

Northgate Industrial Park Ltd and Northgate Developments Ltd Submitter #790

Hearing 7 – Industrial Zone and Heavy Industrial Zone

**Evidence Highlights
Kathryn Drew**

Horotiu Industrial Park

- Northgate owns a significant portion of the land contained within the Horotiu Industrial Park (HIP).
- Northgate is developing this land to release it to the industrial market. Currently undertaking construction activities of the land known as the Southern Precinct, south-east of the Ports of Auckland land.
- The existing zoning and associated rule framework was established as a result of an appeal to the previous PDP. The HIP has its own set of provisions in the ODP (Chapter 24B).
- The PDP as notified sought to retain the industrial zoning across the HIP land but did not provide for a specific set of provisions for the land.
- This approach was amended in the s42A report and a new set of bespoke provisions for the HIP (Section 20.6) have been proposed.
- The bespoke set of provisions for the HIP is supported, subject to changes sought in my primary evidence and further described herein.

Scope of Highlights Package

- Highlight areas of agreement/disagreement with Council's s42A author relating to Northgate's submission and primary evidence as it relates to the provisions that will apply to the HIP.
- Expand on justification for areas of disagreement.

Identification of the Horotiu Industrial Park on Planning Maps

- Northgate supports the proposed amendments to be made on the planning maps to define the extent of land subject to the Chapter 20.6 – HIP provisions.

Rule 20.6.1(b) Application of Rules

- Northgate sought that Rule 20.6.1(b) specifically identified what rules from Chapter 20 do and do not apply to avoid ambiguity as to which rule has precedence.
- Council's rebuttal evidence has adopted an approach whereby clause (b) is removed and clause (a) is amended to state that all the Chapter 20 rules apply, unless specified below and excluding the land use activity rules.
- This approach is supported by Northgate.

Rule 20.6.3.2 – Landscape Planting

- This rule mirrors that set out in ODP Chapter 24B, as Rule 24B.20.
- The difference is however that the ODP rule enables all development to be a permitted activity where the required landscaping is provided.
- The approach adopted in the PWDP is that it's a controlled activity consent.
- This approach has been adopted because the rule as drafted is not subjective and is therefore no certain.
- Northgate's preference is to retain the landscaping requirement as a permitted activity.
- I have herein produced a 'less subjective' rule, so that landscaping can be a permitted activity. See following slide.
- It is my opinion that this rule achieves the same purpose as that of the ODP rule because it confirms the depth, species type, its required height within 5 years of planting and a planting density. With these matters set out, it is my opinion, that the planting will achieve the visual screening purpose that the ODP rule sought to achieve in this location.

Amended Rule 20.6.3.2 wording

- P1 (a) Any land use or building activity on land that fronts Horotiu Road shall be landscaped, along its full frontage with Horotiu Road, except for access and egress points, and immediately inside that road boundary to the following minimum standards:*
- (i) Is 5 metres wide;*
 - (ii) comprises of indigenous species that will achieve a height of at least 5 metres within 5 years; and*
 - (iii) Shrubs and trees are planted at a maximum of 1.5 metres apart.*

- Council's feedback to this alternative wording is still pending.
- With reference to s32AA of the RMA, I am of the opinion that the amendment appropriately implements the objectives and policies in section 4.6 of the PWDP and higher order documents. Specifically, a permitted activity status provides by Council and landowners with certainty of the outcome and avoids unnecessary consenting costs for a relatively simple matter and a matter that affects a handful of properties.

