



## Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

**TO: Far North District Council**

This is a submission on the Proposed District Plan for the Far North District.

### 1. Submitter details:

<b>Full Name:</b>	Far North Holdings Limited		
<b>Company / Organisation Name: (if applicable)</b>			
<b>Contact person (if different):</b>	Wayne Smith, Zenith Planning Consultants		
<b>Full Postal Address:</b>	12 Halyard Loop, Watea, Haruru		
<b>Phone contact:</b>	<b>Mobile:</b> 021 2023898	<b>Home:</b>	<b>Work:</b>
<b>Email (please print):</b>	wayne@zenithplanning.co.nz		

2. (Please select one of the two options below)

I **could not** gain an advantage in trade competition through this submission

*If you could gain an advantage in trade competition through this submission, please complete point 3 below*

3.  I **am** directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

I **am not** directly affected by an effect of the subject matter of the submission that:

(A) Adversely affects the environment; and

(B) Does not relate to trade competition or the effect of trade competition

*Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991*

**The specific provisions of the Plan that my submission relates to are:**

*(please provide details including the reference number of the specific provision you are submitting on)*

The following changes are sought to the Ngawha Innovation and Enterprise Special Zone which will improve the overall focus of the provisions and reflect a clearer intent for the zone. Attached to this submission is updated provisions with reasons as to why these changes are sought. In many cases the changes sought are minor. These are the affected provisions:

NIEP- 01 – modified wording

NIEP – P1 – modified wording

NIEP – P3 – modified wording



NIEP – P6 – modified wording  
NIEP – P7 – change to the NIEP Design guideline referenced in this provision  
NIEP – R1 – PER – 1 Rule update to reflect consented vs future development  
NIEP – R4 – PER – 1 updated wording  
NIEP – R5 (outside I & E Precinct) – PER – 1 updated wording  
NIEP – R5 (outside I & E Precinct) – PER – 3 deleted  
NIEP – R5 (within the I & E Precinct) – PER – 2 updated wording  
NIEP – R5 (within the I & E Precinct) – PER – 3 deleted  
NIEP – R6 – PERs – 1-3 updated wording  
NIEP – R6 – PERs – 4-5 deleted  
NIEP – R7 – PER – 1 updated wording  
NIEP – R8 – CON – 2 updated wording  
NIEP – R9 – RDA – 1 updated wording  
NIEP – R10 – RDA – 1 updated wording  
NIEP – R11 – updated title heading  
NIEP – S7 – whole provision replaced

Confirm your position:  Support  Support In-part  Oppose  
(please tick relevant box)

**My submission is:**

A review of the proposed plan zoning for the Ngawha Innovation and Enterprise Park has been completed using potential future users of the Park. This assessment concluded that some modifications to the relevant provisions were required without detracting from the intent of the zone or the environmental outcomes sought.

Attached to this submission are updated provisions which offer a slightly wider scope (to reflect consented developments and activities) and more targeted measures. In one instance the whole rule is replaced while others are modified to apply a more practical approach. In all instances the environmental outcomes and effects from potential development have been considered.

See attached – updated provisions for the Ngawha Innovation and Enterprise Special Zone

**I seek the following decision from the Council:**

To complete the suggested changes to the respective provisions as attached

I wish to be heard in support of my submission  
 I do not wish to be heard in support of my submission  
(Please tick relevant box)

If others make a similar submission, I will consider presenting a joint case with them at a hearing  
 Yes  No

Do you wish to present your submission via Microsoft Teams?  
 Yes  No

We could if this is more convenient

**Signature of submitter:**

(or person authorised to sign on behalf of submitter)

Date: 20<sup>th</sup> October 2022



(A signature is not required if you are making your submission by electronic means)

**Important information:**

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

**Send your submission to:**

**Post to:** Proposed District Plan  
Strategic Planning and Policy, Far North District Council  
Far North District Council,  
Private Bag 752  
KAIKOHE 0400

**Email to:** [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.**

**Submissions close 5pm, 21 October 2022**

**Please refer to [pdp.fndc.govt.nz](http://pdp.fndc.govt.nz) for further information and updates.**

***Please note that original documents will not be returned. Please retain copies for your file.***

**Note to person making submission**

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

## UPDATED PROVISIONS – NGAWHA INNOVATION AND ENTERPRISE SPECIAL ZONE

The following provisions have been modified to reflect preferred wording for the respective policies and rules which maintain the functionality of the park while acknowledging and delivering on the zones' intent and key deliverables. The site remains an insular operation with minimal effects beyond the boundary of the property.

