

SECTION 42A REPORT

Report on submissions and further submissions on the
Proposed Waikato District Plan - Stage I

Hearing 7:

Industrial Zone & Heavy Industrial Zone

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November 2019



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List of submitters and further submitters addressed in this report

Submitter	Submission number
2SEN Limited and Tuakau Estates Limited	299
Buckland Marine Ltd	465
EnviroWaste New Zealand Limited	302
Fire and Emergency NZ	378
Genesis Energy Ltd	924
Grander Investments Ltd	548
Hamilton City Council	535
Holcim (NZ) Ltd	766
Kirriemuir Trustee Limited	182
Mainland Poultry Ltd	833
New Zealand Transport Agency	742
Ngati Tamaoho Trust	567
Ngati Te Ata	798
'Oil Companies' – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	785
PLB Construction	804
Ports of Auckland Ltd	578
Synlait Milk Ltd	581
The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brink NZ Chicken; The Egg Producers Federation of New Zealand and Tegel Foods Limited (combined submission)	821
Van Den Brink Group	633
Waikato District Council	697
Waikato District Health Board	923
Waikato Regional Council	81
Woolworths NZ Ltd	588

Further Submitter	Submission number
<i>Gordon Downey</i>	<i>FSI157</i>
<i>Genesis Energy Ltd</i>	<i>FSI345</i>
<i>Craig Hall</i>	<i>FSI049</i>
<i>Havelock Village Limited</i>	<i>FSI377</i>
<i>Holcim (New Zealand) Ltd</i>	<i>FSI326</i>
<i>Jarod Kowhai Huaki</i>	<i>FSI166</i>
<i>Tamara Huaki</i>	<i>FSI164</i>
<i>Hynds Foundation</i>	<i>FSI306</i>
<i>Hynds Pipe Systems Ltd</i>	<i>FSI341</i>
<i>Pekerangi Kee-Huaki</i>	<i>FSI165</i>
<i>Gavin Lovegrove and Michelle Peddie</i>	<i>FSI149</i>
<i>Mainland Poultry Ltd</i>	<i>FSI265</i>
<i>Christian & Natasha McDean</i>	<i>FSI204</i>
<i>Mercury Energy Limited</i>	<i>FSI223</i> <i>FSI386</i> <i>FSI387</i> <i>FSI388</i>
<i>Bryan Morris</i>	<i>FSI309</i>
<i>Newstead Country Preschool</i>	<i>FSI182</i>
<i>Newstead Residents Association</i>	<i>FSI216</i>
<i>New Zealand Transport Agency</i>	<i>FSI202</i>
<i>Ohinewai Area Committee</i>	<i>FSI145</i>
<i>Ports of Auckland Ltd</i>	<i>FSI087</i>
<i>Shand Properties Limited</i>	<i>FSI141</i>
<i>Noel Gordon Smith</i>	<i>FSI183</i>
<i>Synlait Milk Ltd</i>	<i>FSI110</i> <i>FSI322</i>
<i>Te Whakakitenga o Waikato</i>	<i>FSI108</i>

<i>Incorporated (Waikato-Tainui)</i>	
<i>Dennis and Jan Tickelpenny</i>	<i>FSI280</i>
<i>Transpower NZ Ltd</i>	<i>FSI350</i>
<i>Tuakau Proteins Ltd</i>	<i>FSI353</i>
<i>Van Den Brink Group</i>	<i>FSI193</i>
<i>Pareoranga te Kata</i>	<i>FSI035</i>

Please refer to Attachment I to see where each submission point is addressed within this report.

I Introduction

I.2 Qualifications and experience

1. My name is Jane Macartney.
2. I hold the qualification of a Bachelor of Regional Planning (First Class Honours) Degree from Massey University and have been a Full Member of the New Zealand Planning Institute since 1993. I completed the Making Good Decisions course in September 2018 with a grade of excellence.
3. I am familiar with, and experienced in, the processing of resource consents and preparing plans and the Resource Management Act 1991 (RMA). I have given expert planning evidence at local authority hearings and the Environment Court.
4. I am particular familiar with the former Franklin District, having worked for the former Franklin County Council and Franklin District Council (FDC).
5. I worked in my own planning consultancy for six years preparing resource consent applications.
6. Up until the disestablishment of FDC in 2010, I had a total of 16 years' experience as a Regulatory Planner and as the Principal District Planner.
7. In my role as FDC's Principal District Planner, I was responsible for policy planning and managed various plan changes including:
 - Plan Change 14 (Rural Plan Change) - which addressed land use and subdivision for the whole of the Franklin District, except for the towns of Pukekohe, Waiuku and Tuakau). I instructed FDC's team and reviewed evidence for the Environment Court hearing in 2013 which resolved the outstanding appeals to the subdivision methods.
 - Plan Change 20 - Local Government (Auckland) Amendment Act 2004
 - Plan Change 24 - Pokeno Structure Plan, plus various district-wide provisions
 - Plan Change 25 - Hazards, Stormwater, Esplanade Reserves and Earthworks
 - Plan Change 27 - Remedial Minor, Miscellaneous, Tutaenui Floodway Area and Heritage Schedule
 - Plan Change 30 - Home Occupations, Activities in the Rural and Coastal Zones, Standards for Temporary Activities, Standards for Subdivision, Standards for Parking, Loading and Access, Standards for the Business Zone, Standards for Sleepouts, Network and Other Utilities and Residential and Village Zone Standards
8. Since joining WDC in 2010, I have been a Senior Policy Planner involved in:
 - WDC's Variation 16 - Rural and Coastal Subdivision (which subsequently became Plan Change 2 to the Waikato Section), including specific responses on the topic of transferable development rights.
 - Appeal resolutions for FDC's Plan Change 24
 - Appeal resolutions for FDC's Plan Change 25
 - FDC's Plan Change 30 – WDC's and Hauraki District Council's representative at hearing

- Plan Change 5 - Vision and Strategy for the Waikato River
 - Plan Change 16 - Tuakau Structure Plan (now withdrawn)
 - Variation 13 to FDC's Rural Plan Change 14 - prohibition of transferable rural development rights across territorial boundaries.
9. I assisted in drafting the Proposed District Plan, particularly Chapter 20 (Industrial Zone), Chapter 21 (Heavy Industrial Zone), Chapter 22 (Rural Zone) and Section E (Designations). I also participated in numerous public consultation processes before and after notification of the Proposed Waikato District Plan (PWDP).

1.3 Code of Conduct

10. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014 and have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise.
11. I am authorised to give this evidence on the Council's behalf to the PWDP hearing commissioners.

1.4 Conflict of Interest

12. Although a resident of Waikato District, I confirm that I have no real or perceived conflict of interest in reporting on the submissions addressed in this report.

1.5 Preparation of this report

13. My role in preparing this report is to assess all submissions and related evidence and make recommendations to the hearing commissioners.
14. The data, information, facts, and assumptions I have considered in forming my opinions are set out in my evidence. Where I have set out opinions in my evidence, I have given reasons for those opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

2 Scope of Report

15. This report is prepared in accordance with section 42A of the RMA and addresses the proposed provisions for the Industrial Zone and Heavy Industrial Zone that manage activities, effects, buildings and subdivision.
16. To assist the reader, this report is split into four parts:
- a. Part A addresses the submissions received on the specific proposed objectives and policies for both the Industrial Zone and Industrial Zone Heavy.
 - b. Part B addresses the submissions received on the proposed rules for the Industrial Zone (Chapter 20).
 - c. Part C addresses the submissions received on the proposed rules for the Industrial Zone Heavy (Chapter 21).

- d. Part D addresses a new Development Area 20.6 which is recommended for Horotiu Industrial Park.
17. Although there is obviously a relationship between the zone provisions and the geographic location of the zone, this Hearing 7 report focuses on the objectives, policies and rules associated with both of these industrial zones, rather than the application and extent of these zones which is the subject of Hearing 25.

3 Background – Industrial Zones in Operative Waikato District Plan

18. Firstly, it is helpful to understand how industrial activities are currently provided for in the Franklin Section and Waikato Section of the Operative Waikato District Plan (OWDP), particularly as some submitters have essentially requested a rollover of the operative provisions that relate specifically to their own industrial operations.

