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

To: The Chief Executive
Waikato District Council
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Name of submitter: Bollard and Whangarata Roads Business Group ("the Business Group"), its members collectively comprising:

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Introduction:

1. This is a submission on the Proposed Plan Change 16 (PC16) to the Waikato District Plan.
2. This submission is made by the Business Group, who collectively are making a submission on PC16. Individual participants in the Business

Group are also making submissions in respect to their particular properties and the impacts of PC16 on them.

3. The submitters could not gain an advantage in trade competition through this submission.
4. The submitters have an interest in PC16 as a whole, and as such this submission relates to PC16 in its entirety.
5. The specific submission relates to the Tuakau Industry Zone and the Tuakau Living Zone (including objectives, policies, methods and maps).
6. The submitters own land and/or operate businesses within the Business and Industry zoned land on Bollard Road and Whangarata Road. This land has operative Business and Industry zonings under the Franklin Section of the District Plan. In the case of the Business Zoned land, this has been operative since 2000 and the Industry Zoned land operative since 2008.

Concerns with PC16 – Tuakau Industrial Zone

7. The submitters do 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 business and industry land at Bollard Road and 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 Bollard Road and Whangarata Road area comprises three distinct operative zones (Business, Industrial Services and Industrial) which cannot be aggregated together as proposed in PC16. The aggregation results in significantly fewer development opportunities when compared with these zones, which does not reflect an efficient or effective use of natural and physical resources, and the submitters view PC16 as retrograde by comparison.

- v. The Tuakau Industry Zone provisions proposed by PC16 reflect outdated and less efficient and effective planning rules when compared to business and industry zones applying to the Franklin Section and other Districts where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

District Plan Review

8. The submitters consider that it is not appropriate to commence a major rezoning of operative Business and Industry Zones so close to a District Plan review. This effectively will extend the period of litigation regarding the appropriate zoning of the land through the phase of PC16 and the District Plan review, which may involve considerable uncertainty on the final framework for five to seven years because of these two processes.
9. Given the District Plan review commences next year, the submitters see no justification for using the Waikato Industry Zones in the former Franklin area. These rules were drafted in 2004, and for the submitters represent a considerable retrograde step, result in less development opportunities and therefore will result in less social, cultural and economic wellbeing, along with employment based activity in Tuakau.
10. Logic would indicate that the current Waikato Industry Zone would require significant rewriting with the review to enable business and industry activities, and also to reflect on significantly more enabling and successful zones at Tuakau, Pokeno, Hamilton and Auckland. The submitters consider that the Plan Change should be rejected, and that it is entirely inappropriate to amend operative District Plan with other provisions which themselves are at least a decade out of date and due for a full review in terms of their efficiency and effectiveness.

Tuakau Structure Plan

11. The Tuakau Structure Plan process focused on residential growth in accordance with the former Franklin and now the Waikato District Growth Strategies. The focus of the structure plan was on residential development because industry and business activities were already well provided for in the operative District Plan and as a consequence of recent plan changes.
12. No member of the public could have contemplate the significant changes proposed to the operative Business and Industry Zones, and no consultation focused or raised these matters with the community. Nor was it discussed with the community why the more enabling operative District Plan provisions were being deleted in favour of more restrictive

Waikato Industry zones (or why other alternatives provisions were not considered).

13. The consultation has not been appropriate, and no justification for the retrograde changes can be identified in the Tuakau Structure Plan document, nor the information distributed to the community. The amendments proposed are not appropriately considered, nor an effective comparison made between the goals for the Tuakau Structure Plan and the employment and business/industry requirements of the Bollard Road and Whangarata Road area. PC16 does not implement the Tuakau Structure Plan in this regard and should be rejected.

Operative Whangarata Road Business Park

14. The Operative Whangarata Road Business Park provisions are not in a form that is so deficient or would result in adverse effects on the environment, that would justify their complete deletion and replacement with less enabling provisions based on another part of the District.
15. The Operative Whangarata Road Business Park provisions have flaws, however the submitters consider these could be addressed as part of the full District Plan review or by a specific plan change (and by this submission) to remove provisions which may not be as enabling as desired by the Council and landowners/operators.
16. The failings of specific provisions (such as the bicycle stand rules) are not so fatal that they justify the Council imposing more restrictive rules, such as in respect to activities, height, building coverage, impervious surfaces and yards. The identified concerns with the Operative Whangarata Road Business Park provisions are not matched by equivalent amendments.
17. The submitters consider that the proposed cure (ie. PC16) is worse than the disease (corrections needed to operative rules). The submitters consider that choices made by Council to not correct existing issues in the Operative District Plan (primarily in respect to the operative Industry Zones) is a fatal flaw in the plan change process and section 32 consideration of options and alternatives. The submitters consider that PC16 should be rejected, and consequently the Commissioners should direct the Council to undertake a plan change (or to utilize this submission and PC16) to edit the existing operative provisions to make them more efficient and effective, rather than their replacement with distinctly worse provisions that undermine the social, cultural and economic potential of the Bollard Road and Whangarata Road area.

