services in the region (engineering firms, contractors, consultants, etc). It is anticipated that there will be an approximate 25% increase in employment with the expected growth of the business.
- 12.2.29 The most significant costs associated with the Plan Change are the financial costs for the preparation and notification of the Plan Change document. These costs are fully borne by Inghams Enterprises (NZ) Ltd, thus avoiding downstream costs to Council and ratepayers. Inghams is liable for all administrative and processing costs incurred by Council.
- 12.2.30 The potential cost of not pursuing the Plan Change is the inability of Inghams to forward plan with confidence. Inevitably, resource consent would be required for ad-hoc development which is not provided for within the existing DCP. In addition to the delays and RMA costs this would incur, this approach would provide less outcome certainty for Inghams. Moreover, the numerous resource consents and amendments to cover new/expanded activities would inevitably result in administrative inefficiency for both Council and Inghams.
- 12.2.31 In terms of risks of not acting, the most evident risks are to Inghams around certainty around growth potential and reverse sensitivity impacts from adjoining landowners. What the DCP does is provide for and protect future growth and give effect to already consented growth. Whilst the private Plan Change is a greater cost, the change of the DCP avoids the need for numerous layering of resource consents and avoids uncertainty of outcome. With expansion of up to 250,000 birds being provided for as a Controlled Activity, there is certainty in an approval and Inghams can accordingly budget in the knowledge that approval for that capacity can be obtained.
- 12.2.32 Section 32(1)(b)(iii) of the Act requires a summary of the reasons for deciding on the provisions. In this respect, pursuing Option 2 – Undertake a Change to the District Plan is the most appropriate option for the following reasons:
- Provides the greatest certainty to Inghams and its neighbours around existing and proposed uses of the site; and
 - The inclusion of assessment criteria and site-specific performance standards will ensure the effective management of environmental effects.

Section 32(1)(c) – 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.

- 12.2.33 This plan change application is supported by numerous technical reports that support the scale and significance of the application.

Section 32(3) – If the proposal (an amending proposal) will amend a standard, statement, regulation, plan, or change that is already proposed or that already exists (an existing proposal), the examination under subsection (1)(b) must relate to –

- (i) Are relevant to the objectives of the amending proposal; and*
- (ii) Would remain if the amending proposal were to take effect.*

- 12.2.34 These aspects are evaluated and discussed above in section 12.2.2 in the fact that no objectives, policies, development controls or performance standards within Part B of the District Plan are proposed to be amended by this Plan Change. The objectives in Section 5.1 of this report are therefore are still relevant as they relate to this site and are not affected by any changes.

Section 32(4) – If the proposal will impose a greater prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.

- 12.2.35 This provision is not applicable to the plan change as the proposal does result in performance standards that are greater than a national environmental standard.

Section 32(5) – The person who must have particular regard to the evaluation report must make the report available for public inspection –

- (a) As soon as practicable after the proposal is made (in the case of a standard or regulation); or*
- (b) At the same time as the proposal is publicly notified.*

- 12.2.36 This report and the above assessment will be available at the time of notification of the application.

13 CONCLUSION

- 13.1 Inghams Enterprises (NZ) Pty Ltd is proposing a change to the Operative Matamata-Piako District Plan. The purpose of the Plan Change is twofold. Firstly it is to better reflect existing on-site development, thus ensuring greater alignment between District Plan and subsequent resource consent approvals. Secondly, it is to provide flexibility for intensification of existing on-site facilities in order to make more efficient use of the site and to meet market demands.
- 13.2 Central to the proposed Plan Change is the updating of Inghams existing Development Concept Plan. Amendments to the Development Concept Plan are addressed in section 6 of this report and are set out in full in **Schedule 1**.
- 13.3 The Plan Change follows a process of extensive investigation of issues and options to meet the needs of Inghams Enterprises. Having considered the actual and potential effects associated with the Plan Change it is considered that any adverse effects of the proposal on

the environment can be satisfactorily avoided, remedied or mitigated. Furthermore, having considered various other alternative options, it is considered that the proposal set out in this Plan Change report is the most appropriate and effective means of achieving Matamata-Piako District Council's objectives.

- 13.4 It is concluded that the Plan Change will promote the sustainable management of natural and physical resources and will accordingly be consistent with the purpose and principles of the Resource Management Act 1991.