3.1 Waikato Section of the OWDP

19. The existing Chapter 24 in the Waikato Section provides for industrial activities via the following two zones:

(a) Industrial Zone

The Industrial Zone applies mainly to perimeter areas within the main towns and villages. Some particular sites within and outside these settlements are also zoned industrial to reflect historic industrial occupation – examples being former service stations, dairy factories, timber mills and wool scouring sites.

There are a number of scheduled areas within the Industrial Zone which contain specific provisions to manage existing or future activities within them. These schedules are identified on the planning maps and described as follows:

(i) Schedule 24A – specific properties in Ngaruawahia

Schedule 24A contains specific provisions for the four properties at 14 and 16 Herschel Street, and 2 and 3 Princess Street. These provisions manage the extent of future residential development within these properties. For example, they apply to additions and alterations that increase the gross floor of an existing dwelling on any of these sites. They also provide for the construction or alteration of one dependent person's dwelling. If the residential use ceases, this schedule ceases to apply and the land is then governed entirely by the ordinary Industrial Zone rules.

(ii) Schedule 24B – Horotiu Industrial Park

The Horotiu Industrial Park comprises approximately 150 hectares of industrial land south of Horotiu Road and adjacent to Great South Road and the Waikato Expressway. The North Island Main Trunk Railway runs through this industrial area. The objective and policies for the Horotiu Industrial Park guide integrated and coordinated development of the land in a way that aligns with capacity improvements to infrastructure including existing and future transport networks.

Schedule 24B therefore contains provisions to manage the staged release of land for industrial development. A considerable amount of infrastructure has been developed in this location with Ports of Auckland (POAL) and Northgate Developments Limited (Northgate) being two significant landholders.

(iii) Schedule 24D Te Kauwhata

This schedule applies to the Industrial Zone within the Te Kauwhata Structure Plan area. Specific provisions manage landscaping, servicing, building setbacks from arterial roads and the scale of residential development on Scott Road.

(iv) Schedule 24E Greenhill Quarry

This schedule relates to part of the Greenhill Quarry site (currently owned by Huntly Quarries Limited) at the southern end of Huntly and immediately to the east of State Highway 1.

(v) Schedule 24F Nau Mai Business Park

This schedule applies to Nau Mai Business Park located on State Highway 23 on the outskirts of Raglan. Specific provisions that manage various businesses at this location also align with an existing resource consent.

(b) Heavy Industrial Zone

The Heavy Industrial Zone applies to the Huntly Power Station site, part of the Huntly Quarry east of Great South Road, various sites at Horotiu including Affco, the former Meremere Power Station site now owned by Tainui Group Holdings Limited and some relatively isolated sites such as land formerly owned by Solid Energy on Rotowaro Road.

20. The objectives of the Industrial Zone and Heavy Industrial Zone in the Waikato Section seek to protect industrial sites from the effects of reverse sensitivity; otherwise they are generally concerned with the quality, character and vitality of the urban environment and ensuring the efficient use of infrastructure and services.
21. The policy direction for these two zones are similar, however they are distinguished by different standards relating to the management of amenity effects. Differences between these two zones arise in relation to noise standards, building and aerial height, building setback, subdivision allotment sizes, and also hours of operation for where an Industrial Zone adjoins the Living Zone.

3.2 Franklin Section of the OWDP

22. The Franklin Section has multiple zones that provide for various types of industrial activity including:
- (a) The Light Industrial Zone and Industrial 2 Zone introduced by FDC's Plan Change 24, which are specific to the Pokeno Structure Plan Area. These zones accommodate industries such as the Yashili dairy factory and Hynds Pipes.

- (b) The Tuakau Industrial Zone and Tuakau Industrial Services Zone, introduced by FDC's Plan Change 22, are specific to the largely undeveloped Whangarata Business Park Structure Plan Area. These zones accommodate activities such as Buckland Marine and a storage unit business.
- (c) The Business Zone which applies to main street locations and more peripheral areas within the townships of Tuakau and Pokeno, including Tuakau Timber Treatment and Welch's grain silos and some relatively isolated sites, such as Tuakau Protein.
- (d) The Village Business Zone which applies to some sites within the villages of Otaua, Mangatangi, Mercer, Pukekawa, Naike and Port Waikato. These sites typically contain historic businesses (such as a service station or motor mechanic workshop).
- (e) The Timber Treatment Zone which applies to Max Birt's timber milling operation on State Highway 2, east of Pokeno.
- (f) The Maioro Mining Zone which provides for NZ Steel's sand extraction at North Head.
- (g) The Aggregate Extraction and Processing Zone which applies to various consented quarry sites that are either operational or, in the case of Pokeno, were subject of a now lapsed quarry consent.

3.3 Proposed Waikato District Plan – Chapter 4: Objectives and Policies

- 23. Chapter 4 of the PWDP sets out the framework of objectives and policies for the notified Industrial Zone and the Heavy Industrial Zone. In addition, there are specific objectives and policies in this chapter which relate to particular industrial developments.
- 24. In respect to the notified name 'Industrial Zone Heavy', I note multiple inconsistencies throughout the PWDP in that various rules refer to the 'Heavy Industrial Zone', which is a more logical name. Having noted that WDC has requested that the title of Chapter 21 be changed in this way through its own submission, and the need to be as consistent as possible with the National Planning Standards which lists 'Heavy Industrial Zone' as a zone name, I have referred to that term throughout this report.

3.4 Statutory requirements

- 25. As noted in the s42A report for Hearing 3 (Strategic Objectives), the PWDP sets out the relationship between sections 5, 32 and 72 of the Resource Management Act 1991 (RMA) which are respectively:
 - The purpose of the RMA
 - The functions of a territorial authority; and
 - The purpose of a district plan
- 26. It is not necessary to repeat the detail of the abovementioned RMA sections here. However, it is important to highlight the 'higher order' documents which must be given effect to, particularly the Waikato Regional Policy Statement 2016 (WRPS), the Vision and Strategy for the Waikato River (which is embedded in the WRPS) and the National Policy Statement on Urban Development Capacity 2016 (NPS-UDC), all of which are particularly relevant to industrial zoning and development. I am also mindful of the defined terms in the National Planning Standards and the recommendations in the earlier Hearing 5 (Definitions). My recommendations in this report have relied on those definitions where possible.

Waikato Regional Policy Statement 2016 (WRPS)

27. The WRPS states¹ that it looks 100 years into the future. Despite this long time frame, it has a 10-year review cycle. While this review requirement also applies to a district plan, these reviews typically do not run in parallel.
28. The following excerpts from Issue 1.4 in the WRPS (Managing the built environment) are considered particularly relevant to Hearing 7:

Development of the built environment including infrastructure has the potential to positively or negatively impact on our ability to sustainably manage natural and physical resources and provide for our wellbeing.

While addressing this issue generally, specific focus should be directed to the following matters:

(a) High pressure for development in Hamilton City, Waipa District, Waikato District, around Lake Taupo, along the Waikato River and in the coastal environment.

...

(c) increasing conflict with, and demands for, new infrastructure;

(d) the need to use existing infrastructure efficiently and to maintain and enhance that infrastructure;

...

(g) increasing impacts on and conflicts with existing resource users;

...

(i) the integrated relationship between land use and development, and the transport and infrastructure network;

*(j) the contribution of **regionally significant industry** and primary production to economic, social and cultural wellbeing, and the need for those industries to access natural and physical resources, having regard to catchment specific situations;*

(k) increased need for the future provision of infrastructure to respond to resource demands within and outside the region and the need to enable efficient installation of that infrastructure

Policy 6.1 Planned and coordinated subdivision, use and development

Subdivision, use and development of the **built environment**, including transport, occurs in a planned and coordinated manner which:

(a) has regard to the principles in section 6A

(b) recognises and addresses potential cumulative effects of subdivision, use and development;

(c) is based on sufficient information to allow assessment of the potential long-term effects of subdivision, use and development; and

(d) has regard to the existing built environment

Implementation methods

6.1.2 Reverse sensitivity

¹ Page 5, Introduction 5 Policy horizon - Waikato Regional Policy Statement

Local authorities should have particular regard to the potential **for reverse sensitivity** when assessing resource consent applications, preparing, reviewing or changing district or regional plans and development planning mechanisms such as structure plans and growth strategies. In particular, consideration should be given to discouraging **new sensitive activities**, locating near existing and planned land uses or activities that could be subject to effects including the discharge of substances, odour, smoke, noise, light spill, or dust which could affect the health of people and/or lower the **amenity values** of the surrounding area.