Three Distinct Operative Zones

18. PC16 replaces three distinct business and industry zones with a single industry zone. The zones to be replaced are:

- i. Business Zone (Franklin Section)
 - ii. Industrial Services Zone (Franklin Section)
 - iii. Industrial Zone (Franklin Section)
19. The historic business area on Bollard Road is zoned Business Zone. Under the Franklin Section of the District Plan this zone provides for a wide range of business, retail and industry activities, which all support the social, cultural and economic wellbeing of the submitters, the local community of Tuakau and the wider District. PC16 does not provide an analysis of the economic impacts of the proposed changes, whereby less land is now available in Tuakau and the District for retail, yard based retail, commercial services and offices and that less intensive industry activities would now need to occur under the new rules. PC16 removes these opportunities, with objectives and policies which effectively restrict activities in the Tuakau Industrial Zone to only industry, warehousing and dairies.
20. Retail and commercial leakage is occurring to Pukekohe, Papakura and Manukau. There are a wide range of commercial and business activities that would not occur on George Street, nor would be appropriate to occur within the mainstreet area of Tuakau. This includes activities that do not provide for the day-to-day needs of residents, require large sites or have effects that make them unsuitable for a mainstreet location. With the proposal to delete the north Bollard Road Business Zone, the Council has effectively confirmed that it sees little to no retail or commercial development in Tuakau, and has made no provision to allow for this opportunity which would allow greater self-sufficiency for the Tuakau community and the local rural hinterland.
21. No robust economic analysis has been undertaken to justify the reduction in business and employment activities proposed in this area by PC16, nor has the Council identified any actual or potential adverse effects from maintaining the current zoning framework until the time of the District Plan review.

22. Similarly, PC16 does not recognise the distinctive roles of the Industrial Services Zone and Industrial Zone as part of the Whangarata Business Park. These zones provide for a wider range of activities, including opportunities for offices, commercial and retail which are not proposed to be continued into PC16. Consequently, with no provision being made in Tuakau for these activities it is likely that the consequence of the plan change is leakage of activities to Pukekohe, Drury South or Pokeno – all outcomes which do not benefit the local provision of employment and services in Tuakau.
23. The proposed Tuakau Industry Zone is entirely inappropriate as an import from Ngaruawahia or Huntly, rather than considering the provisions associated with the Business Zone, correcting provisions to the south associated with the Whangarata Business Park (Industrial Services and Industrial Zones), or utilising such provisions used elsewhere such as Pokeno or considering other approaches from district plans where economic development opportunities are enabled.
24. The submitters consider that PC16's Tuakau Industry Zone standards are a one size fits all approach, rather than an approach which recognizes the distinct qualities of the existing operative three zones and their management of activities and development in Tuakau. The proposed provisions are not fit for purpose, and when compared with the existing zones or those in adjoining towns (including Pokeno, Drury and Pukekohe) are substandard, deficient and do not represent the most efficient, effective or appropriate provisions to give effect to the Regional Policy Statement, to implement the District Plan's objectives and achieve Part 2 of the RMA.
25. The submitters seek the rejection of PC16 because it fails to provide the full range of activities required by the Tuakau community and commensurate with the current operative zones.

Importing the Waikato Industry Provisions

26. The proposed Tuakau Industry Zone provisions, which are based on the Waikato Industry Zones, when compared with other alternatives (current operative Business and Industry Zones (Franklin), Pokeno Industry Zone, Drury South Business Park) **are not** the most appropriate means to:
 - i. Promote social, cultural and economic wellbeing;
 - ii. Give effect to the RPS;
 - iii. Implement the relevant District Plan objectives and policies;
 - iv. Implement the Waikato Growth Strategy;

- v. Allow Council to carry out its statutory functions; and
 - vi. Manage adverse effects on the environment.
27. The submitters consider that the PC16 provisions reflect a significant step backwards, and are not efficient, effective or that the extent of change is necessary to address resource management issues or effects.
28. The submitters consider that copying 2004 provisions from the Waikato District Plan as replacements for the operative provisions is inherently flawed. The provisions are over a decade old, and have standards which significantly restrict development opportunities when compared with the operative business and industry zones. PC16 lacks a comparative analysis of which provisions are better, and whether alternative standards exist that are more enabling than the restrictive Waikato-based provisions.
29. The submitters consider that PC16 should be rejected, and more enabling provisions introduced through the decisions on submissions, a new plan change which addresses the submitters concerns or through the District Plan review in 2017.
30. The submitters consider that the reliance on the Waikato provisions, including cross-referenced appendices is flawed and promotes a significant injustice in respect to the submitters' ability to submit on all the relevant objectives, policies and matters contained in the Waikato Section of the District Plan which underpin the approach of PC16.