### **NIEP-01**

The NIEP zone enables compatible development and activities that provide for primary production innovation, including manufacturing, further processing of raw materials, research and fostering technological advancements, directly related education and training opportunities, education support such as childcare facilities, employment and business development initiatives offered within the Park.

#### **Reason**

The additional components referenced support the ability of individuals to operate businesses and take up employment, training and educational options available within the Park. The view of the Park is that the less impediment to enabling people to reach their potential - the better and this needs to be reflected within the intent of the zone.

**NIEP-P1** Provide for activities directly related to primary production where these are of an appropriate scale, nature and design for the NIEP zone, including:

- a. farming activities;
- b. conservation activities;
- c. rural industry;
- d. primary production innovation, education, employment, and 'research and development' activities; and
- e. manufacturing of primary production and its by-products or waste streams into a range of products.

#### **Reasons**

- Education opportunities provided within the Park's aim to ensure that there are appropriate transitions between secondary, alternative education and tertiary education pathways into work. The offerings are therefore not solely at tertiary level and would be more appropriate to simply state education.
- The inclusion of "employment" re-emphasises that employment opportunities which exist for the primary production elements.
- The inclusion of by-products and waste stream product development represents the closed loop philosophy of the Park which is a key environmental outcome sought from Park operators.

**NIEP-P3** Avoid land use and development that would compromise the function of the NIEP zone or detract from the function and well-being of Kaikohe and Ngawha, including but not limited to avoiding:

- a. commercial activities (excluding an ancillary office);
- b. industrial activities (excluding activities which incorporate manufacturing and processes relating to primary production and its by-products/ waste streams);
- c. retail (excluding small scale rural produce and ancillary retail related to on-site activity);
- d. trade;
- e. residential activities (excluding temporary student, trainee, and visiting staff and/or onsite employee accommodation as provided for in the zone);
- f. community facilities;
- g. education facilities not directly related to primary production activities, trade and added value trade and manufacturing education programs, or education services which are not provided for currently in Kaikohe or which forms extension to existing providers;
- h. hospitality and restaurants (excluding small-scale cafes and takeaway food outlets);
- i. keeping of domestic animals, including boarding and breeding kennels; and
- j. development and buildings located outside of the identified development areas (platforms 1-36).

**Reasons**

- There is a need for accommodation for employees or business owners who need to be located within the site. This could include residential units for security or other employees relied upon for onsite activities such as visiting crown research and agency employees, visiting lecturers, and bespoke education or skills based training courses where staff and students may need short term accommodation.
- The range of education facilities is wide and this needs to reflect the “closed loop” approach within the Park’s key objectives. Adding value to primary production is a key element of the training programs to be offered within the Park. This intent goes beyond the narrow scope of just primary production. Adding value to primary products is a key economic driver and will enable greater resilience and skill sets for individuals moving forward.

**NIEP-P6** Ensure adequate infrastructure is provided to service development and activities within the zone, through connections to the NIEP reticulated infrastructure or by suitable onsite infrastructure.

**Reason**

- While the intent is to use the consented and available existing wastewater infrastructure, there may be instances due to remoteness or alternative reasons for onsite wastewater treatment and disposal. In the event of onsite alternatives being used, the system would likely be a minimum of secondary treatment and would be subject to any regional or district planning requirements.