Policy 6.3 Coordinating growth and infrastructure

Management of the built environment ensures:

- (a) the nature, timing and sequencing of new development is coordinated with the development, funding, implementation and operation of transport and other infrastructure, in order to:
 - i) optimise the efficient and affordable provision of both the development and the infrastructure;
 - ii) maintain or enhance the operational effectiveness, viability and safety of existing and planned infrastructure;
 - iii) protect investment in existing infrastructure; and
 - iv) ensure new development does not occur until provision for appropriate infrastructure necessary to service the development is in place;
- ...
- (c) the efficient and effective functioning of infrastructure, including transport corridors is maintained, and the ability to maintain and upgrade that infrastructure is retained;

Implementation methods

6.3.1 Plan provisions

Regional and district plans shall include provisions that provide for a long-term strategic approach to the integration of land use and infrastructure and that give effect to Policy 6.3, including by ensuring as appropriate that;

- ...
- (d) industry is located where there is good access to strategic transport networks and road, rail or freight hubs;
- (e) development maintains and enhances the safe, efficient and effective use of existing infrastructure and can be integrated with future infrastructure needs where these can be determined

Policy 6.14 Adopting Future Proof land use pattern

Within the Future Proof area:

- ...
- (c) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D0 and in accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in method 6.14.3;
- (d) other industrial development should only occur within the Urban Limits indicated on Map 6.2 (section 6C) unless there is a need for the industry to locate in the rural area in close proximity to the primary product source. Industrial development in urban areas other than the strategic industrial nodes in Table 6-2 (section 6D) shall be provided for as appropriate in district plans;

- (e) *new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;*
- (f) *new industrial development outside the strategic industrial nodes must avoid, remedy or mitigate adverse effects on the arterial function of the road network, and on other infrastructure;*

Policy 6.16 Commercial development in the Future Proof area

...

Commercial development is to be managed to:

...

- (f) *maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and*

6A Development principles

General development principles

New development should:

...

- (a) *support existing urban areas in preference to creating new ones;*

...

- (d) *not compromise the safe, efficient and effective operation and use of existing and planned infrastructure, including transport infrastructure, and should allow for future infrastructure needs, including maintenance and upgrading, where these can be anticipated;*

- (e) *connect well with existing and planned development and infrastructure;*

...

- (h) *be directed away from identified significant mineral resources and their access routes, natural hazard areas, energy and transmission corridors, locations identified as likely renewable energy generation sites and their associated energy resources, regionally significant industry, high class soils, and primary production activities on those high class soils;*

...

- (o) *not result in incompatible adjacent land uses (including those that may result in reverse sensitivity effects), such as industry, rural activities and existing or planned infrastructure;*

...

- (r) *support the Vision and Strategy for the Waikato River in the Waikato River catchment;*

...

- (t) *recognise and maintain or enhance ecosystem services.*

Procedural matters

29. On 13 November 2019, I contacted Ports of Auckland Limited [POAL - Submitter 578]] and requested an informal site visit to their land in the Horotiu Industrial Park. This was attended by Mr Alistair Kirk (POAL – General Manager – Infrastructure & Property) and Mr Mark Arbuthnot (Bentley & Co – Resource Management Consultant). The main purpose of

this meeting was to familiarise myself with the POAL property and to understand their existing consented development and future development plans.

30. As a result of that site visit, I drafted a set of provisions that could potentially apply to all land within the Horotiu Industrial Park and invited POAL's feedback.
31. On 14 November 2019, I shared this same set of draft provisions with Ms Kathryn Drew (BBO Consultant for Northgate Developments) and invited her feedback also.
32. The draft set of provisions for a new Development Area 20.6 (Horotiu Industrial Park) is included in Attachment D of this report.

4 Consideration of Submissions Received

4.1 Overview of submissions

33. The submissions addressed within this report cover a wide range of issues, although there are some matters which are subject to a number of submissions and/or contain common themes, such as:
 - a. The need for greater clarity within the provisions; and
 - b. The need for more liberal rules to more appropriately implement and achieve the notified objectives and policies.
34. There are various further submissions from separate parties that will be addressed within this report. The majority of these relate to original submissions on the common themes above, with the exception of Mercury Energy Limited, who have generally opposed a wide range of original submissions.
35. While this report addresses each original and further submission point in turn, I have decided to address the further submission points from Mercury Energy Limited here to avoid duplication. Mercury Energy lodged an extensive further submission opposing a large number of primary submission points, on the basis that they consider it necessary to analyse the results of the flood hazard assessment prior to designing the district plan policy framework.
36. The Mercury submission has been addressed in the 'All of Plan' Hearing (Hearing Report 2), which can be located on the council website link below, or found under Proposed DP - Stage 1 - Hearings - Hearing 2 - Council s42a report:

https://wdcsitefinity.blob.core.windows.net/sitefinity-storage/docs/default-source/your-council/plans-policies-and-bylaws/plans/district-plan-review/hearings/hearing-2/section-42a-reports/hearing-2---s42a-report---plan-structure-and-all-of-plan.pdf?sfvrsn=bc40185a_8

37. In the s42A report for Hearing 2, Mr Eccles stated that:

I agree with the thrust of the above submission points, and the further submissions from Mercury, that ideally Stage 1 and 2 PWDP matters would have proceeded as an integrated whole, However, given that Waikato District Council has proceeded with a two stage PWDP process it would not very inefficient and costly for all parties if Stage 1 of the PWDP was withdrawn or entirely placed on hold pending progress of Stage 2 matters. Nevertheless, it is critical that the remainder of the process ensures that decisions are made in an integrated

manner on Stage 1 zoning requests and other growth matters to which Stage 2 matters are fundamental. In that regard, I am advised by Council staff that the intention is to notify Stage 2 provisions in early 2020 with the associated hearings to be held in early 2021. Stage 2 submissions will be able to be heard in conjunction with Stage 1 submissions featuring zoning requests and other growth matters to which Stage 2 matters are germane. In my view, that arrangement is an effective mechanism and avoids the risk of acting in terms of making decisions on Stage 1 zoning and growth related submissions in the light of incomplete information. If the hearings for Stages and 2 dovetailed, a single comprehensive decision would be possible where decisions on Stage 1 are cognisant of Stage 2 provisions and submissions.

38. I agree with the comments made by that author and therefore make recommendations to reflect those where a further submission by Mercury Energy Limited has been made on submissions which are the subject of Hearing 7. Therefore, no specific analysis on Mercury's further submissions has been made in my report.

4.2 Structure of this report

39. As noted above, this report is structured so that it begins with an integrated assessment of objectives and policies that address both the Industrial Zone and Heavy Industrial Zone, followed by the rules for both zones which are set out in Chapters 20 (Part B of my report) and 21 (Part C of my report) respectively.
40. Lastly, I address a new Development Area for Horotiu Industrial Park. All submission points that request a rollover of the operative provisions that deal with this location (from Ports of Auckland Limited and Northgate) are addressed in Part D of this report.
41. Some submissions lodged on Chapters 20 and 21 have been allocated to later hearings because they involve district-wide subjects, examples being historic heritage, Significant Natural Areas and Maori Sites and Areas of Significance.

4.3 Part A: Objectives and Policies for the Industrial Zone and Heavy Industrial Zone

42. The focus of the following section is the objectives and policies for the two industrial zones in Section 4.6. As a helpful reference, I have set these out below.

4.6.1 Objective – Economic growth of industry

(a) The economic growth of the district's industry is supported and strengthened in industrial areas.

4.6.2 Policy – Provide Industrial Zones with different functions

(a) Recognise and provide for a variety of industrial activities within two industrial zones that have different functions depending on their purpose and effects as follows:

(i) Industrial Zone

A. Recognise and provide for a range of industrial and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and relatively limited effects of these activities, including visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and traffic, subject to appropriate separation distances.

(ii) Heavy Industrial Zone

A. Recognise and provide for a range of industrial and other compatible activities that generate potentially significant effects on more sensitive zones, including relatively high levels of visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and heavy traffic, subject to appropriate separation distances.