General Relief – Tuakau Industrial Zone

31. The submitters seek:
- i. The rejection of PC16; or
 - ii. The deferral of PC16 until the District Plan review; and
 - iii. The retention of the Operative Business Zone, Industrial Zone and Industrial Services Zone; and
 - iv. Deletion of the proposed Tuakau Industry Zone and provisions; and
 - v. The amendment of the operative Industrial Zone and Industrial Services Zone provisions to specify an enabling approach to permitted activities, to align with rules with the operative Business Zone and/or Pokeno Industrial Zones and/or Drury South Industry Zone; or

- vi. The replacement of these zones with equivalent enabling zones based upon the provisions from Pokeno, Operative Tuakau and/or the Drury South Business Park.

Alternative Relief – Tuakau Industrial Zone

- 32. In the event that Council does not agree with the above relief, the submitters seek amendments to PC16 as included in **Attachment 1**.

Concerns with PC16 - Tuakau Living Zone

- 33. The submitters oppose the rezoning of Rural Zoned land on the southern side of Dominion Road and western edge of the Tuakau Industrial Zone 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 Business and Industry Zones. This will generate a conflict between incompatible activities, which is likely to undermine and restrict the operation of existing and future activities, including those that operate on the basis of existing use rights.
- 34. The rezoning of the southern side of Dominion Road and the land to the west of the Tuakau Industrial Zone 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

- 35. Retain the Rural Zoned land on the southern side of Dominion Road and reject the proposal to rezone this land to Tuakau Living Zone.
- 36. Retain the Rural Zoned land on the western edge of the Tuakau Industrial Zone and reject the proposal to rezone this land to Tuakau Living Zone.

General relief sought

- 37. 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 submitters' concerns, and the suggested revisions do not limit the generality of the reasons for this submission.
- 38. The submitters request 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.

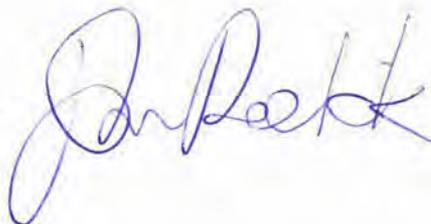
General Reasons for the submission

39. For those provisions of PC16 that the submitters oppose, those provisions require amendment. This is because, without the amendments proposed by the submitters, 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 submitters' assets in the Waikato region for the future;
 - (d) are not adequate to protect and enable the submitters' operations in the Waikato region generally;
 - (e) do not have sufficient regard to the efficient use and development of the submitters' assets and of those resources which are dependent on, or benefit from, the submitters' 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:

40. The submitters wish to be heard in support of its submission.
41. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.

Signature:



John Reelick
On behalf of the Bollard and
Whangarata Roads Business Group

Address for Service:
TTT Products Ltd
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Tuakau

Attachment 1

Table: Submission Points to Plan Change 16 (Tuakau Structure Plan)

#	Provision of PC16	Support/ Oppose	Reason	Decision Requested
Chapter 15C: Tuakau Structure Plan (Stage 1)				
1.	15C.1 Introduction	Oppose	<ul style="list-style-type: none"> Consistent with the primary submission, the submitters seek deletion of the Tuakau Industrial Zone or its amendment to reflect enabling provisions 	<ul style="list-style-type: none"> Delete the paragraph as follows: Stage 1 also addresses the managed development of the existing Tuakau Industrial Zone and provides for a minor extension to this area. Or alternatively amend as follows: Stage 1 also addresses the managed development of the existing <u>Business, Industrial Services and Industrial Zones Tuakau Industrial Zone</u> and provides for a minor extension to this area as <u>Industrial Zone</u>.
2.	15C.1 Introduction	Oppose	<ul style="list-style-type: none"> Consistent with the relief to delete the Tuakau Living Zone south of Dominion Road 	<ul style="list-style-type: none"> Amend as follows: Stage 1 comprises areas of greenfield residential growth on the northern side of Buckland Road and on the <u>northern side</u> both sides of Dominion Road (immediately to the west and east of the existing residential areas respectively).
3.	15C.1 Introduction	Oppose	<ul style="list-style-type: none"> Consistent with the primary submission, the submitters seek deletion of the Tuakau Industrial Zone or its amendment to reflect 	<ul style="list-style-type: none"> Amend as follows: This chapter contains provisions that are specific

