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

RE: Submission on the Proposed Far North District Plan 2022

1. **Details of persons making submission**

LD Family Investments Limited [LDFIL]
C/- Bay of Islands Planning (2022) Limited
Attention: Steven Sanson
PO Box 318
PAIHIA 0247

2. **General Statement**

LDFIL are directly affected by the Proposed Far North District Plan. They seek to retain and change the PDP zoning to Light Industrial as it covers their landholdings on Pataka Lane and Waipapa Road, Waipapa.

LDFIL 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

LDFIL owns a number of holdings in the Waipapa area which are progressively being developed. Development of the Pataka Lane holdings have been the subject of resource consent approvals.

Site Descriptions

The submitter owns the following Record of Titles:

Pataka Lane

- ROT 176693 (Lot 2 DP 343062);
- ROT NA126B/185 (Lot 2 DP 198909);
- ROT NA126B/184 (Lot 1 DP 198909);
- ROT 176692 (Lot 1 DP 343062)

Waipapa Road

- ROT 962784 (Lot 1 DP 554121).

A plan showing the location of these land holdings is provided at **Figure 1** and **Figure 2**, below.

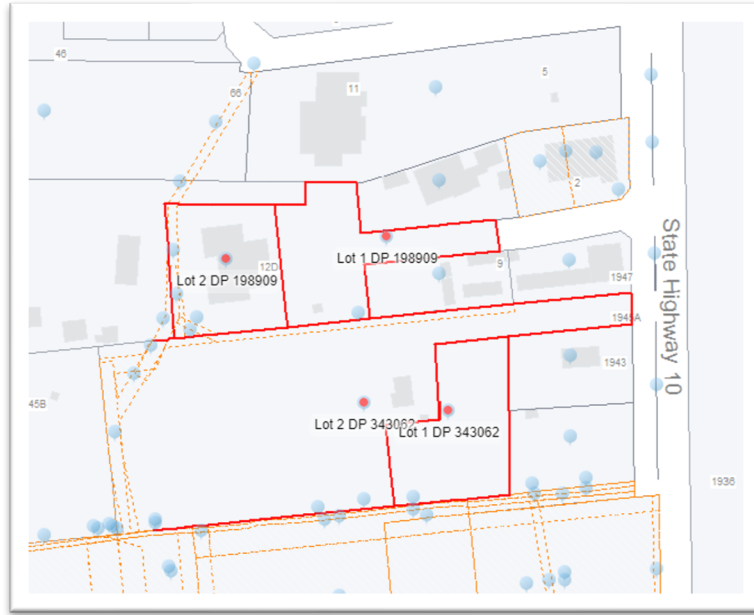


Figure 1 – Pataka Lane Site (Source; Prover)

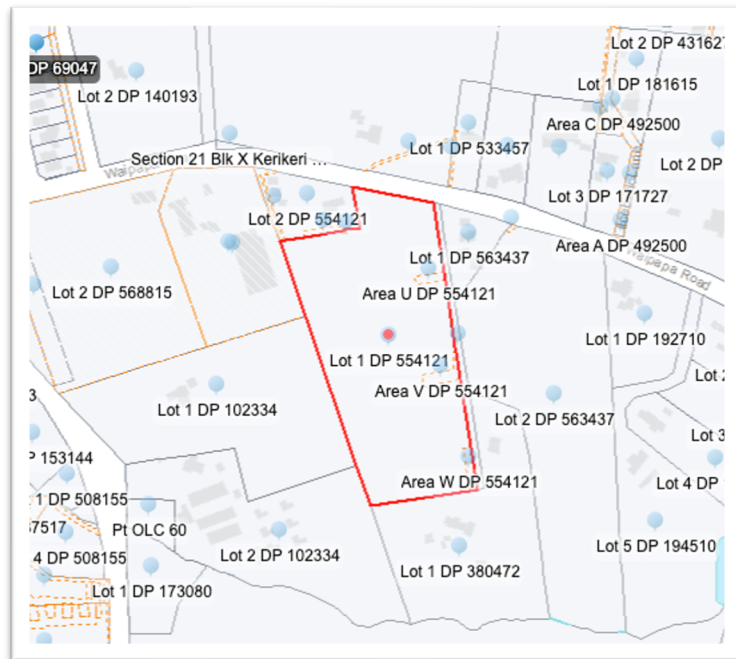
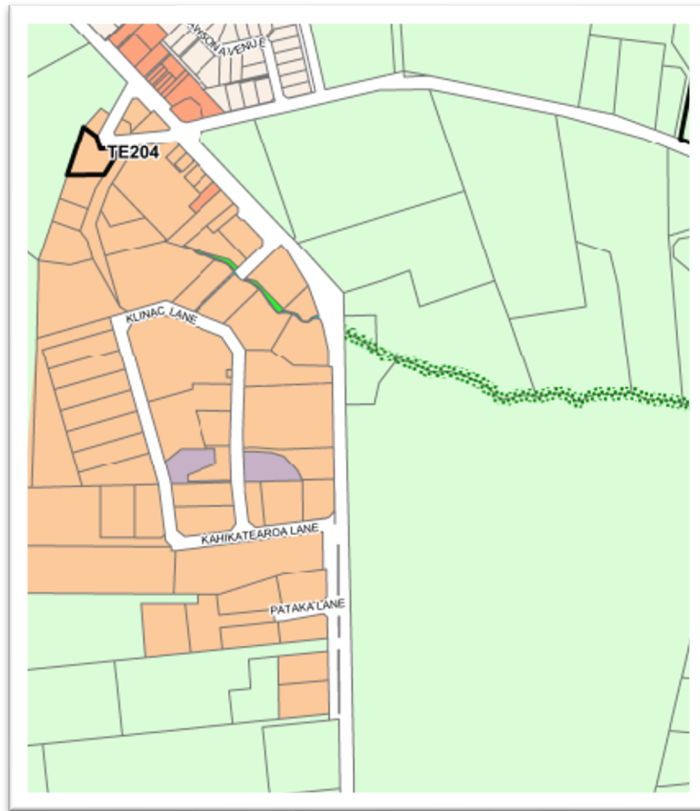