4.6.3 Policy – Maintain a sufficient supply of industrial land

- (a) *Maintain a sufficient supply of industrial land within strategic industrial nodes to meet foreseeable future demands, having regard to the requirements of different industries to avoid the need for industrial activities to locate in non-industrial zones.*

4.6.4 Policy – Maintain industrial land for industrial purposes

- (a) *Maintain industrial zones for industrial activities unless a development is ancillary to an on-site industrial activity and does not undermine the integrity of those zones.*

4.6.5 Policy – Recognition of industrial activities outside of urban areas

- (a) *Manage activities within specific sites containing lawfully established industrial activities that are not immediately adjacent to towns or villages.*

4.6.6 Objective – Manage adverse effects

- (a) *The amenity values of sensitive activities and ecosystem values outside of industrial zones are protected from the significant adverse effects of industrial activities.*

4.6.7 Policy – Management of adverse effects within industrial zones

- (a) *Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening*

4.6.8 Policy – Specific activities within Nau Mai Business Park

- (a) *Nau Mai Business Park is developed with specific types activities given its location outside of the district’s strategic industrial nodes.*

4.6.9 Policy – Management of adverse effects within Nau Mai Business Park

- (a) *Activities within Nau Mai Business Park are to be established and operated so that adverse effects generated by them are managed within Park and not on neighbouring zones.*

5 General Section 4.6 Objectives and Policies - Industrial Zones

5.1 Introduction

43. This section of my report considers general submissions made on the objectives and policies in Section 4.6. These objectives and policies are generally supported, although various submitters request additions which they consider necessary to facilitate their particular developments.

5.2 Submissions

Submission Point	Submitter	Summary of Submission
588.55	Woolworths NZ Limited	Retain the objectives and policies for the Industrial Zone in Section 4.6 Industrial and Heavy Industrial.
FS1388.990	Mercury Energy Limited	Oppose
804.3	PLB Construction	Add a preamble to Section 4.6 Industrial and Heavy Industrial Zones to refer to rezoning land in the Ohinewai area to Industrial Zone.
FS1145.11	Ohinewai Area Committee	Oppose
FS1202.55	New Zealand Transport Agency	Oppose

FSI207.17	Ohinewai Area Committee	Oppose
FSI387.1296	Mercury NZ Limited	Oppose

5.3 Analysis

44. Woolworths NZ Limited [588] supports all objectives and policies for the Industrial Zone on the basis that Policies 4.6.2(a)(i) and 4.6.2 specifically enable consideration of non-industrial activities if they are compatible with, or ancillary to, industrial activities, provided that the integrity of this zone is not undermined.
45. I agree that that these objectives and policies should be retained for these reasons. In the majority of cases, the merits of such developments (including a proposal to develop a supermarket in an industrial zone) would be considered through a resource consent process and these policies provide a framework for compatible activities to be considered.
46. PLB Construction [804] considers that there should be a preamble to Section 4.6 in the PWDP that explicitly recognises the need for more industrial zoned to the north of Huntly (in and surrounding Ohinewai) in order to “*adhere to proposed Policy 4.6.3*”.
47. The WRPS does not recognise Ohinewai as a strategic industrial node. However, as a result of the submissions by Ambury Properties Limited and others, and the hearing panel’s directions on process, the merits of all rezoning requests in the Ohinewai vicinity will be comprehensively addressed in Hearing 19 which is scheduled to commence in June 2020. It is therefore considered appropriate to defer consideration of PLB Construction’s request to that hearing, rather than as part of Hearing 7.

5.4 Recommendation

48. For the reasons given above, it is recommended that the hearings panel:
- Accept in part** the submission from Woolworths NZ Limited [588.55] to the extent of the amendments to Section 4.6 shown in Attachment 2.
 - Reject** the further submission from *Mercury Energy Limited [FSI388.990]*
 - Defers consideration** of the submissions from PLB Construction [804.3], *Ohinewai Area Committee [FSI145.11, FSI207.17]*, *New Zealand Transport Agency [FSI202.55]* and *Mercury Energy Limited [FSI387.1296]* until Hearing 19.

6 Policies regarding signs

6.1 Introduction

49. The ‘Oil Companies’ note that there are no policies to address signage in the industrial zones. In turn, this has highlighted the absence of a corresponding objective.

Submissions

Submission Point	Submitter	Summary of Submission
785.58	‘Oil Companies’ – Z Energy Limited, BP Oil	Add to Chapter 4.6 Industrial and Heavy Industrial Zones new policies as follows:

	<p>NZ Limited and Mobil Oil NZ Limited</p>	<p><u>4.6.10 – Policy - Signage</u> <u>(a) In the Industrial Zone and Industrial Heavy Zone, provided for:</u> <u>(i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;</u> <u>(ii) Public information and Health and Safety signs that are of benefit to community well-being; and</u> <u>(iii) Establishment of signage commensurate with the lower amenity and industrial function of the zones with controls on the size, location appearance and</u> <u>(iv) number of signs to ensure they do not detract from the visual amenity of the surrounding environment.</u></p> <p><u>4.6.11 – Policy- Managing the adverse effects of signs</u> <u>(a) In the Industrial Zone and Industrial Heavy Zone ensure that:</u> <u>(i) The location, colour, content and appearance of signs directed at traffic are controlled to ensure signs do not distract, confuse or obstruct motorists, pedestrians and other road users;</u> <u>(ii) Signs that generate adverse effects from illumination, light spill, flashing or reflection are avoided;</u> <u>(iii) the placement of signs do not obstruct the free movement of:</u> <u>A. Pedestrians along the footpath;</u> <u>B. Vehicle use of the road carriageway.</u></p> <p>AND</p> <p>Any consequential amendments or additional relief to give effect to the submission.</p>
FS1110.20	Synlait Milk Limited	Support
FS1202.56	New Zealand Transport Agency	Support
FS1322.41	Synlait Milk	Support
FS1345.65	Genesis Energy Limited	Support

6.2 Analysis

50. The Oil Companies [785] correctly identify that there are no policies to support the provision of signage in the Industrial Zone and Heavy Industrial Zone. While I note that Policies 4.5.36 and 4.5.37 relate to signs, they are specific to the Business and Business Town Centre Zones. It would appear that the absence of policies regarding signs in the industrial zones is an inadvertent omission. The submitter requests two new policies to rectify this matter.

51. I agree that the PWDP should enable appropriate signage in industrial zones. Signage is required to support and promote the function of industrial zones by advertising their operations and attracting customers, and this is no different from any business zone.
52. If policies for signage in the industrial zones are introduced, this then highlights the absence of a corresponding objective. I have considered Section 4.4 which addresses adverse effects of noise, lighting, outdoor storage, sign and odour in Residential and Village Zones. Objective 4.4.1 would appear to link with Policy 4.4.6 which manages the adverse effects of signs in those zones. However, there is no corresponding objective/policy framework for signs in industrial zones.
53. I therefore support a similar type of objective/policy approach in the industrial zones and recommend a new objective and policy in Section 4.6 shown below, noting that the industrial zones have a lower amenity than residential zones.

6.3 Recommendation

54. For the reasons given above, it is recommended that the hearings panel:
- a. **Accepts in part** the submissions from the ‘Oil Companies’ [785.58], *Synlait Milk Limited* [FS1110.20], *New Zealand Transport Agency* [FS1202.56], *Synlait Milk* [FS1322.41] and *Genesis Energy Limited* [FS1345.56] to the extent of the amendments to Section 4.6 shown below and in Attachment 2.
55. My recommendations are outlined below:

4.6.9A Objective – Adverse effects of land use and development

(a) The health and well-being of people, communities and the environment are protected from the adverse effects of land use and development.

4.6.9A Policy - Signage

(a) In the Industrial Zone and Heavy Industrial Zone, provide for:

(i) The establishment of signs where they are associated with the activity carried out on the site on which they are located;

(ii) Public information and health and safety signs that are of benefit to community well-being;

(iii) Establishment of signage commensurate with the lower amenity and industrial function of these zones with controls on the size, location, appearance and number of signs to ensure they do not detract from the visual amenity of the surrounding environment.

6.4 Section 32AA Evaluation

56. Signs are necessary in the industrial zones as they provide a method of advertising and directions for pedestrians and drivers. However, they also have potential to adversely affect visual amenity and traffic safety within these zones. Rules for signage in Chapters 20 and 21 set out clear thresholds which reflect levels of adverse effects considered acceptable to the community. Any rule must be supported with a corresponding objective and policy to satisfy the requirements of section 32 and make clear what each rule seeks to achieve.
57. It is considered that the new Objective 4.6.7A is appropriate to achieve the purpose of the RMA. In particular, it recognises that signage enables people and the communities to provide for their social, economic, and cultural well-being and for their health and safety (s5 of the RMA) while maintaining amenity values (s7 of the RMA).

