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To: District Plan Team – Attention: Greg Wilson
Strategic Planning & Policy
5 Memorial Avenue
Private Bag 752
Kaikohe 0440.
Email: greg.wilson@fndc.govt.nz

RE: Submission on the Proposed Far North District Plan 2022

1. **Details of persons making submission**

Waipapa Pine Limited and Adrian Broughton Trust
C/- Bay of Islands Planning (2022) Limited
Attention: Steven Sanson
PO Box 318
PAIHIA 0247

2. **General Statement**

Waipapa Pine Limited [WPL] and Adrian Broughton Trust [ABT] are directly affected by the Proposed Far North District Plan. They seek to support the Heavy Industrial Zone that covers their landholding on State Highway 10, Waipapa along with amending certain rules within the PDP.

WPL and ABT cannot gain an advantage in trade competition through this submission. They are directly impacted by the Proposed District Plan. The effects are not related to trade competition.

3. **Background & Context**

Background

WPL and ABT own and operate a substantial wood processing facility which provides significant economic and social well-being to the Far North.

Since acquiring the business in 2012 the submitters have enhanced the processing approach along with an increase in product production. The current Rural production Zone has necessitated several resource consent applications which inhibits long term planning and business forecasting.

The proposed Heavy Industry Zone facilitates the company's operations and contribution it makes to the community. The companies' activities do not draw upon Council services. While WPL and ABT welcome the new zone there are other provisions that replicate a consenting process under the ODP which undermines the intent and purpose of the new Heavy Industry Zone.

The new Heavy Industrial Zone provides some relief and certainty for the submitters operations and is supported to the extent detailed in this submission.

Enabling development of the land without creating off site effects [internalising effects] should be a key purpose of the PDP.

Site Descriptions

The land to which this submission relates comprises the following Records of Title:

- ROT 306630 (Lot 2 DP 376253 & Lot 3 DP 343062);
- ROT 306629 (Lot 1 DP 376253)

A plan showing the location of the land is provided at **Figure 1** below.

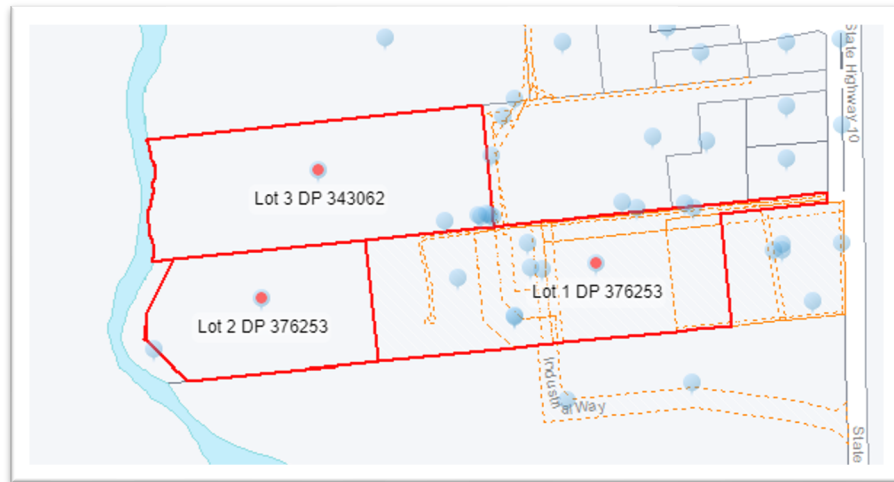
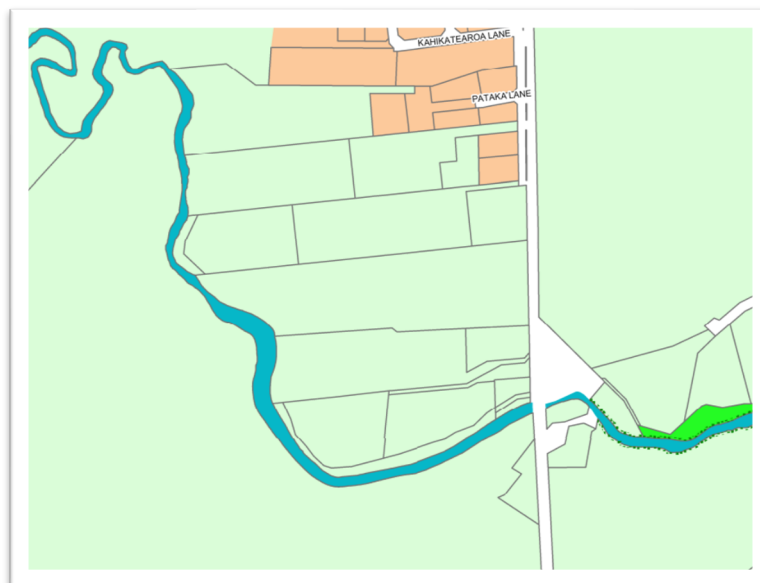