Figure 2 – Waipapa Site (Source: Prover)

Operative and Proposed District Plan Zoning

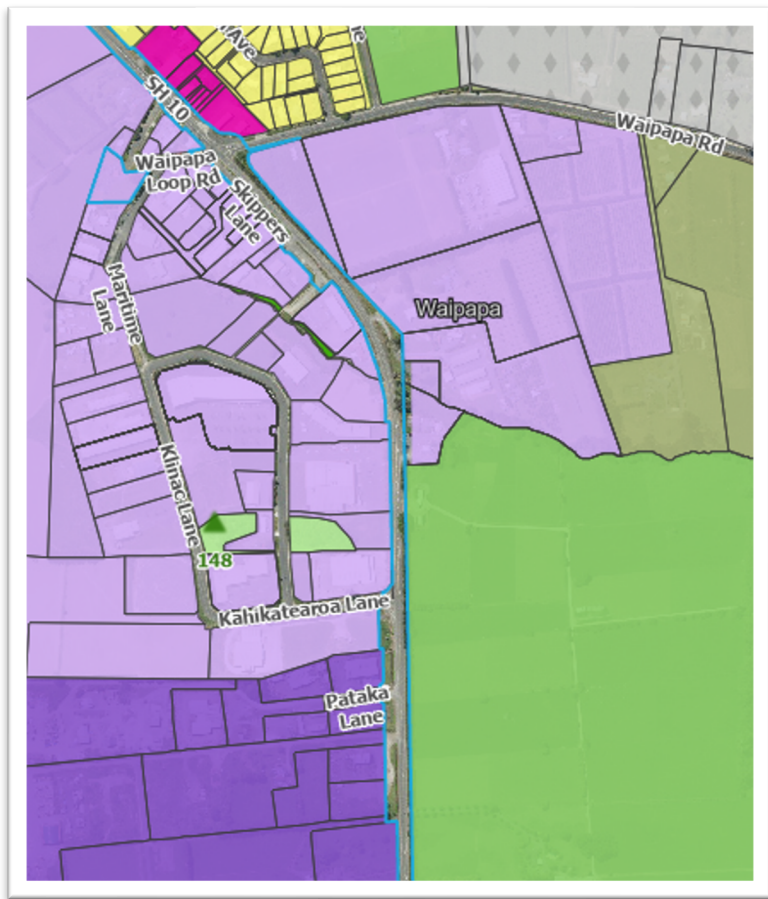
The Operative District Plan reveals three of the sites are zoned **Rural Production** and the remaining **Industrial**.



ODP Zone Map

The PDP seeks to apply the **Heavy Industrial Zone** over all four sites off Pataka Lane, and **Light Industrial** over the site on Waipapa Road.

The PDP also indicates the southern extremities of the Waipapa Road property being influenced at a very limited degree by a 1:100 year flood event. This event does not impact on any onsite facilities.



PDP ZONE MAP



PDP HAZARD MAP

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

- Proposed Planning / Zone Maps for the Landholdings outlined in **Figures 1 and 2** – Retain Light Industrial along Waipapa Road and change zoning from Heavy Industrial to Light Industrial along Pataka Lane. S384.001
S384.002

5. **LDFIL seek the following amendments/relief:**

This submission requests that the Proposed Far North District Plan:

- Retains and changes the zoning for all sites within this submission (Refer **Figures 1 and 2**) to the Light Industrial Zone;
- Make changes to the provisions outlined in Section 6 below; and
- Any other relief to achieve the outcomes sought by this submission.

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

The reasons why it is believed that the Light Industrial Zone is a more appropriate zone for this site are:

- It better aligns with existing development, size of landholdings and surrounding land uses.
- The land is not consistent with the Heavy Industrial Zone and the Light Industrial Zone is more consistent with higher order Resource Management Act 1991 (**'RMA'**) policies and plans.
- A Light Industrial Zone is more consistent with the purpose and principles of the RMA.