58. It is also considered that the accompanying policy is the most efficient and effective method to achieve that outcome as it clearly enables the development of on-site signage associated with the particular industry that is advertised provided that an acceptable level of amenity is maintained. In addition, it will enable signage to be addressed in a broadly consistent manner across the whole of the district.

7 Poultry farming in the Industrial Zones

7.1 Introduction

56. One combined submission from various companies involved in the poultry industry and one separate submission from Mainland Poultry Limited seek specific policies to enable the establishment of poultry farming/poultry hatcheries in industrial zones. Poultry farming is not specifically provided for in any of the objectives, policies or rules for the Industrial Zones.

7.2 Submissions

Submission Point	Submitter	Summary of Submission
821.6	The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brink NZ Chicken; The Egg Producers Federation of New Zealand and Tegel Foods Limited (combined submission)	Add to Chapter 4.6 Industrial and Heavy Industrial Zones, a separate policy for poultry hatcheries as follows: <u>To enable poultry hatchery operations to be located where the anticipated effects are consistent with the underlying zone</u>
<i>FSI265.1</i>	<i>Mainland Poultry Limited</i>	<i>Support</i>
833.9	Mainland Poultry Limited	Amend Section 4.6 Industrial and Heavy Industrial Zone to provide for poultry farming where it can meet the performance standards.
<i>FSI387.1359</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

7.3 Analysis

57. It is noted that The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brink NZ Chicken; The Egg Producers Federation of New Zealand and Tegel Foods Limited [821] request the same policy for the Rural Zone. However, no reasons have been provided to apply this policy to either the Industrial Zone or Rural Zone and it would therefore be helpful for the submitter to provide this detail at the hearing.
58. It is also noted that the submission requests amendments to the definitions of 'industrial activity' and 'rural industry' so that they explicitly provide for poultry hatcheries and a new permitted activity rule in the Rural Zone.
59. It is my view that the need to introduce a specific policy for poultry hatcheries in the industrial zones is contingent on whether the hearing panel accepts that a poultry hatchery should be included in the definition of 'industrial activity'. This was a matter considered

earlier in Hearing 5 (Definitions). In that report, it was noted that the National Planning Standards do not provide for such specificity and it was recommended that a poultry hatchery “is an activity which is best considered in the Rural, Industrial or Heavy Industrial Zone hearings, so that the effects of providing for such an activity can be considered and addressed in the rule framework.”² The recommendation in that report was to therefore reject submission point [821.4].

60. If the panel is to accept that a poultry hatchery is a type of ‘industrial activity’ in the context of the industrial zones, then a specific policy is not required in Section 4.6. However, it is my view that including a poultry hatchery should not be included in this definition as it is not a comfortable fit. Arguably, if this activity were to be included, other components of the poultry industry (such as broiler chicken operations) and intensive farming operations which are typical rural activities would then ‘blur the line’ between rural and industrial activities and question the need for zones.
61. In my experience, poultry hatcheries are a type of intensive farming activity which typically locate in a rural rather than industrial zone because they are not dependent on reticulated infrastructure, which is a characteristic of higher valued industrial zoned land in urban areas. The submitter may therefore find alternative relief through their requests to amend particular definitions (Hearing 5) and land use provisions for the Rural Zone which will be addressed later in Hearing 21.
62. It would be helpful for the submitter to provide examples of where such an activity would be appropriate in the industrial zone. Unless the submitter provides compelling reasons as to why this specific policy should apply to both industrial zones, it is recommended that the requested amendment to Section 4.6 be rejected.
63. In addition to seeking objectives and policies for poultry farming in the Industrial Zones, Mainland Poultry Limited [833] considers that poultry farming should be a permitted activity where it can meet the performance standards for permitted activities. However, it is unclear what specific amendments are sought in respect to the objectives and policies for the Industrial Zone and Heavy Industrial Zone. It would therefore be helpful for the submitter to provide detail at the hearing as to how Section 4.6 could be amended.

7.4 Recommendation

64. For the reasons given above, I recommend that the hearings panel:
 - a. **Reject** the combined submission from the Poultry Industry Association of New Zealand, Inghams Enterprises (NZ) Limited, Brink NZ Chicken, The Egg Producers Federation of New Zealand and Tegel Foods Limited [821.6]
 - b. **Reject** the submission from Mainland Poultry Limited [833.9]
 - c. **Accept** the further submission from *Mercury NZ Limited* [FS1387.1359]
 - d. **Reject** the further submission from *Mainland Poultry Limited* [FS1265.1]

8 Objective 4.6.1 Economic growth of industry

² Page 181 s42A report Hearing 5 (Definitions)

8.1 Introduction

65. Ten submitters commented on Objective 4.6.1. Of these, seven request this notified objective be retained. The three remaining submissions seek amendments to this objective so that greater emphasis is placed on:
- the outcome of a healthy environment
 - the contribution made by general and heavy industries to the economy
66. The main purpose of Objective 6.6.1 is to achieve economic growth within the district by providing for industrial development and therefore increased employment opportunities.

8.2 Submissions

Submission Point	Submitter	Summary of Submission
81.139	Waikato Regional Council	Retain Objective 4.6.1 Economic growth of industry.
<i>FSI 149.8</i>	<i>Gavin Lovegrove and Michelle Peddie</i>	<i>Support</i>
<i>FSI 157.5</i>	<i>Gordon Downey</i>	<i>Support</i>
<i>FSI 164.9</i>	<i>Tamara Huaki</i>	<i>Support</i>
<i>FSI 165.7</i>	<i>Pekerangi Kee-Huaki</i>	<i>Support</i>
<i>FSI 166.7</i>	<i>Jarod Kowhai Huaki</i>	<i>Support</i>
<i>FSI 182.8</i>	<i>Newstead Country Preschool</i>	<i>Support</i>
<i>FSI 204.7</i>	<i>Christian & Natasha McDean</i>	<i>Support</i>
<i>FSI 216.7</i>	<i>Newstead Residents Association</i>	<i>Support</i>
<i>FSI 223.28</i>	<i>Mercury NZ Limited</i>	<i>Support</i>
<i>FSI 280.7</i>	<i>Dennis and Jan Tickelpenny</i>	<i>Support</i>
465.5	Buckland Marine Limited	Retain Objective 4.6.1 Economic growth of industry, as notified.
<i>FSI 388.394</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
548.7	Grander Investments Limited	Retain Objective 4.6.1 Economic Growth of Industry, as notified.
<i>FSI 306.14</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FSI 388.771</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
567.5	Ngati Tamaoho Trust	Amend Objective 4.6.1 - Economic growth of industry, as follows: <i>The economic growth of the district's industry is supported and strengthened in industrial zones <u>while maintaining a healthy environment</u></i>
<i>FSI 108.97</i>	<i>Te Whakakitenga o</i>	<i>Support</i>

	<i>Waikato Incorporated (Waikato-Tainui)</i>	
578.66	Ports of Auckland Limited	Retain Objective 4.6.1 - Economic growth of industry, as notified.
<i>FSI388.860</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
581.4	Synlait Milk Limited	Amend Objective 4.6.1 Economic growth of industry to recognise that the economic growth of the district's industry is supported and strengthened by providing for heavy and general industrial activities.
<i>FSI306.23</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FSI341.20</i>	<i>Hynds Pipe Systems Limited</i>	<i>Support</i>
<i>FSI388.946</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
633.2	Van Den Brink Group	Supports objective to the extent that the property at Whangarata Road retains its industrial zone and the relief sought.
766.34	Holcim (New Zealand) Limited	Submitter supports objective to the extent that its land retains proposed Industrial Zone and the relief sought in the submission.
<i>FSI387.1149</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
798.7	Ngati Te Ata	Amend Objective 4.6.1 Economic growth of industry as follows: <i>The economic growth of the district's industry is supported and strengthened in Industrial zones <u>while maintaining a healthy environment</u></i>
<i>FSI387.1281</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
923.64	Waikato District Health Board	Retain Objective 4.6.1 Economic growth and industry, as notified.
<i>FSI387.1509</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

8.3 Analysis

67. Waikato Regional Council [81], Ports of Auckland [578], Buckland Marine Limited [465] and Grander Investments Limited [548] support Objective 4.6.1 Economic growth of industry, as it will assist with maintaining the Future Proof settlement pattern by retaining industrial activities primarily within identified industrial nodes and will appropriately give effect to the WRPS. I agree that this objective is important and should be retained for these reasons.
68. Ngati Tamaoho Trust [567] and Ngato Te Ata [798] request amendments to Objective 4.6.1 – Economic growth of industry, to maintain a healthy environment. It would appear that the submitters are most concerned about potential degradation of waterways if the effects of industrial development are not managed, although the additional words that have been requested capture all environmental effects.