**NIEP-P7** Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application:

S375.004

S375.005

- a. historic heritage, cultural values, indigenous biodiversity, landscape, and natural value;
- b. the bulk and scale of buildings, structures, outdoor storage;
- c. effects on amenity within the NIEP zone and surrounding environment, including effects from number of employees on site, noise, hours of operation, lighting, and signage;
- d. parking and loading requirements;
- e. traffic generation, and the standard of roading and access; including limiting the type, volume and circulation of traffic within the NIEP zone and surrounding traffic network, particularly on Wallis Road;
- f. stormwater effects, including impacts on the NIEP zone's reticulated network, flooding hazards, overland flow paths and surrounding catchments;
- g. provision of any easements required for electricity, communications, media, access and any covenanted areas required to be protected based on the NIEP Design Guidelines;
- h. stormwater management (including provision for low impact design principles), wastewater management, and water supply management (including firefighting supply);
- i. the stability of land, buildings and infrastructure;
- j. erosion, dust, sediment and contaminant controls;
- k. the management of trade waste;
- l. public health and safety;
- m. risks from natural hazards;
- n. potential reverse sensitivity effects between activities within the NIEP zone and at the zone interface; and
- o. the temporary or permanent nature of any adverse effects.

### Reasons

- The NIEP plan within the '*Ngawha Innovation and Enterprise Park Design Guidelines*' needs a minor amendment as some of the development areas approved are not coloured – areas 5 & 19, and the lizard relocation reserve is indicated in the key for Swamp Maire planting. In addition, the main horticultural area is unlabelled which will cause some confusion over number references within rules. This may lead to consequential amendments for the relevant rules.
- In addition, the eastern portion of the NIEP zone identifies various development areas 20-36 which are all separate from each other. There could be future proposals which may look to contiguously develop the respective sites. This needs to be allowed for within the rules. The development areas are indicative only in these instances.

A plan reflective of these changes sought can be prepared.

### **NIEP-R1 New accessory buildings or structures, and extensions or alterations to existing accessory buildings and structures**

#### **PER-1**

1. The accessory building or structure will accommodate a permitted activity.

2. The accessory building or structure does not exceed 50% for consented areas 1-18 located within the Innovation and Enterprise precinct and 20% of the total site area of the identified future development platform areas (platforms 19-36), shown in the 'Ngawha Innovation and Enterprise Park Design Guidelines', dated March 2022.

**Reasons**

- This requested change reflects the greater intensity generally allowed within the Innovation and Enterprise precinct, platforms 1-18, where detailed landscape assessments have been completed and a more built form has been accepted as permissible based on the infrastructure installed, and funded by MBIE.
- Platforms 19-36 were envisaged for further glasshouse or horticultural structures which have a higher site coverage, albeit it is acknowledged there would be a need for an accompanying detailed landscape assessment. The 20% coverage is considered to be a minimum requirement.

**NIEP-R4 Primary production retail**  
**PER-1**

The retail area for any development platform area shown in the 'Ngawha Innovation and Enterprise Park Design Guidelines', dated March 2022, has a maximum GBA of 20% and is set back at least 30m from any zone boundary.

**Reasons**

- The restriction of a retail area to only 100m<sup>2</sup> of GBA is considered to be overly restrictive. This conclusion is reached as a result of GBA being used as the key definition used for this purpose. Retail will only ever be ancillary to the primary production and the processing of the product. The current GBA definition and the range of inclusions, leaves insufficient area for storage of the finished product. Some items produced are large and bulky. With each activity detailing parking and traffic requirements the potential concerns are alleviated. A percentage of the GBA is a more appropriate scaling mechanism.
- The title for this section could be simply referenced as "retail" because there will be some processing undertaken within the various processes which could fall outside of a strict "primary production" definition.

**NIEP-R5 Rural industry**

**NIEP zone: outside Innovation and Enterprise precinct**

**PER-1**

The rural industry or the rural industry building (s) do not exceed a GFA of 2,000m<sup>2</sup> within development platform areas 19-36 shown in the 'Ngawha Innovation and Enterprise Park Design Guidelines', dated March 2022.

**PER-2**

The number of rural industry operations per development platform area shown in the 'Ngawha Innovation and Enterprise Park Design Guidelines', dated March 2022, does not exceed one.