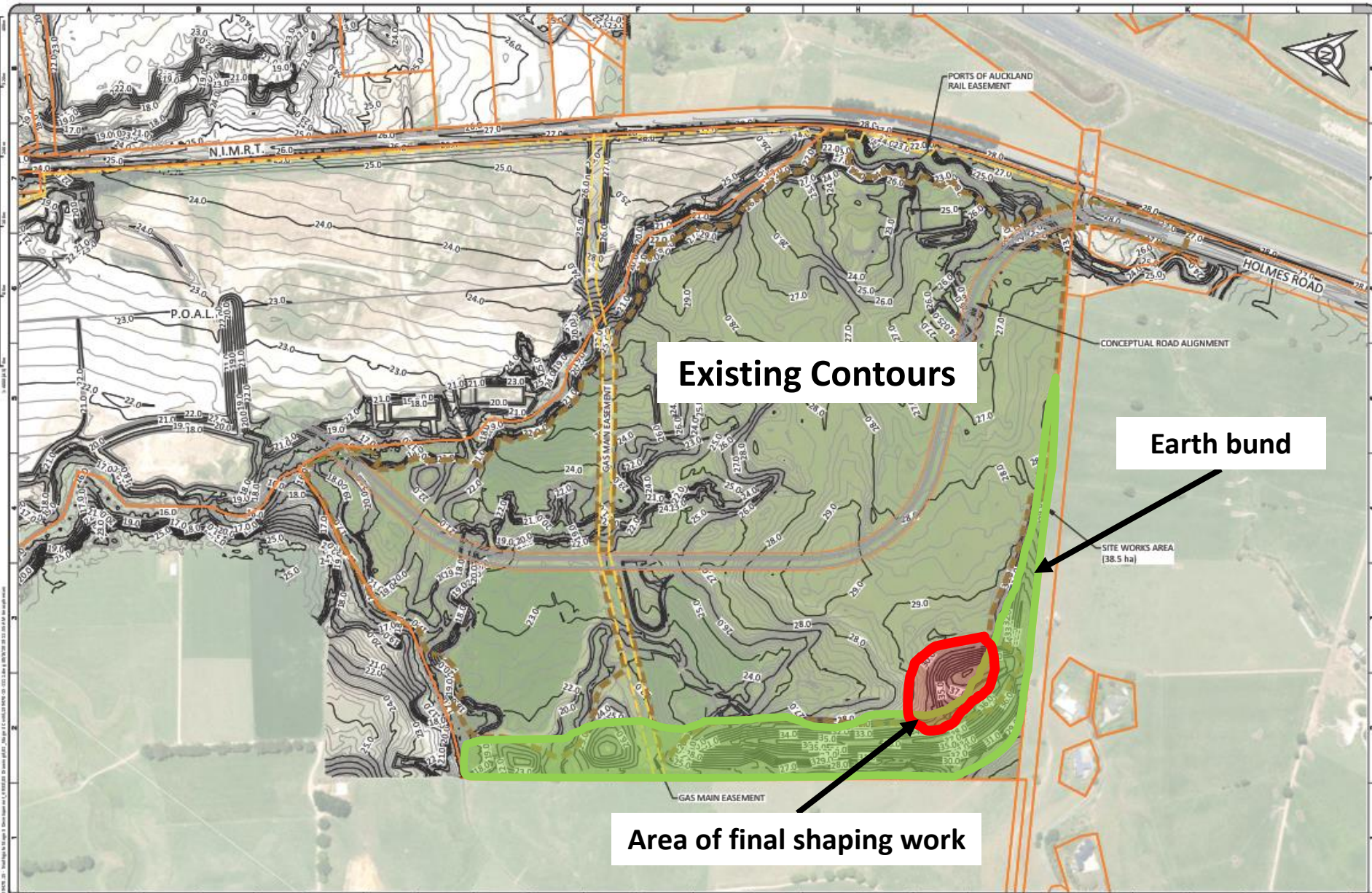
The Earth Bund

- The earth bund and associated planting is a form of mitigation between the HIP development and the adjoining rural zoned farm park properties.
- If there are rules in the PDP relating to the earth bund then its extent needs to be defined so that compliance can be measured.
- Council's rebuttal evidence concurs that it should be defined.
- Council has confirmed that the extent of the earth bund can be defined on the same planning map that defines the HIP land area.
- This approach is supported by Northgate.
- BBO can provide accurate information of the extent of the earth bund from survey information to help Council define it.

Rule 20.6.3.3 – Planting of the Earth Bund

- Northgate seeks the removal of this rule on the basis that:
 - a) these matters are covered by existing land use consents held by Northgate, with Waikato DC, that are currently being implemented to release development potential of the land; and
 - b) the bulk of the bund has been formed;
 - c) the planting has been completed;
 - d) the rule is therefore superfluous.

See following figure existing earth bund contours and the remaining portion of the bund being constructed.



Existing Contours

Earth bund

Area of final shaping work

SITE WORKS AREA
(38.5 ha)

DATE	BY	FOR	NO.	REV.	DATE



NORTHGATE DEVELOPMENTS LTD

STAGE 3 CONSTRUCTION

**EARTHWORKS PLANS
EXISTING CONTOURS**

STATUS	PRELIMINARY
DATE	30.08.2019
SCALE	1:4000
PROJECT NO.	139470-15-1111
REVISION	A

Rule 20.3.4.1 – Building Setback from Earth Bund

- Rule 20.3.4.1 included a rule relating to the setback for buildings from the earth bund.
- Council in their rebuttal has amended the location of this rule so that it is now within the HIP provisions (see Rule 20.6.4.1A).
- Northgate supports the inclusion of this rule within the Chapter 20.6.
- A further amendment is however also required to Rule 20.3.4.1 to remove a further reference the earth bund, as shown below:

20.3.4 Building setbacks

- (1) Rule 20.3.4.1 provides the permitted building setbacks from boundaries ~~and the earth bund located at 53 Holmes Road, Horotiu.~~

Rule 20.2.7.1 - Signage

- It is my evidence, and that of Ports of Auckland, is that the free-standing signage provisions for the Industrial Zone are too stringent because they do not reflect the underlying site size.
- As currently drafted the rule enables one free standing sign, no more than 3m³ and one further free-standing sign of 1m³ regardless of the size of the site. As currently provided for a 10ha site is required to comply with the same requirement as a 500m² site. This does not seem equitable.
- As part of my evidence I suggested the Hamilton City Council approach could be adopted. In the Hamilton City Council example, they enable 1m² of signage for every metre of site frontage, up to a maximum of 10m². This approach reflects the fact that as your site size increases the site has the ability to absorb more signage. Similarly, it adopts a maximum to provide certainty.
- Ports of Auckland evidence sought an increase from 3m² to 15m² for the first sign and 2m².

- I would support either approach. I also concur with the evidence of Mr Mark Arbuthnot that the changes sought would implement objective 4.6.6 and policy 4.6.7 of the PWDP.
- Both options have been rejected on the basis that there is no specific reason why the provisions should be relaxed.
- The key reason the provision should be relaxed is to enable signage, without costly consenting processes, that is of a more realistic size for industrial developments, particular the larger sites/developments within the HIP.