69. However, it is considered that Objective 4.6.6 which refers to ecosystem values and the accompanying Policy 4.6.7 which refers to 'environmentally sensitive areas' as set out below, already provide the relief sought.

4.6.6 Objective – Manage adverse effects

- (a) *The amenity values of sensitive activities and ecosystem values outside of industrial zones are protected from the significant adverse effects of industrial activities.*

4.6.7 Policy – Management of adverse effects within industrial zones

- (a) *Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening at the interface with roads and environmentally sensitive areas.*

70. I consider Policy 4.6.7 addresses this matter and recommend that Objective 4.6.1 remains unchanged.
71. Synlait Milk Limited [581] requests amendments to Objective 4.6.1 – Economic growth of industry, to recognise that the economic growth of the district's industry is supported and strengthened by providing for heavy and general industrial activities.
72. It is unclear how Synlait wishes to amend this objective as it is already generic to encompass all industrial activity, regardless of nature and scale. Objective 4.6.1 seeks the economic growth of the district's industry and there is no need to further refine this objective. This objective is achieved by Policy 4.6.2 which sets out how the Industrial Zone and Heavy Industrial Zone implement this objective. I therefore recommend that Objective 4.6.1 remains unchanged.
73. Van Den Brink Group [633] supports Objective 4.6.1 – Economic growth of industry, to the extent that their property at Whangarata Road retains its industrial zoning. There is no submission that opposes the proposed Industrial Zone for this property. However, it would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.
74. Holcim (New Zealand) Limited [766] supports Objective 4.6.1 – Economic growth of industry, to the extent that part of their property at Ridge Road, Bombay retains its industrial zoning. There is no submission that opposes the proposed Industrial Zone for this location. However, it would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.

8.4 Recommendation

75. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from Waikato Regional Council [81.139]
 - b. **Accept** the further submissions from Gavin Lovegrove and Michelle Peddie [FS1149.8], Gordon Downey [FS1157.5], Tamara Huaki [FS1164.9], Pakerangi Kee-Huaki [FS1165.7], Jarod Kowhai Huaki [FS1166.7], Newstead Country Preschool [FS1182.8], Christian and Natasha McDean [FS1204.7], Newstead Residents Association [FS1216.7], Mercury Energy Limited [FS1223.28] and Dennis and Jan Tickelpenny [FS1280.7]
 - c. **Accept** the submission from Buckland Marine Limited [465.5]
 - d. **Reject** the further submission from Mercury Energy Limited [FS1388.393]

- e. **Accept** the submission from Grander Investments Limited [548.7]
- f. **Accept** the further submission from *Hynds Foundation* [FSI306.14]
- g. **Reject** the further submission from *Mercury Energy Limited* [FSI388.771]
- h. **Reject** the submission from Ngati Tamaoho Trust [567.5]
- i. **Reject** the further submission from *Te Whakakitenga o Waikato Incorporated (Waikato-Tainui)* [FSI108.97]
- j. **Accept** the submission from Ports of Auckland [578.66]
- k. **Reject** the further submission from *Mercury NZ Limited* [FSI388.860]
- l. **Reject** the submission from Synlait Milk Limited [581.4]
- m. **Reject** the further submission from *Hynds Foundation* [FSI306.23] and *Hynds Pipes Systems Limited* [FS 1341.20]
- n. **Accept** the further submission from *Mercury NZ Limited* [FSI388.946]
- o. **Accept** the submission from Van Den Brink Group [633.2]
- p. **Accept** the submission from Holcim (New Zealand) Limited [766.34]
- q. **Reject** the further submission from *Mercury NZ Limited* [FSI387.1149]
- r. **Reject** the submission from Ngati Te Ata [798.7]
- s. **Accept** the further submission from *Mercury NZ Limited* [FSI387.1281]
- t. **Accept** the submission from the Waikato District Health Board [923.647]
- u. **Reject** the further submission from *Mercury NZ Limited* [FSI387.1509]

9 Policy 4.6.2 Provide for different functions

9.1 Introduction

76. Nine submissions made comment on Policy 4.6.2. Of these, six submissions support this policy as notified. The three remaining submissions seeks various amendments that:
- a. provide for waste management in the industrial zones
 - b. provide greater distinction between general and heavy industry
 - c. recognise and provide for the Huntly Power Station
77. The purpose of Policy 4.6.2 is to recognise that there are different types and scales of industrial activity, all of which are important methods to achieve Objective 4.6.1.

9.2 Submissions

Submission Point	Submitter	Summary of Submission
302.33	EnviroWaste New Zealand Limited	Retain Rule 4.6.2 Provide Industrial Zones with different functions, insofar as it gives effect to the relief sought
FSI353.4	Tuakau Proteins Limited	Support
FSI386.349	Mercury NZ Limited	Oppose

465.6	Buckland Marine Limited	Retain Policy 4.6.2 Provide Industrial Zones with different functions, as notified.
<i>FSI388.395</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
548.8	Grander Investments Limited	Retain Policy 4.6.2 Provide Industrial Zones with different functions, except for the amendments sought below AND Amend Policy 4.6.2 Provide Industrial Zones with different functions as follows: <i>(a) Recognise and provide for a variety of industrial activities within two industrial zones that have different functions depending on their purpose and effects as follows:</i> <i>(i) Industrial Zone</i> <i>A. Recognise and provide for a range of industrial, <u>waste management</u> and other compatible activities that can operate in close proximity to more sensitive zones due to the nature and relatively limited effects of these activities, including visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and traffic, subject to appropriate separation distances.</i> <i>(ii) Heavy Industrial Zone</i> <i>A. Recognise and provide for a range of industrial, <u>waste management</u> and other compatible activities that generate potentially significant effects on more sensitive zones, including relatively high levels of visual impact from buildings and associated parking and loading spaces, outdoor storage, lighting, noise, odour and heavy traffic, subject to appropriate separation distances.</i>
<i>FSI306.15</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FSI388.772</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
578.67	Ports of Auckland Limited	Supports this policy as notified.
<i>FSI388.861</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
581.5	Synlait Milk Limited	Amend Policy 4.6.2(ii) Provide Industrial Zones with different functions to provide greater distinction between the General Industrial and Heavy Industrial Zones in terms of the activities and environmental outcomes anticipated.
<i>FSI306.24</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FSI341.21</i>	<i>Hynds Pipe Systems Limited</i>	<i>Support</i>
<i>FSI388.947</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
633.3	Van Den Brink Group	Retain Policy 4.6.2 Provide Industrial Zones with different functions, insofar as it gives effect to the relief

		sought
742.28	New Zealand Transport Agency	Retain Policy 4.6.2 Provide Industrial Zones with different functions as notified
<i>FSI350.48</i>	<i>Transpower New Zealand Limited</i>	<i>Support</i>
<i>FSI387.853</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
766.35	Holcim (New Zealand) Limited	Supports the policy insofar as it gives effect to the relief sought.
<i>FSI387.1150</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
924.44	Genesis Energy Limited	Retain Policy 4.6.2- Provide Industrial Zones with different functions except for the amendments sought below AND Add a new clause (iii) to Policy 4.6.2-Provide Industrial Zones with different functions as follows: <u><i>(iii) Recognise and provide for the Huntly Power Station as a regionally significant industry</i></u>
<i>FSI387.1552</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

9.3 Analysis

78. EnviroWaste New Zealand Limited [302] supports Policy 4.6.2 in part. Wholesale support appears to be withheld because this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. I acknowledge the submitter's concerns that the policies need to be delivered by the rules. Similarly Van Den Brink Group [633] and Holcim (New Zealand) Limited [766] support the intention of the policy to enable a range of activities but consider the policy is not reflected in the land use provisions. This matter is addressed in Part B of this report.
79. Buckland Marine Limited [465], Ports of Auckland Ltd [578] and the New Zealand Transport Agency [742] support Policy 4.6.2. The value of this policy is that it recognises that there are different types and scales of industrial activity that assist in achieving the objective of economic growth. I consider that this is an appropriate policy that needs to be retained.
80. Grander Investments Limited [548] requests amendments to Policy 4.6.2 so that waste management is explicitly recognised. This submitter considers that waste management processes and facilities are compatible with outcomes that are sought for the Industrial Zone. In my view, it is not appropriate or necessary to explicitly state particular land use activities at a policy level and that this is a matter best addressed within the rules that determine activity status. Notwithstanding this, it is my view that the words 'and other compatible activities' within this policy already provide sufficient scope for waste management activities to locate within the industrial zones subject to management of adverse environmental effects.
81. Synlait Milk Limited [581] seeks amendment to provide greater distinction between the Industrial Zone and Heavy Industrial Zone in terms of the activities and environmental outcomes anticipated. The submitter has not provided amended text which they consider would satisfy their relief sought.