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			enabling provisions	to selected areas that generally comprise Stage 1 of the Tuakau Structure Plan adopted by Council in December 2014. This chapter is to be read in conjunction with: 3.1.1, 3.3A, 3.3A.1 3.3A.2 and 3.3A.3 which relate to the Vision and Strategy for the Waikato River Schedule 21E (Tuakau Living Zone (New Residential)) Schedule 24G (Tuakau Industrial Zone) Schedule 27B (Tuakau Country Living Zone)
4.	15C.2 Issue – Planned and Sustainable Growth of Tuakau	Oppose	<ul style="list-style-type: none"> Limit the extent of the objectives and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone. At present it is unclear as to whether the objectives and policies are restricted to specific zones, and therefore they could impose inappropriate and unnecessary requirements on industrial development. 	<ul style="list-style-type: none"> Amend the issue, objective and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone.
5.	15C.4 Issue – Impact on Water Quality, Biodiversity, Ecosystems and Habitats	Oppose	<ul style="list-style-type: none"> Limit the extent of the objectives and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone. At present it is unclear as to whether the objectives and policies are restricted to specific zones, and therefore they could impose inappropriate and unnecessary requirements on industrial development. 	<ul style="list-style-type: none"> Amend the issue, objective and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone.
6.	15C.6 Issue – Health,	Oppose	<ul style="list-style-type: none"> Limit the extent of the objectives and policies so they only apply to the Tuakau Living Zone 	<ul style="list-style-type: none"> Amend the issue, objective and policies so they only apply to the Tuakau Living Zone and Tuakau

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	Safety and Property		and Tuakau Countryside Living Zone. At present it is unclear as to whether the objectives and policies are restricted to specific zones, and therefore they could impose inappropriate and unnecessary requirements on industrial development.	Countryside Living Zone.
7.	15C.8 Issue – Amenity Values for Urban Subdivision, Building and Development	Oppose	<ul style="list-style-type: none"> Limit the extent of the objectives and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone. At present it is unclear as to whether the objectives and policies are restricted to specific zones, and therefore they could impose inappropriate and unnecessary requirements on industrial development. 	<ul style="list-style-type: none"> Amend the issue, objective and policies so they only apply to the Tuakau Living Zone and Tuakau Countryside Living Zone.
8.	Issues, Objectives and Policies	Oppose	<ul style="list-style-type: none"> The issues, objectives and policies need to include specific requirements to avoid reverse sensitivity effects and residential activities in proximity to the Business and Industrial Zones. This is to protect the heavy industry activities contained in the zones from encroachment by sensitive activities that would undermine existing and future business and employment activities which generate reduced air quality amenity, odour, noise, visual amenity effects and trip generation, and include 24hr operations 	<ul style="list-style-type: none"> Insert a new objective and policy as follows: <u>Objective:</u> <u>Separation distances between residential activities and business and industry areas (containing light and heavy industry) are maintained.</u> <u>Policy:</u> <u>Avoid locating residential activities in proximity to the Tuakau business and industry areas (containing light and heavy industry) on Bollard and Whangarata Roads and maintain adequate separation distances and buffers within the Rural Zone to avoid reverse sensitivity effects on these</u>

#	Provision of PC16	Support/ Oppose	Reason	Decision Requested
9.	15C.10 Issue – Functionality and Integrated Development within the Tuakau Industrial Zone	Oppose	<ul style="list-style-type: none"> • As outlined in the main submission, the PC16 provisions significantly restrict a range of business, commercial and employment activities which are currently provided for by the operative District Plan zones. No economic analysis, or consideration of alternatives is provided, nor resource management resource outlined for the approach of restricting the extent and nature of development provided in the Operative District Plan. • In respect to the zone boundary, this does not reflect that in the rural zone effects are measured at the notional boundary of the dwelling. This reflects that there are unlikely to be receivers at the zone boundary. • The objectives and policies need to reflect existing National Environmental Standards. • The reference to traffic is inappropriate, and with the methods associated with traffic generation undermine the employment approach of the zones and the enabling of business activities to locate in the zone. • The policies to need clarify that the sensitive 	<p><u>activities.</u></p> <ul style="list-style-type: none"> • Amend as follows (and otherwise retain as identified): <p>Objectives</p> <p>15C.10.1 Industrial <u>Business</u> development to occur in an integrated, efficient and coordinated manner while managing adverse effects.</p> <p>Policies</p> <p>Insert new policy: <u>Enable employment-based business and industry activity.</u></p> <p>15C.10.2 Subdivision and development are to achieve internal road connectivity as well as connections with adjoining properties where thoroughfare routes are necessary.</p> <p>15C.10.3 Subdivision and development are to be designed to ensure:</p> <p>(a) the coordinated provision of infrastructure; and</p>