S375.007

S375.008

**PER-3** deleted

**Reasons**

- The limitation under PER-1 above should apply only to the platform areas noted as 19-36 rather than those which are “unlabelled” and front onto Wallis Road.
- A significant concern relates to PER-3 which is contrary to likely operational components and conflicts with consented development within the Park. Many raw products cannot be stored outside and many activities associated with the various processes are unable to be contained indoors.
- It is unclear as to the purpose of this rule (PER-3) given the relative insular nature of the site and that similar rural activities on Rural Production sites do not contain this level of restriction. The scale of the requirements if required, would result in significant additional built form which would be detrimental to the remaining rural character of the site.

**NIEP-R5 Rural industry**

**NIEP zone: Innovation and Enterprise precinct**

**PER-1**

The rural industry or the rural industry building(s) do not exceed a GFA of 1,000m<sup>2</sup> within each development platform area shown in the ‘*Ngawha Innovation and Enterprise Park Design Guidelines*’, dated March 2022.

**PER-2**

The number of rural industry operations per development platform area shown in the ‘*Ngawha Innovation and Enterprise Park Design Guidelines*’, dated March 2022, does not exceed one (activity? user?), unless explicitly provided for in the NIEP Concept Master Plan. – Prefer this to be deleted

**PER-3** deleted

**Reasons**

- There will be instances where more than one small scale business may operate within a development platform. It is far more important that the building is used for the intended use than be restricted to one user only. As a facility for innovation and research smaller operators are expected. If a number is to be used, then one is far too little and could severely restrict smaller operators. The preference would be that the limitation in numbers requirement be removed entirely.
- The Park is to there to help incubate local and start-up businesses that generally cluster together to get economies of scale and share IP. This is a key function of the Park in supporting and growing our local economy.
- A significant concern relates to PER-3 which is contrary to likely operational components and conflicts with consented development within the Park. Many raw products cannot be stored outside and many activities associated with the various processes are unable to be contained indoors.
- It is unclear as to the purpose of this rule given the relative insular nature of the site and that similar rural activities on Rural Production sites do not contain this level of

S375.009



restriction. The scale of the requirements, if required would result in significant additional built form which would be detrimental to the remaining rural character of the site.

**NIEP-R6 Office and tertiary educational activity**

**Where:**

**PER-1**

The office directly supports primary production activities, trades, and pathways-to-employment programmes.

**PER-2**

The education activity directly supports primary production activities, trades, and pathways-to-employment programmes.

**PER-3**

The office or education activity is ancillary to a lawfully established activity on the same development platform area shown in the 'Ngawha Innovation and Enterprise Park Design Guidelines', dated March 2022.

*Note 1: lawfully established means an activity consented or operating under permitted activity rules when this Plan was notified.*

*Note 2: there could be more than one education provider located within each development area as co-location and on-the-job training and education programs are likely to be delivered by a number of different providers with specialist expertise.*

**PER-4 – deleted**

**PER-5 – deleted**

**Reasons**

- The scope of training needs to be broadened as noted to reflect consented activities on site. The whole intention of the Park is to offer education and training on-site and on-the-job that is relevant to the operations of the individual businesses.
- There needs to be provision for co-location of more than one provider within the approved development platforms.
- There would appear to be no specific reason for the suggested GFA of any facility noting that existing facilities are well above the size suggested within the rule.

**NIEP-R7 Primary production research and development activity**

**PER-1**

The research and development activity directly relates to primary production, manufacturing of primary production and its by-products/ waste streams, trades, and employment programmes.

**Reasons**

- The Park offers wide ranging facilities in research and development and should not be restricted or limited to primary production.

S375.010

S375.011

- The research and development of efficient use of waste and by products is equally important in minimising effects on the environment.

**NIEP-R8 New buildings or structures, and extensions or alterations to existing buildings or structures**

S375.012

**CON-1**

New buildings or structures, and extensions or alterations to existing buildings and structures not otherwise provided for by NIEP-R1 New accessory buildings or structures, and extensions or alterations to existing accessory buildings and structures are located and designed in accordance with the development platform areas shown in the '*Ngawha Innovation and Enterprise Park Design Guidelines*', dated March 2022.

**CON-2**

The development platform and buildings are connected to the NIEP internal reticulated 3 waters systems or sufficient onsite provision within the development platform can be demonstrated by a suitably qualified person.