82. It is also unclear why Synlait considers that this policy fails to provide for heavy industry, noting that Synlait Milk Limited is already operational on its site at 45 McDonald Road in Pokeno which is currently zoned Industrial 2 and is zoned as Heavy Industrial in the PWDP Plan (which is an equivalent zone).
83. Unless Synlait is able to provide alternative and improved text at the hearing, it is recommended that Policy 4.6.2 remains unchanged.
84. Genesis Energy Limited [924] requests a new clause so that Policy 4.6.2 recognises and provides for the Huntly Power Station as a regionally significant industry. In my view, an additional policy clause is not necessary within Chapter 4 to single out the Huntly Power Station. This is because heavy industrial developments, including this particular site, are zoned accordingly and are already recognised through clause (a)(ii) in this policy without needing elaboration.
85. However, I am mindful of the rebuttal evidence by Mr Eccles for Hearing 2 in which it was recommended that Huntly Power Station be recognised as a regionally significant industry by amending Policy 5.3.17 as follows:

5.3.7 Policy – Specific Area – Huntly Power Station – Coal and ash water

- (a) Recognise and protect facilities that are integral to energy production at Huntly Power Station, which is a Regionally Significant Industry.*
- (b) Provide for specific facilities that include the handling and haulage of coal and the disposal of coal ash water within identified areas in close proximity to Huntly Power Station.*
86. It is relevant to note here that the term ‘regionally significant industry’ is not defined in the PWDP. However it is defined in the VRPS and ‘means an economic activity based on the use of **natural and physical resources** in the region and **is identified in regional or district plans**, which has been shown to have benefits that are significant at a regional or national scale. These may include social, economic or cultural benefits.’
87. While I consider that this term clearly applies to the Huntly Power Station given the nature and scale of operation that contribute to the regional and national economies, I do not consider it necessary to essentially repeat other strategic and specific policies within Policy 4.6.2.

9.4 Recommendation

90. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from EnviroWaste New Zealand Limited [302.33]
 - b. **Accept** the further submission from Tuakau Proteins Limited [FS1353.4]
 - c. **Reject** the further submission from Mercury NZ Limited [FS1386.349]
 - d. **Accept** the submission from Buckland Marine Limited [465.6]
 - e. **Reject** the further submission from Mercury NZ Limited [FS1388.395]
 - f. **Reject** the submission from Grander Investments Limited [548.8]
 - g. **Reject** the further submission from Hynds Foundation [FS1306.15]
 - h. **Accept** the further submission from Mercury NZ Limited [FS1388.772]
 - i. **Accept** the submission from Ports of Auckland Limited [578.67]
 - j. **Reject** the further submission from Mercury NZ Limited [FS1388.861]
 - k. **Reject** the submission from Synlait Milk Limited [581.5]

- l. **Reject** the further submission from *Hynds Foundation [FSI 306.24]* and *Hynds Pipe Systems Limited [FSI 341.21]*
- m. **Accept** the further submission from *Mercury NZ Limited [FSI 388.947]*
- n. **Accept** the submission from Van Den Brink Group [633.3]
- o. **Accept** the submission from the New Zealand Transport Agency [742.28]
- p. **Accept** the further submission from *Transpower New Zealand Limited [FSI 350.48]*
- q. **Reject** the further submission from *Mercury NZ Limited [FSI 387.853]*
- r. **Accept** the submission from Holcim (New Zealand) Limited [766.35]
- s. **Reject** the further submission from *Mercury NZ Limited [FSI 387.1150]*
- t. **Reject** the submission from Genesis Energy Limited [924.44]
- u. **Accept** the further submission from *Mercury NZ Limited [FSI 387.1552]*

10 Policy 4.6.3 Maintain a sufficient supply of industrial land

10.1 Introduction

88. Eleven submissions have been received in respect to Policy 4.6.3. Of these, seven seek that the notified policy be retained. The remaining four submissions seek amendments so that this policy:
- a. refers to the National Policy Statement – Urban Development Capacity
 - b. does not refer to strategic nodes to acknowledge different needs of general and heavy industries
 - c. does not refer to the need to avoid industries locating in non-industrial areas.
89. This policy works in parallel with the amount of land zoned for industrial purposes to ensure that there is a sufficient supply of industrial land to meet demand. Unless there is a sufficient industrial land supply in appropriate locations, industrial operators are unable to establish and this can lead to pressure to develop outside of industrial zones, leading to undesirable adverse effects in those locations.

10.2 Submissions

Submission Point	Submitter	Summary of Submission
81.15	Waikato Regional Council	Amend Policy 4.6.3 Maintain a sufficient supply of industrial land by specifically referencing the National Policy Statement-Urban Development Capacity
302.34	EnviroWaste New Zealand Limited	Retain Rule 4.6.3 Maintain a sufficient supply of industrial land insofar as it gives effect to the relief sought.
465.7	Buckland Marine Limited	The submitter supports locating industry in the Industrial Zone and ensuring adequate land is available to meet growing demands.

FSI388.396	Mercury NZ Limited	Oppose
535.24	Hamilton City Council	Retain Policy 4.6.3 Maintain a sufficient supply of industrial land.
FSI141.5	Shand Properties Limited	Support
FSI309.2	Bryan Morris	Support
FSI388.697	Mercury NZ Limited	Oppose
548.9	Grander Investments Limited	Retain Policy 4.6.3 Maintain a sufficient supply of Industrial Land.
FSI049.1	Craig Hall	Oppose
FSI306.16	Hynds Foundation	Support
FSI388.773	Mercury NZ Limited	Oppose
578.68	Ports of Auckland Limited	Supports Policy 4.6.3 as notified.
FSI388.862	Mercury NZ Limited	Oppose
581.6	Synlait Milk Limited	Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows: <i>Maintain a sufficient supply of <u>appropriately located industrial land within strategic nodes to meet foreseeable future demands, having regard to the requirement of different industries to avoid the need for industrial activities to locate in non-industrial zones recognising the different locations required by heavy industry and general industry.</u></i>
FSI306.25	Hynds Foundation	Support
FSI341.22	Hynds Pipe Systems Limited	Support
FSI388.948	Mercury NZ Limited	Oppose
633.4	Van Den Brink Group	Retain Policy 4.6.3 Maintain a sufficient supply of industrial land, insofar as it gives effect to the relief sought.
FSI387.29	Mercury NZ Limited	Oppose
697.551	Waikato District Council	Amend Policy 4.6.3 (a) Maintain a sufficient supply of industrial land as follows: <i>(a) Maintain a sufficient supply of industrial land within strategic industrial nodes to meet foreseeable future demands, having regard to the requirements of different industries to avoid the need for industrial activities to locate in non-industrial zones.</i>
FSI193.11	Van Den Brink Group	Support
FSI326.11	Holcim (New Zealand) Limited	Support
FSI387.604	Mercury NZ Limited	Oppose
742.29	New Zealand Transport	Retain Policy 4.6.3 Maintain a sufficient supply of

