



ECM # 1597339  
Submission # 50

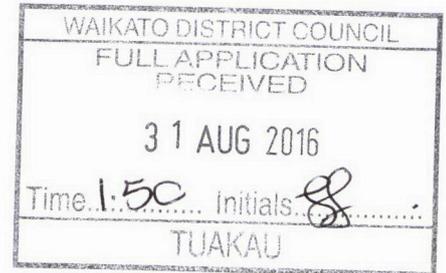
### Proposed Plan Change 16

Submission form Stage 1 of the Tuakau Structure Plan  
(Rezoning for residential and industrial purposes)

#### Waikato District Plan RMA Form 5

Please return this form no later than 4pm 31 August 2016 to:

Waikato District Council,  
15 Galileo Street,  
Private Bag 544,  
Ngaruawahia 3742;



OR Fax 07 824 8091;  
OR e-mail [districtplan@waide.govt.nz](mailto:districtplan@waide.govt.nz)

#### Submitter

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I ~~could~~  /could not ~~gain~~ an advantage in trade competition through this submission.  
I am ~~not~~  /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 effects of trade competition

This is a submission on Plan Change 16 Tuakau Structure Plan Stage 1

The specific provisions of the Plan Change that my submission relates to is are as follows:

- Objective 15C.2.1 – High quality urban environment
- Policy 15C.2.5 – Amenity for future residents
- Policy 15C.2.8 – Open space and amenity

- Objective 15C.8.1
- Policy 15C.8.2 – Design of subdivision and development
- Policy 15C.8.3 – Amenity expectations
- Policy 15C.8.4 – Amenity expectations

- Objective 15C.10.1 – Coordinated industrial development
- Policy 15C.10.4 – Mitigation of effects at the zone boundary
- Policy 15C.10.5 – Sensitive land uses excluded from industrial
- Policy 15C.10.6 – Convenience retailing

- Rule 24G.2 - Prohibited activities
- Rule 24G.10 – Type of activity
- Rule 24G.15 – Vehicle movements
- Rule 24G.16 – Servicing and operation hours
- Rule 24G.43 – Controlled subdivision

**We oppose the provisions named above. The reasons for our views are:**

One of the stated reasons for the Plan Change is to rezone the Business Zoned land under the Franklin District Plan to Tuakau Industrial Zone. It states that the reason for doing this is to “comprehensively manage” industrial development in this location:

Plan Change PC16 also proposes to expand the existing Whangarata Business Park to include certain properties at the northern end of Bollard Road that are currently zoned Business and two properties on Whangarata Road (one of which is zoned Rural with the other having a split zoning of Rural and Tuakau Industrial). The expanded area will be rezoned ‘Industrial Zone’ (Waikato Section) and will be subject to the provisions in Schedule 24G (Tuakau Industrial Zone).

The primary reason for expanding the existing Whangarata Business Park is to enable industrial development to be comprehensively managed in this location, particularly given the extent of the existing Business Zone that has already been developed with well-established industries. The two abovementioned properties on Whangarata Road have been included following consideration of the existing title boundaries, the location of the Kairoa Stream and shelterbelts, the need to avoid split zonings and the signal in the Franklin District Growth Strategy to eventually zone these two properties for industrial purposes. This industrial rezoning will also simplify the rules applying to this location to create more certainty for economic investment and growth and to develop consistency for industrial activities as a whole throughout the Waikato District.

PC16 introduces a new Chapter 15C that contains a comprehensive suite of objectives and policies to guide subdivision and development in the areas to be rezoned for residential and industrial purposes.

The Plan Change goes on to state that the current business zoning has had the unintended result of resource consents needing to be obtained because of the technical requirement for industries to comply with standards that have no relevance to them:

The existing Business zone rules are much more relevant to commercial activities typically located within Tuakau's business centre. The current business zoning has had the unintended result of resource consents needing to be obtained because of the technical requirement for industries to comply with standards that have no relevance to them. The proposed rezoning is therefore a practical method which recognises the considerable amount of industrial investment and development that already exists in this location. It is also expected that new industrial activities that have little reliance on a main street profile and more dependence on large sites with ready access to Bollard Road would be more likely to establish in this location rather than commercial activities.

It is then suggested in the s32 report for Plan Change that the existing zone is too onerous, and development of the Business Zone has not kept up with demand for significant dwelling yields and needed industrial development:

Industrial development within the existing Tuakau Industrial Zone, Tuakau Industrial Services Zone and Business Zone will result in visual and physical impacts which are expected costs to the natural and physical environment.