#	Provision of PC16	Support/ Oppose	Reason	Decision Requested
			<p>land uses are limited to residential.</p> <ul style="list-style-type: none"> As outlined in the primary submission, the limitation on retail does not reflect the types of retail activities appropriate outside of the mainstreet, and the capacity and limitations associated with the existing extent of sites, their sizes and characteristics on mainstreet to support a wide range of activities. The policy does not also reflect the existing operative district plan provisions, that no section 35 assessment has been undertaken, nor deficiencies identified with the current operative district plan provisions. 	<p>the efficient, effective and safe development and use of infrastructure.</p> <p>15C.10.4 Activities are to be appropriately located and managed to mitigate adverse effects at any zone boundary, including visual, acoustic, vibration, lighting, glare, litter, electromagnetic radiation, vermin, traffic, spray drift, dust, smoke, odour and fume effects.</p> <p>15C.10.5 Sensitive <u>residential</u> land uses must not be located within the Tuakau Industrial Zone.</p> <p>15C.10.6 Convenience retail activities are only to be accommodated within the Tuakau Industrial Zone if:</p> <ul style="list-style-type: none"> (a) they cater for the daily needs of workers within the Tuakau Industrial Zone; and (b) they are not of a scale and character that would undermine the function of the Tuakau town centre; and <p>they are not of a scale and character that would undermine the primary role of the Tuakau Industrial Zone, which is to accommodate industry and employment.</p>

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				<p><u>Retail activities should be of a type that do not undermine the vitality, vibrancy and function of the Tuakau town centre as the mainstreet to entertainment, convenience retail and commercial services.</u></p> <ul style="list-style-type: none"> Consequently amend the reasons and explanations to address the relief sought above.
Schedule 24G: Tuakau Industrial Zone				
10.	24G.1 Application of the Schedule	Oppose	<ul style="list-style-type: none"> It should be made clear that only the sections of the District Plan (Waikato Section) that the submitters have had the opportunity to make a submission on apply to the Zone. All other provisions do not apply as none of these have been open to submission. 	<ul style="list-style-type: none"> Amend as follows: <u>No other rules of the District Plan (Waikato Section) apply to the Zone.</u> Delete as follows: The Schedule 24G rules shall also be read in conjunction with Chapters 16, 17, 18, 19, 20 and 29.
11.	24G.10 Type of activity	Oppose	<ul style="list-style-type: none"> As outlined in the submission, PC16 restricts a wide range of activities which are permitted, controlled or restricted discretionary activities in the District Plan. There is no basis for this approach given that there are three underlying zones each with specific functions applying to the applicable sites. 	<ul style="list-style-type: none"> Delete the rule and insert a new rules as follows: Insert as permitted activities those activities identified in Rule 29.1, 29B.1, 29C.1 of the Franklin Section as identified as permitted, controlled and restricted discretionary activities in the Franklin Sections Tuakau Industrial Services and Tuakau Industrial Zones.

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				Consequently amend all definitions to accord with the activities identified in the Franklin Section of the District Plan.
12.	24G.11 On-site services	Oppose in part	<ul style="list-style-type: none"> The rules should reflect the requirements of the relevant National Environmental Standard as opposed to applying replicated rules. The rules should not reference Appendix B engineering standards as these are written in the style of open ended guidelines as opposed to standards that are measurable and precise to determine compliance. 	<ul style="list-style-type: none"> Update the standard to avoid replicating the relevant NES Delete references to Appendix B engineering standards, or consequently amend Appendix B to the satisfaction of the submitter so that the appendix only includes measurable standards.
13.	24G.12 Network utility (excluding aerials)	Oppose in part	<ul style="list-style-type: none"> The rule includes several references to Appendices and standards that are not measurable standards. In addition, some standards or appendices outline value judgements and subjective matters. 	<ul style="list-style-type: none"> Update the standard to avoid replicating the relevant NES Delete subjective standards. Delete references to Appendices A and B, or consequently amend Appendices A and B to the satisfaction of the submitter so that the appendix only includes measurable standards and aligns with Part 51 of the Franklin Section of the Operative District Plan.
14.	24G.13 Existing electricity and telecommunications lines	Oppose in part	<ul style="list-style-type: none"> The rules should reflect the requirements of the relevant National Environmental Standard as opposed to applying replicated rules. 	<ul style="list-style-type: none"> Update the standard to avoid replicating the relevant NES

