Submission on Plan Change 16 (Tuakau Structure Plan) to the Waikato District Plan

To: The Chief Executive
Waikato District Council
districtplan@waidc.govt.nz

Name of submitter: Van Den Brink Group

Introduction:

1. This is a submission on the Proposed Plan Change 16 (PC16) to the Waikato District Plan.

2. The submitter could not gain an advantage in trade competition through this submission.

3. The submitter has an interest in PC16 as a whole, and as such this submission relates to PC16 in its entirety.

4. The specific submission relates to the Tuakau Industry Zone and the Tuakau Living Zone (including objectives, policies, methods and maps).

5. The submitter has interests in the Whangarata Business Park, which is currently zoned Industrial Zone under the Operative District Plan Franklin Section.

6. The submitter is also part of the business and industry group that has made a submission on behalf of the combined landowners at Bollard and Whangarata Roads.

Concerns with PC16 – Tuakau Industrial Zone

7. The submitter does not consider it necessary, at this time, to change the operative District Plan provisions as proposed by PC16. This is because:

i. The Council have proposed to undertake a full review of the District Plan in 2017. PC16 effectively pre-empts a comprehensive review.

ii. The Tuakau Structure Plan did not anticipate or direct the significant amendments to the provisions governing the industry land at Whangarata Road.

iii. If the current Operative Whangarata Road Business Park provisions were found to be deficient, ineffective or inefficient, then the simplest, effective and efficient way forward would be to correct those errors rather than imposing a new zoning and planning framework based on another place in the Waikato District.

iv. The Tuakau Industry Zone provisions proposed by PC16 reflect outdated and less efficient and effective planning rules when compared to industry zones applying to the Franklin Section and other Districts where industry activities are enabled. The use of the Waikato Section provisions is the least preferred approach to managing the future of Tuakau.

Relief – Tuakau Industrial Zone

8. The submitter seeks:

   i. The rejection of PC16; or

   ii. The deferral of PC16 until the District Plan review; and

   iii. The retention of the Operative Industrial Zone subject to amendments which align its objectives, policies and methods with the Pokeno Industrial 2 Zone; and

   iv. Deletion of the proposed Tuakau Industry Zone and provisions.

9. In the event that Council does not agree with the above relief, the submitter seeks amendments to PC16 to aligned with the submission of the business and industry group representing the Bollard and Whangarata Road landowners to align the Tuakau Industry Zone with enabling elements of the operative Industrial Zone and the operative Pokeno Industrial 2 Zone. The submitter is principally concerned with the proposed objectives, policies and rules that seek to limit or restrict activities, development and subdivision when compared with more enabling rules applies to the Business, Industrial and Industrial 2 Zones of the Franklin Section.

Concerns with PC16 - Tuakau Living Zone

10. The submitter opposes the rezoning of Rural Zoned land on the southern side of Dominion Road to the Tuakau Living Zone. The rezoning of the land introduces residential activities sensitive to reduced air quality amenity, noise and 24 hour operations in close proximity with the operative Business and Industry Zones. This will generate a conflict between incompatible activities, which are likely to undermine and restrict the operation of existing and future activities.

11. The rezoning of the southern side of Dominion Road to the Tuakau Living Zone is likely to undermine existing and future business, industry and heavy industry activities, and should be deleted from PC16 and the land reverted to the Rural Zone.

Specific Relief – Tuakau Living Zone

12. Retain the Rural Zoned land on the southern side of Dominion Road and reject the proposal to rezone this land to Tuakau Living Zone.

General relief sought

13. Suggested relief to deal with the concerns in this submission is set out above. However, there may be other methods or relief that are able to

address the submitter's concerns, and the suggested revisions do not limit the generality of the reasons for this submission.

14. The submitter requests that the Council undertake alternative dispute resolution procedures with the business community prior to the hearings on PC16, so that the issues underpinning this submission can be better resolved without the need to rely on substantial participation in the formal hearing process.

General Reasons for the submission

15. For those provisions of PC16 that the submitter opposes, those provisions require amendment. This is because, without the amendments proposed by the submitter, the provisions:

(a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;

(b) will not enable the social and economic wellbeing of the community in the Waikato region;

(c) will not sustain the potential of the physical resource represented by the submitter's assets in the Waikato region for the future;

(d) are not adequate to protect and enable the submitter's operations in the Waikato region generally;

(e) do not have sufficient regard to the efficient use and development of the submitter's assets and of those resources which are dependent on, or benefit from, the submitter's assets and operations; and

(f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

Hearing:

16. The submitter wishes to be heard in support of its submission.

17. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.

Signature:

Alan Henderson

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Date: 30 August 2016

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