Figure 1 - Site

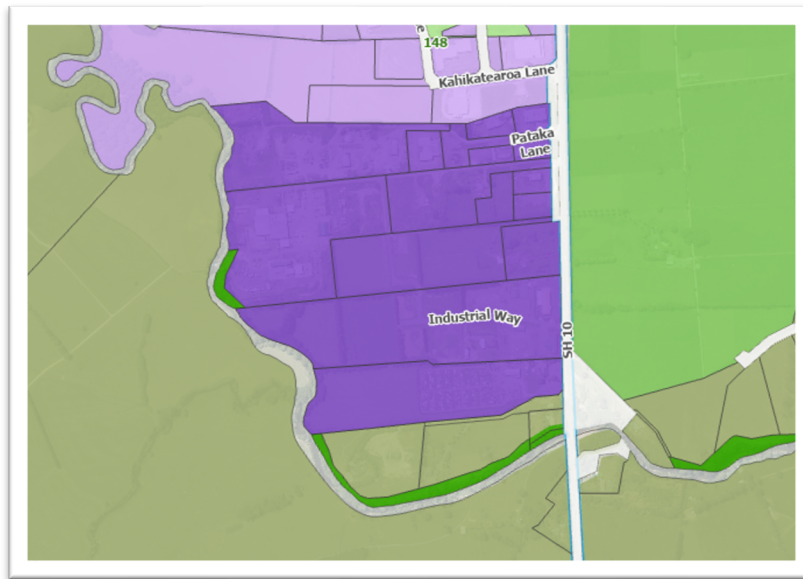
Operative and Proposed District Plan Zoning

The Operative District Plan reveals the land is zoned **Rural Production**.



ODP Zone Map

The PDP seeks to apply the **Heavy Industrial Zone** over the land and those adjoining except to the west, being the Kerikeri River. The PDP also indicates the property is influenced by a 1:100-year flood event. There are no other overlays applying to the land.



PDP ZONE MAP



NATURAL HAZARDS AND RISKS OVERLAYS

4. **The specific provisions of the Proposed Far North District Plan that this submission relates to are:**

- Proposed Planning / Zone Maps which relate to the landholding referred to in Section 3 of this submission;
- The following provisions as outlined in Section 5 below; and
- Any other relief to achieve the outcomes sought by this submission.

5. **Waipapa Pine Limited seek the following amendments/relief:**

This submission requests that the Proposed Far North District Plan:

S342.001

- Supports the **Heavy Industrial Zone** over the land as provided for on the PDP E-Maps.

The reasons for making the submission on the Proposed District Plan are as follows:

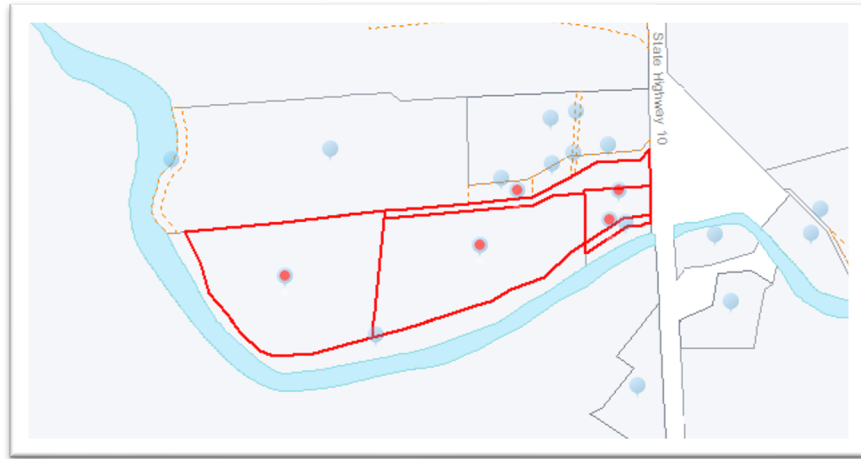
The submitters property has been zoned Rural Production under the ODP which has necessitated a number of resource consent applications.

The ability to plan and forecast long term operational and market requirements has been hampered through this resource consent regime.

The new Heavy Industrial Zone provides some relief and certainty for the submitters operations and is supported to the extent detailed in this submission.

S342.002

Seeks to extend the **Heavy Industrial Zone** over land to the west as shown in the red outline below –



The reasons for making the submission on the Proposed District Plan are as follows:

These properties were included within the Industrial Zoning under the Draft District Plan and should remain Industrial.

The land is retained as somewhat of a Rural Production ‘island’ with no obvious reasons for its retention as Rural Production. It is understood that the owners of this landholding have also submitted a submission in support of this change.

Relevant Provisions

Rule HIZ-R1 – New buildings or structures, and extensions

S342.003

Oppose the limit of 15% threshold for an ancillary activity and the locational requirement.

The reasons for making the submission on the Proposed District Plan are as follows:

The land is zoned Heavy Industry and the definition of ancillary activity 'means an activity that supports and is subsidiary to a primary activity'. The activity must therefore be permitted under the Heavy Industrial Zone. There is no rational limiting the GFA nor the location requirements. These requirements should be removed.

Rule HIZ-S3 Setback

S342.004

Oppose the required 10m setback.

The reasons for making the submission on the Proposed District Plan are as follows:

The new Heavy Industrial Zone amplifies the value of the land to be used to its full extent. The 10m setback will create waste land around the perimeter of a site. Full development within the site should be permitted, however when the site adjoins a site other than Heavy Industry, the 10m setback may be appropriate.

Rule HIZ-S5 Outdoor storage

S342.005

Oppose the requirement to screen between adjoining sites.

The reasons for making the submission on the Proposed District Plan are as follows:

Screening between two Heavy Industrial sites is unnecessary and should be removed. The zone allows a range of activities which over time will co exist . The amenity and character of the area will evolve from the established activities. The nature and scale of those activities embodies what is an industrial area. Screening the activities between industrial sites is creating a false living environment.

Rule HIZ-S8 Coverage

S342.006

Oppose the 15% threshold and the matters of discretion.

The reasons for making the submission on the Proposed District Plan are as follows:

The new Heavy Industrial Zone is considered to remedy the shortage of available industrial land around Kerikeri. It is significant shift from Rural Production. The PDP should therefore be facilitating development upon the sites. The 15% threshold stymies development.

If the rule centres on storm water management, then this can be resolved via a rule requiring a report which shows post and predevelopment flows off the site do not change. The need for Council to consider the character and amenity of the surrounding area negates the new Heavy Industrial Zone and

should be removed. The zone is for industrial use and contains other rules which are adequate to address character and amenity.

Natural Hazards

Rule NH-R2 Extensions and alterations etc and Rule NH-R3 New buildings or structures

S342.007
S342.008

Oppose both rules in relation to 10m² threshold.

The reasons for making the submission on the Proposed District Plan are as follows:

Both rules centre on the potential effect of a structure in terms of diverting or altering overland flows or reducing flood plain storage. This involves a design solution which can be assessed at the time of a Building Consent. This falls within the same context as Council requiring an earthquake report at the Building Consent stage. The threshold should be removed, and the rule be amended to allow the presentation of a report at the time of the Building Consent application. This is reflected in **Rule NH-S1.**

Earthworks

EW-S1 Maximum earthworks thresholds

S342.009

Oppose the 200m³ and support the 2500m² thresholds for the Heavy Industry Zone.