While compliance with the standards for permitted activities and conditions on resource consents would avoid, remedy or mitigate adverse effects on the natural and physical environment, it remains clear that the existing framework is considerably deficient in that it does not cater for the demand for significant dwelling yields and needed industrial development. This deficiency has existed for a considerable period of time and has been further highlighted by the changes that have rapidly occurred to Tuakau's demographic profile, particularly over the last decade, as well as through the research that informed the adopted Tuakau Structure Plan.

However, Rule 29.1 of the Transitional Plan states that “Any activity which complies with the development standards of Rule 29.5 and the performance standards of Rule 29.6” are Permitted Activities in the Business Zone.

Furthermore, the new provisions include vague objectives and policies that create significant uncertainty in their application to development proposals. Further rules have been included that provide additional restrictions and consenting requirements on the Tuakau Industrial Zone for activities that are presently permitted without resource consent. These additional

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rules do not appear to have any relationship with the stated anticipated environmental results for the Plan Change:

- “High quality urban environments”
- “Functional and complementary urban living and industrial environments”
- “Minimal conflicts between land uses”

The s32 argues that the simplified Objective 15C.2.1 replaces 118 objectives from the Franklin Plan. The problem is that the Council has significantly overcompensated to the point that the single objective that relates to all zones in PC 16 has become meaningless. It itself it is an admirable cause, but how that is achieved in each zone needs further attention. The policies beneath that objective do not provide any additional meaning either.

Objective 15C.8.1 is intended in the s32 to have development take into account the amenity values of the surrounding environment. It says it clearly sets out expectations, but the unilateral application of the objective across all zones is counter-productive in this respect.

The s32 explanation describes Objective 15C.10.1 as being necessary to provide for the social and economic wellbeing of Tuakau community in a way that compliments [population] growth. The all encompassing nature of the objective is suggested to be a simpler option than the existing provisions, but these provisions require considerably more clarification before they can be meaningfully applied to a subdivision or development application.

**We seek the following decision from the Waikato District Council:**

*(give precise details)*

General relief sought:

That all activities presently permitted in the Business Zone are made permitted in the Tuakau Industrial Zone as well.

Specific relief sought:

15C.2, 15C.4, 15C.6, 15C.8 These clauses are inappropriate for the Industrial Zones and therefore should be amended to apply only to specific zones with the exclusion of Industrial.

Objective 15C.10.1 – Co-ordinated Industrial Development: This is too restrictive. It needs to be reworded in order to encourage employment and business development while managing any adverse effects.

Policy 15C.10.4 – Mitigation of effects at the zone boundary: needs to be more adaptive  
Policy 15C.10.5 – Sensitive land uses excluded from industrial: needs to be more adaptive  
Policy 15C.10.6 – Convenience retailing: needs a definition or more specificity

Rule 24G.2 - Prohibited activities – unjustifiably onerous activity status

Rule 24G.10 – Type of activity: As per Franklin current rules, we wish to have living quarters above Office warehouse as per East Tamaki. Offices, Retail and wholesale are often part and parcel of a warehouse operation and should be included in the permitted activities.

Rule 24G.15 – Vehicle movements: the 250 vpd threshold is unnecessary

Rule 24G.16 – Servicing and Operation Hours: Delete times altogether as too restrictive.

Rule 24G.17.1 – Landscaping: (a) 2.0metres to be reduced to 1.5 metres. (c) needs to be removed

Rule 24G.24.1 – Earthworks: Delete (b) as not required. Delete (e) limit should not be imposed.

Rule 24G.35.1 – Building Height: 10M height is unacceptable. Should be unlimited or back to existing.

Rule 24G.37.1 – Building Coverage: This should be returned back to the existing rule of 85%

Rule 24G.38.1 – Setbacks. 7.5m from road boundary to be reduced to 5m

Rule 24G.40.1 – Building near a Stream. Reduce set back to 10m and average width of stream increase to 7m.

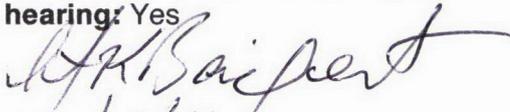
Rule 24G.43 – Controlled subdivision – matters for control ‘amenity values’ not specific enough

Rule 24G.43.1 – Delete Allotment size of 225m<sup>2</sup> as our smaller units are 135m<sup>2</sup> plus parking etc.

**We wish to be heard in support of our submission:** Yes

**If others make a similar submission, we will consider presenting a joint case with them at hearing:** Yes

Signed:



Date:

31/8/16

*(A signature is not required if you make your submission by electronic means.)*