We briefly expand on these reasons in the following sections. These matters will be fleshed out further in the evidence we call in support of our position at the hearing.

It better aligns with existing development, size of landholdings and surrounding land uses

The areas in the PDP sought as Heavy Industrial contain no such uses at present. The Landholdings include a variety of light

industrial uses at present and this submission sees the existing development as setting the development precedence and pattern that supports a Light Industrial Zoning.

Most of State Highway 10 leading into Waipapa is of a Light Industrial nature, with many being located for the larger sites present and ability to access the State Highway network.

There is a clear delineation between the landholdings off Pataka Lane, and those sites perhaps more suited to a Heavy Industrial Zone (i.e Waipapa Pine). These are generally situated to the rear of the Pataka Lane landholdings and bordered by the Waipekakoura River.

Overall, the Light Industrial Zone is supported for the landholdings.

The land is not consistent with the Heavy Industrial Zone

The key difference between the Light Industrial and the Heavy Industrial Zone is that the Heavy Industrial Zone is likely to produce offensive or objectional environmental effects including odour, dust and noise. As the Landholdings do not currently promote such activities it is not considered that the land is consistent with the provisions and intent of the Heavy Industrial Zone.

To add further, it is also noted that the Light Industrial Zone may serve as a buffer between the Heavy Industrial Zone and other urban zones.

While there are no other urban zones proposed, the fact remains that the existing development pattern in Waipapa clearly evidences a Light Industrial strip of development fronting, or having access to State Highway 1, with Heavy Industrial Activities being located to the rear of these.

On this basis, it is contended that the Landholdings should be retained and rezoned as Light Industrial, matching existing use and development patterns within Waipapa, and more appropriately responding to the objectives and policies of the Regional Policy Statement for Northland.

A Light Industrial Zone is more consistent with the purpose and principles of the RMA.

Ultimately, the purpose of the preparation, implementation and administration of a district plan is to assist a territorial authority to carry out its functions in order to achieve the purpose of the Act.

The purpose of the Act is stipulated in Part 2 of the Act, specifically section 5, which provides that the purpose of the Act is to promote the sustainable management of natural and physical resources.

Sustainable management means the management of the use, development and protection of natural physical resources so that people and communities are able to provide for their social economic and cultural well-being, while:

- (a) sustaining natural and physical resources (except minerals);

- (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.

For the reasons outlined above, the approach proposed is considered to more appropriately align with the intention of the RMA and higher order documents.

Changes to Provisions

Light Industrial Zone

- **Rule LIZ -R1 New buildings or structures etc**

Delete this rule [**PER-1**] which limits restricting the gross **S384.003** building area to 450m2. ; Delete **Rule PER-2** and **Rule PER-3 – b – d .**

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

The introduction of the new Light Industrial Zone is being restrained by a limit on the GBA . If the issue of the GBA relates to stormwater management, traffic movements and other factors then this questions Council zoning principles (if any) associated with the site and surrounds.

In terms of any ancillary activity, if this is located within or attached to the principle industrial building / activity, then the

effects are in essence internalised. It is not clear what Council is trying to achieve with this provision and it should be deleted.

- **Rule LIZ -S5 Outdoor storage**

S384.004

Amend this rule to not require screening onto adjoining sites.

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

The adjoining sites are used for light industrial activities. The land is for industrial undertaking and the only need to screen would relate to security. The visual presence of activities on adjoining sites in this zone is not an effect which requires management. It places additional non productive requirements upon a land owner.

Subdivision

- **Rule SUB-S1 :**

S384.005

Support the proposed minimum allotment size within the Light 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.

Transportation

- **Rule TRAN-R5 ; Trip generation** **S384.006**
- **Rule TRAN-R9 ; New or altered vehicle crossing from a State Highway or LAR.** **S384.007**
- **TRAN-Table 11- Trip generation** **S384.008**

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 TTFL propose to create a new intersection onto State Highway 10 with all sites created under the subdivision using this new access point.

As such there is no direct access onto Council infrastructure. The intersection will meet 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** **S384.009**

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** **S384.010**

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.

Earthworks

- **EW-S1 Maximum earthworks thresholds** **S84.011**

Oppose the 200m³ threshold and support the 2500m² threshold for the Light Industrial Zone. The volume threshold should be raised to 500m³

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

These thresholds endeavour to manage the potential effect arising from the earthworks, however the 200m³ threshold is in conflict with zoning the land for industrial activity.

The new zone should enable minimal consenting requirements to facilitate the development of the land. The increase on the m3 threshold can be accommodate through the provision of suitable information at the time of the Building Consent application as well as the other standards which require confirmation of earthworks are in accordance with GD-05.

7. **LDFIL wish that the Far North District Council to address the above issue by:**

1. Retains and changes the zoning for all sites within this submission (Refer **Figures 1** and **2**) to the **Light Industrial Zone**.
2. Make changes to the provisions outlined in Section 6 above; and
3. Any other relief to achieve the outcomes sought by this submission.

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

Yours sincerely,



Steven Sanson

Director | Consultant Planner

On behalf of LD Family Investments Limited

Dated this 21ST Day of October 2022