The reasons for making the submission on the Proposed District Plan are as follows:

The 200m³ threshold automatically triggers a resource consent in the Waipapa commercial area by reason of the land levels and is compounded by reason the definition of earthworks includes work associated with building foundations. The threshold should be increased to 500m³. The m² threshold adequately manages the potential effect arising from the earthworks.

Noise

Oppose the Noise provisions in their entirety.

S342.010
S342.011
S342.012
S342.013

The reasons for making the submission on the Proposed District Plan are as follows:

The submitters believe that the provisions associated with the Heavy Industrial Zone requires careful consideration and attention. The underlying zone intent describes quite clearly that the zone will create some objectionable effects in this respect.

A balance needs to be struck between enabling heavy industrial activities to be able to operate effectively and efficiently within the Zone, whilst ensuring that the potential effects do not go over and beyond limits set under the PDP and within the s16 RMA 1991 requirements.

To add further, the site is already managed by way of resource consent noise provisions and these consent conditions have been appropriately managed between the submitter and adjoining sites, and beyond.

To this end, the submitter opposes the noise provisions until their own expert can consider the rules in context of their operations and underlying resource consenting requirements, and potential for growth.

Transportation

S342.014
S342.015
S342.016

Rule TRAN-R5; Trip generation, Rule TRAN-R9; New or altered vehicle crossing from a State Highway or LAR, and TRAN-Table 11-Trip generation

Amend these rules to ensure they do not apply to sites or activities which have direct access onto a State Highway or LAR which has been previously approved by Waka Kotahi.

The reasons for making the submission on the Proposed District Plan are as follows:

The PDP appears to enter into the realm of the managing those effects and activities which fall within the domain of Waka Kotahi. In this regard the submitter has access onto State Highway 10, the intersection approved by Waka Kotahi. As such there is no direct access onto Council infrastructure.

The intersection meets the highway authorities' requirements and is not required to be revised by Council. To assess an

activities traffic movements leading to the Highway or LAR is a duplication of effort.

TRAN – Table 1 – Minimum number of parking spaces

S342.017

Support the parking requirements for *Industrial Activities*

The reasons for making the submission on the Proposed District Plan are as follows:

The parking thresholds effectively manage the effects of car parking on a site.

TRAN – Table 4 – End of trip facilities requirements

S342.018

Oppose the rule and should be deleted.

The reasons for making the submission on the Proposed District Plan are as follows:

These requirements are appropriately managed through other legislation and are not required to be embodied into the Proposed District Plan.

Subdivision

Rule SUB-S1:

S342.019

Support the proposed minimum allotment size within the Heavy Industrial Zone.

The reasons for making the submission on the Proposed District Plan are as follows:

The allotment size enables better management of the land resources and facilities social and economic well-being within the district.

Hazardous substances

S342.020

Rule HS-R2 Establishment of a new significant hazardous facility.

Support the rule plus Amend PER-2 to include the following exemption- The sensitive activity must be located in a zone other than the Heavy Industrial Zone.

The reasons for making the submission on the Proposed District Plan are as follows:

The new Heavy Industry Zone has been applied to an area which was previously zoned Rural Production. This new zone should have precedence and the limits of the Rule should only apply to sensitive activities not within the Heavy Industrial Zone.

6. **WPL and ABT wish that the Far North District Council to address the above issue by:**

- Carrying out the proposed changes sought in Section 5 above in relation to zoning under the PDP;
- Carrying out the proposed changes to provisions as outlined in Section 5 above; and

- Any other relief to achieve the outcomes sought by this submission.

7. Our clients wish to be **heard** in relation this submission.

Yours sincerely,



Steven Sanson

Director | Consultant Planner



Reviewed by

Jeff Kemp

Principal Planning Consultant

On behalf of Waipapa Pine Limited and Adrian Broughton Trust.

Dated this 21st Day of October 2022