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15.	24G.14 Access, vehicle entrance, parking, loading and manoeuvring space	Oppose	<ul style="list-style-type: none"> • The submitters oppose references to Appendix A. This inserts a range of new standards not contained within the Franklin section, and these require review and inappropriate standards should be deleted. • Standard (b) is not appropriate as it creates a significant separation of internal functions of a site from a boundary. As outlined in the operative District Plan, matters of amenity can be addressed more appropriate with a setback where they relate to the internal design of the site. 	<ul style="list-style-type: none"> • Delete references to Appendix A, or consequently amend Appendix to the satisfaction of the submitter so that the appendix only includes measurable standards and aligns with Part 51 of the Franklin Section of the Operative District Plan. • Delete standard (b)
16.	24G.15 Vehicle movements	Oppose	<ul style="list-style-type: none"> • Standards for trip generation are opposed as they do not enable the success of the business and industry areas, nor are such standards utilised in the operative Franklin Section. The imposition of the standard is not justified by objectives and policies of PC16. • The consideration of a variety of amenity effects associated with a dedicated business and industrial zone is not justified, nor comparable with other activities in the District. 	<ul style="list-style-type: none"> • Delete the rule.
17.	24G.16 Servicing and operation hours	Oppose	<ul style="list-style-type: none"> • This rule applies to large sites, and therefore is a capture all. It needs to apply to activities located within a set distance (say 30m) from the zone boundary (where its residential/living) as opposed to the whole site, otherwise it needs to be deleted. 	<ul style="list-style-type: none"> • Delete the rule.

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			<ul style="list-style-type: none"> Noise standards apply to the site, so if noise can be complied with the standard reflects an inappropriate and unnecessary method to manage amenity. 	
18.	24G.17 Landscaping	Oppose in part	<ul style="list-style-type: none"> The standards need to reflect the requirements of the relevant operative District Plan Zone rather than impose new standards different from those applying for the last one to two decades. 	<ul style="list-style-type: none"> Amend clause (a) to apply to 1.5m. Delete clause (c). Delete the discretion relating to safe site ingress and egress and otherwise simplify the multiple discretions that simply relate to the type of proposed landscaping.
19.	24G.18 Noise	Oppose in part	<ul style="list-style-type: none"> The noise standards do not reflect the existing operations (including 24hr operations), the existing standards of the Operative District Plan, the updated NZS relating to Laeq. The standards should apply at the notional boundary of a dwelling in the rural zones, and otherwise exempt recreation and public open space zones. 	<ul style="list-style-type: none"> Amend the standard as follows: 24G.18.1 Any activity in the Tuakau Industrial Zone is a permitted activity if the it is designed and conducted so that noise from the activity measured at any other site: <ul style="list-style-type: none"> (a) in the Tuakau Industrial Zone, does not exceed <ul style="list-style-type: none"> (i) 75dBA <u>Laeq</u> (<u>L₁₀</u>), 7am to 10pm <u>All times</u> (ii) 45dBA (<u>L₁₀</u>), 10pm to 7am the following day (iii) 75dBA (<u>L_{max}</u>), 10pm to 7am the following day, and (b) in another zone, <u>or within the Rural Zone at the notional boundary of a dwelling</u>, does not exceed <ul style="list-style-type: none"> (i) 55dBA <u>Laeq</u> (<u>L₁₀</u>), 7am to 10pm (ii) 45 <u>40</u>dBA <u>Laeq</u> (<u>L₁₀</u>), 10pm to 7am the