**Matters of control are limited to:**

- a. the extent to which the building and development is consistent with the '*Ngawha Innovation and Enterprise Park Design Guidelines*', dated March 2022;
- b. the materials used, including consideration of colour, finishing, reflectivity, and permeability;
- c. the effect of buildings, structures and signage design (including facades and roofs) on the character and amenity of the zone and surrounding rural environment;
- d. the siting and separation of buildings;
- e. provisions of infrastructure services and the ability of stormwater, water and wastewater to be managed adequately; and
- f. access and onsite manoeuvrability.

**Reason**

While the intent of the provision is to use the consented and available existing wastewater infrastructure, there may be instances due to remoteness or alternative reasons for onsite wastewater treatment and disposal. In the event of onsite alternatives being used, the system would likely be minimum of secondary treatment and would be subject to any regional or district planning requirements.

**NIEP-R9 Education facility**

S375.013

**RDA-1**

The education facility provides education services, including trade training, alternative education and secondary education pathways to employment and education that primarily relates to the manufacturing and production of primary products.

**Matters of discretion are restricted to:**

The effects on town centers;

- a. the location and scale of buildings;
- b. hours of operation;
- c. servicing and infrastructure requirements;
- d. ability of the roading network to cater for the additional vehicular traffic;
- e. number of people on site;

- f. disturbance and loss of privacy surrounding sites;
- g. reverse sensitivity; and
- h. the matters of discretion of any infringed standard.

**Reason**

The change reflects the wide scope of training and trades training consented within existing approved facilities and which will continue to be provided within the Park.

**NIEP-R10 Caf  and takeaway food outlets**

**RDA-1**

The caf  and takeaway food outlet does not exceed a GFA of 150m<sup>2</sup> plus a customer area not exceeding 200m<sup>2</sup>.

**RDA-2**

The number of caf  and takeaway food outlets within the Innovation Precinct does not exceed five.

**Matters of discretion are restricted to:**

- a. the effects on town centers;
- b. the location and scale of buildings;
- c. hours of operation;
- d. servicing and infrastructure requirements;
- e. ability of the roading network to cater for the additional vehicular traffic;
- f. number of people on site;
- g. disturbance and loss of privacy of surrounding sites;
- h. reverse sensitivity; and
- i. the matters of discretion of any infringed standard.

**Reason**

People making use of the caf  will likely wish to eat there and requires additional space beyond the 50m<sup>2</sup> suggestion. The kitchen, preparation area, storage, and waste area will exceed this limitation.

**NIEP-R11 Residential accommodation ancillary to educational facility – accommodation**

**Reasons**

- People will from time to time need for work purposes to reside on the site. This could be related to security or where experts for a particular activity may need to be accommodated.
- The Discretionary activity status is considered to be appropriate for this rare occurrence.

**NIEP-S7 Traffic movements**

All of the original wording is deleted and replaced with the following:

S375.014

S375.015

S375.016

1. Prior to reaching 80% of the traffic movement thresholds set out below an annual traffic movement survey of the NIEP zone and Wallis Road entrance shall be undertaken to confirm movements are within the stated limits. Until Wallis Road is sealed, this shall include restricting the use of Wallis Road to heavy vehicles (trucks, including provision for emergency vehicles).
2. Exceeding 80% of the movement thresholds a traffic management assessment shall be prepared by a suitably qualified person which outlines traffic generation and movements from the activity.
3. Traffic movements do not exceed the following thresholds:
  - i. 541 afternoon weekday peak hour vehicle movements (equivalent to approximately 1379 FTE) across the NIEP zone; and
  - ii. a maximum of 30 peak hour vehicle movements via Wallis Road.
4. Following confirmation being provided by Waka Kotahi NZ Transport Agency that the Wallis Road/State Highway 12 intersection has been upgraded, the related traffic movements across the NIEP zone do not exceed:
  - i. 620 afternoon weekday peak hour vehicle movements (equivalent to approximately 1599 FTE) across the NIEP zone; and
  - ii. a maximum of 95 peak hour vehicle movements via Wallis Road.

**Reason**

The replacement wording removes the confusion around the rule and its components.