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				<p>following day</p> <p>(iii) $75 \pm 70 \text{dBA (Lafmax) (L_{max})}$, 10pm to 7am the following day.</p> <p>Despite the above, construction noise and emergency sirens are not subject to this rule.</p>
20.	24G.19 Construction noise	Oppose	<ul style="list-style-type: none"> The construction noise standard in Appendix N does not reflect the updated NZS. 	<ul style="list-style-type: none"> Either insert reference to the relevant NZS for construction noise or amend Appendix N to refer to the most up to date New Zealand Standard for construction noise.
21.	24G.20 Vibration	Oppose	<ul style="list-style-type: none"> The vibration standards are out of date and should be amended to reflect industry best practice. 	<ul style="list-style-type: none"> Amend so that the standard refers to the relevant standards contained in German Industrial Standard DIN 4150-3 (1999): Structural vibration – Part 3 Effects of vibration on structures
22.	24G.21 Glare and lighting	Oppose in part	<ul style="list-style-type: none"> The standard should exempt rural and recreation reserve boundaries and sites, or otherwise apply the standard so that in respect to rural zoned sites it applies from the notional boundary of a dwelling in the rural zone. The standard also should only apply during nighttime hours between 10pm and 7am. 	<ul style="list-style-type: none"> Amend the rule to exempt rural and recreation reserve boundaries and sites, or otherwise apply the standard so that in respect to rural zoned sites it applies from the notional boundary of a dwelling in the rural zone. Amend the standard so that it only applies during nighttime hours between 10pm and 7am where it adjoins a residential zoned site.
23.	24G.22 Dust, smoke, fumes, or odour or ground level	Oppose in part	<ul style="list-style-type: none"> Clause (c) applies an outdated standard for Transpower lines. This standard should not be applied in respect to the smaller Counties Power 110 kva lines where the Electricity Regulations apply in respect to earthworks. 	<ul style="list-style-type: none"> Delete Clause (c)

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24.	24G.23 High-frequency electromagnetic field	Oppose	<ul style="list-style-type: none"> • This standard is superseded by the National Environmental Standard. • It demonstrates how outdated the Waikato section rules are and how copying these requirements into Tuakau can be a fraught exercise. 	<ul style="list-style-type: none"> • Delete the rule.
25.	24G.24 Earthworks	Oppose in part	<ul style="list-style-type: none"> • The submitters oppose references to Appendix B as this does not contain measurable standards, but rather guidelines and matters open to subjective interpretation. • Clause (b) places an unnecessary burden on business and industry sites where side yards are not expected or required. • Rule 24G.24.2 places additional standards on development that do not relate to a resource management purposes, the reality of earthworks or are consistent with standards applying in the Franklin Section. 	<ul style="list-style-type: none"> • Delete Clause (a) • Delete Clause (b) • Delete Rule 24G.24.2 in its entirety • Delete Clause (f) (ii)
26.	24G.25 Earthworks	Support	<ul style="list-style-type: none"> • The provisions appropriately provide for cleanfill activities. 	<ul style="list-style-type: none"> • Retain as notified
27.	24G.26 Contaminated land remediation	Oppose	<ul style="list-style-type: none"> • This replicates the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011. It is unnecessary to have a repetitive rule in the District Plan which also replicates elements governed by the Regional Plan for discharge 	<ul style="list-style-type: none"> • Delete the rule.

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			consents.	
28.	24G.27 Hazardous substances	Neutral	<ul style="list-style-type: none"> • Provided that Appendix H reflects the latest HASNO requirements then it is appropriate, however if the appendix is significantly outdated then it should be amended. 	<ul style="list-style-type: none"> • As required Amend Appendix H to reflect the most recent Government standards for hazardous substances.
29.	24G.28 Radioactive materials	Neutral	<ul style="list-style-type: none"> • Provided the rule does not pick up on fire alarms and other domestic appliances then it is appropriate. 	<ul style="list-style-type: none"> • Review the rule to ensure that it addresses modern requirements.
30.	24G.29 Wastewater treatment	Oppose in part	<ul style="list-style-type: none"> • It is clear that this is a district wide standard which does not reflect the specific requirements of the zone because it refers to private wastewater requirements associated with dwellings. In addition, the proposal needs to differentiate wastewater in respect to avoiding wastewater resulting from industrial processes, including small scale treatment prior to discharge in accordance with trade waste permits and the trade waste bylaw. 	<ul style="list-style-type: none"> • Review and amend to address the matters raised in the submission, or otherwise delete where the rule includes inappropriate standards.
31.	24G.34 Outdoor storage	Oppose	<ul style="list-style-type: none"> • The standard is not consistent with the rules associated with permitted activity buildings. It does not relate to a resource management issue or effect, and applies thresholds which do not enable business and industrial development. 	<ul style="list-style-type: none"> • Delete the rule.
32.	24G.35 Building	Oppose	<ul style="list-style-type: none"> • The proposed standards probably represent the most onerous industrial standards in New 	<ul style="list-style-type: none"> • Delete rule 24G.35.3. • Amend the rule to reflect the Operative District

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	height		Zealand. This indicates how onerous the plan change intends to focus on business and industry development, does not reflect the existing environment, activities or the heights enabled by the Operative District Plan or by comparison those at Pokeno. The rules clearly reflect how significantly out of step the Waikato rules are compared with those of the Franklin section, and height how inappropriate it is to use rules which do not enable business or industry development, or employment related growth.	Plan (Franklin Section) in respect to the relevant operative zones as they apply to each site.
33.	24G.36 Daylight admission	Oppose in part	<ul style="list-style-type: none"> The proposed height in relation to boundary standard needs to reflect the operative District Plan Franklin section standards. 	<ul style="list-style-type: none"> Amend rule (a) (i) so it applies the standard at 3m Delete rule (a) (ii). Exempt road boundaries from the rule.
34.	24G.37 Building coverage	Oppose	<ul style="list-style-type: none"> The standards applying to the operative zones are 100% and 85%. There is no justification in the objectives or policies to reduce the building coverage standard. As with the height control, this is an example of the imposition of a conservative industry zone that does not enable employment and business/industry development to the same degree when compared to the Franklin section. 	<ul style="list-style-type: none"> Amend the rule so that it applies 100% coverage in the operative Business Zone and 85% coverage in the operative Tuakau Industrial Zones. Delete the discretion regarding onsite car parking.
35.	24G.38 Building	Oppose	<ul style="list-style-type: none"> The front yard standard should be 5m from the road boundary and boundary with a other zone. This will allow the efficient use of 	<ul style="list-style-type: none"> Amend rule (a) to require a 5m yard. Delete rule (b) as no regional arterial roads apply to the area.

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	setbacks		the land resource for business, industry and employment related activities.	
36.	24G.39 Setbacks high voltage electricity transmission lines	Oppose	<ul style="list-style-type: none"> These setbacks apply to national grid transmission lines. These are not present in Tuakau, however the capture all works associated with the Counties Power lines which is unnecessary given the electricity regulations. 	<ul style="list-style-type: none"> Delete the rule.
37.	24G.40 Building near a stream	Oppose in part	<ul style="list-style-type: none"> Buildings should be restricted discretionary activities where within 27.5m of a stream. The matters of discretion can be identified and it is unnecessary to retain a discretionary activity status. 	<ul style="list-style-type: none"> Amend the rule so infringements are a restricted discretionary activity. Amend so that the setback is 10m
38.	24G.42 Relocated building	Oppose	<ul style="list-style-type: none"> This rule is unnecessary as buildings are permitted while locating a purpose built structure or building onto the site requires resource consent. The matters of control really relate to residential or rural situations. 	<ul style="list-style-type: none"> Delete the rule.
39.	24G.43 Allotment size	Support	<ul style="list-style-type: none"> The subdivision standard for lot size is unnecessary and restrictive in respect to the size of fee simple lots. 	Amend the rule so that the lot size standard is 150 m2
40.	24G.44 Allotment boundaries	Oppose in part	<ul style="list-style-type: none"> It is not relevant where property boundaries are drawn in respect to the identified features in clause (b). The boundary does not generate an effect. 	<ul style="list-style-type: none"> Delete Rule (b)

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41.	24G.45 Frontage	Oppose in part	<ul style="list-style-type: none"> The matters of discretion can be identified and it is unnecessary to retain a discretionary activity status. 	<ul style="list-style-type: none"> Amend the rule so infringements are a restricted discretionary activity.
42.	24G.46 Road access	Oppose in part	<ul style="list-style-type: none"> The matters of discretion can be identified and it is unnecessary to retain a discretionary activity status. The references to Appendix A (Traffic) and Appendix B (Engineering Standards are opposed as this include unmeasurable and subjective standards, and also standards not consistent with the Operative District Plan Franklin section. 	<ul style="list-style-type: none"> Amend the rule so infringements are a restricted discretionary activity. Delete references to Appendix B. Amend references to Appendix A and amend Appendix so that the standards accord with Part 51 of the Franklin Section.
43.	24G.47 Earthworks	Oppose in part	<ul style="list-style-type: none"> The matters of discretion can be identified and it is unnecessary to retain a discretionary activity status. The submitters oppose references to Appendix B as this does not contain measurable standards, but rather guidelines and matters open to subjective interpretation. 	<ul style="list-style-type: none"> Amend the rule so infringements are a restricted discretionary activity. Delete rule (a)
44.	24G.48 On-site services	Oppose in part	<ul style="list-style-type: none"> The matters of discretion can be identified and it is unnecessary to retain a discretionary activity status. The submitters oppose references to Appendix B as this does not contain measurable standards, but rather guidelines and matters open to subjective interpretation. 	<ul style="list-style-type: none"> Amend the rule so infringements are a restricted discretionary activity. Delete rule (b)(ii)

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45.	24G.50 Traffic generation	Oppose	<ul style="list-style-type: none"> This rule and its performance standards are subjective and do not have a relevance to the consideration of land already identified and zoned for business and industrial development and subdivision. 	<ul style="list-style-type: none"> Delete the rule.

END