	Agency	<p>industrial land, except for the amendments sought below</p> <p>AND</p> <p>Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows:</p> <p><i>Maintain a sufficient supply of industrial land within strategic industrial nodes to meet the foreseeable future demands, having regard to the requirements of different industries to and avoiding the need for industrial activities to locate in non-industrial zones.</i></p> <p>AND</p> <p>Request any consequential changes necessary to give effect to the relief sought in the submission.</p>
FSI110.21	Synlait Milk Limited	Oppose
FSI149.9	Gavin Lovegrove and Michelle Peddie	Support
FSI157.6	Gordon Downey	Support
FSI164.10	Tamara Huaki	Support
FSI165.8	Pekerangi Kee-Huaki	Support
FSI166.8	Jarod Kowhai Huaki	Support
FSI182.5	Newstead Country Preschool	Support
FSI183.2	Noel Gordon Smith	Support
FSI193.12	Van Den Brink Group	Oppose
FSI204.4	Christian & Natasha McDean	Support
FSI216.4	Newstead Residents Association	Support
FSI280.4	Dennis and Jan Tickelpenny	Support
FSI322.20	Synlait Milk	Oppose
FSI326.12	Holcim (New Zealand) Limited	Oppose
FSI387.854	Mercury NZ Limited	Oppose
766.36	Holcim (New Zealand) Limited	Retain Policy 4.6.3 Maintain a sufficient supply of industrial land as notified insofar as it gives effect to the relief sought
FSI387.1151	Mercury NZ Limited	Oppose

10.3 Analysis

90. Waikato Regional Council [81] requests amendments to Policy 4.6.3 so that it specifically refers to the National Policy Statement – Urban Development Capacity.

91. In my view, this is a general matter that should not be limited to the supply and release of industrial land. All urban growth for industrial, residential and business activities is most appropriately addressed through the higher level policies which was subject of the earlier Hearing 3 (Strategic Objectives). In this regard, it is noted that this submitter requests various amendments to objectives and policies in Chapter 4: Urban Environment. Examples of these include Objective 4.1.2 Urban Growth and Development, Policy 4.1.3 Location of Development, Policy 4.1.4 Staging of Development and Policy 4.7.8 Staging of Subdivision.
92. EnviroWaste New Zealand Limited [302] supports Policy 4.6.3 and the intention of the policy to enable a sufficient supply of industrial land. Other submitters supporting Policy 4.6.3 as notified include Buckland Marine Limited [465], Hamilton City Council [535], Ports of Auckland [578], Van Den Brink Group [633] and Holcim (New Zealand) Limited [766]. They consider that it is important to retain this policy in order to meet the demand to establish industry in appropriate locations, particularly within strategic industrial nodes. I agree that this policy should be retained for these reasons.
93. Grander Investments Limited [548] supports Policy 4.6.3 as they consider this to be in keeping with their request to rezone their property at 62 Bluff Road, Pokeno to Heavy Industrial, as well as the strategic direction of the PWDP. The submitter's property is currently in the Aggregate Extraction and Processing Zone (Franklin Section) but the proposal in the PWDP for it to revert to a Rural Zone will be considered in the rezoning topic at a later hearing in 2020. The further submission from Craig Hall [FS1049.1] opposes their submission point [548.9] as they are concerned that the submitter's rezoning request will detrimentally affect adjacent residents. While not relevant to Policy 4.6.3, the concern raised by this further submitter will be addressed in the later hearings for all rezoning requests.
94. Synlait Milk Limited [581] requests that Policy 4.6.3 be amended to recognise the different requirements of industrial activities. In my view, it is not necessary to amend notified Policy 4.6.3 which specifically relates to the strategic industrial nodes identified by the WRPS, including the Pokeno industrial node that contains the Synlait Milk development. The submitter's amended wording removes this focus from these identified industrial nodes and results in a policy that essentially replicates the more general tenor of Policy 4.6.2 (Provide Industrial Zones with different functions).
95. Should additional industrial land be required within the life of the PWDP as a result of the NPS-UDC requirements to constantly monitor the uptake of land within the two industrial zones, then plan changes can be initiated following a required robust analysis to support rezoning for industrial growth.
96. Waikato District Council [697] requests that Policy 4.6.3 be amended to delete references to industrial activities needing to locate in non-industrial zones. In my view, notified Policy 4.6.3 appropriately recognises the different needs of industry, the reason for the policy is made clear, and no change is warranted. In addition, I consider avoiding the need for industrial activities to locate in non-industrial zones is a valid matter to be addressed in a policy.
97. The New Zealand Transport Agency [742.29] requests that Policy 4.6.3 be amended to delete the need to have regard to the requirements of different industries.
98. This submission point received a number of further submitters including *Gavin Lovegrove and Michelle Peddie* [FS1149.9], *Gordon Downey* [FS1157.6], *Tamara Huaki* [FS1164.10], *Pekerangi Kee-Huaki* [FS1165.8], *Jarod Kowhai Huaki* [FS1166.8], *Noel Smith* [FS1183.2], *Christian and Natasha McDean* [FS1204.4], *Newstead Residents Association* [FS1216.4] and *Dennis and Jan Tickelpenny* [FS1280.4]. All support this requested amendment, but also note that the

location of industrial land may need to be reviewed as a consequence of changing demand and the Hamilton to Auckland Corridor Plan. They support the amended submission provided there is no consequential increase in industrial zoned land in Newstead. All rezoning requests will be addressed at a later hearing in 2020.

99. *Van Den Brink Group [FS1193.12], Synlait Milk Limited [FS1322.20] and Holcim (New Zealand Limited [FS1326.12]* all oppose NZTA's requested amendment because it removes the ability to distinguish between different industrial activities and zones. Their position is that there are considerable differences in the nature of industrial activities and the potential environmental effects between industry and heavy industry that require recognition in the District Plan. I support these opposing further submissions. In my view, the notified Policy 4.6.3 appropriately recognises the different needs of industry, the reason for the policy is clear, and no change is warranted.

10.4 Recommendation

100. For the reasons given above, it is recommended that the hearings panel:
- a. **Reject** the submission from Waikato Regional [81.15]
 - b. **Accept** the submission from EnviroWaste New Zealand Limited [302.34]
 - c. **Accept** the submission from Buckland Marine Limited [465.7]
 - d. **Reject** the further submission from *Mercury NZ Limited [FS1388.396]*
 - e. **Accept** the submission from Hamilton City Council [535.24]
 - f. **Accepts** the further submission from Shand Properties Limited [FS1141.5] and *Bryan Morris [FS1309.2]*
 - g. **Reject** the further submission from *Mercury NZ Limited [FS1388.697]*
 - h. **Accept** the submission from Grander Investments Limited [548.9]
 - i. **Accept** the further submission from *Hynds Foundation [FS1306.16]*
 - j. **Reject** the further submission from *Craig Hall [FS1049.1]* and *Mercury NZ Limited [FS1388.773]*
 - k. **Accept** the submission from Ports of Auckland Limited [578.68]
 - l. **Reject** the further submission from *Mercury NZ Limited [FS1388.862]*
 - m. **Reject** the submission from Synlait Milk Limited [581.6]
 - n. **Reject** the further submission from *Hynds Foundation [FS 1306.25]* and *Hynds Pipe Systems Limited [FS1341.22]*
 - o. **Accept** the further submission from *Mercury NZ Limited [FS1388.948]*
 - p. **Accept** the submission from Van Den Brink Group [633.4]
 - q. **Reject** the further submission from *Mercury NZ Limited [FS1387.29]*
 - r. **Reject** the submission from Waikato District Council [697.551]
 - s. **Reject** the further submission from *Van Den Brink Group [FS1193.11]* and *Holcim (New Zealand) Limited [FS1326.11]*
 - t. **Accept** the further submission from *Mercury NZ Limited [FS1387.604]*
 - u. **Reject** the submission from the New Zealand Transport Agency [742.29] and further submissions from *Gavin Lovegrove and Michelle Peddie [FS1149.9]*, *Gordon Downey [FS1157.6]*, *Tamara Huaki [FS1164.10]*, *Pekerangi Kee-Huaki [FS1165.8]*, *Jarod Kowhai*

Huaki [FS1166.8], Noel Smith [FS1183.2], Christian and Natasha McDean [FS1204.4], Newstead Residents Association [FS1216.4] and Dennis and Jan Tickelpenny [FS1280.4]

- v. **Accept** the further submission from *Mercury NZ Limited [FS1387.854], Van Den Brink Group [FS1193.12], Synlait Milk Limited [FS1322.20] and Holcim (New Zealand Limited [FS1326.12]*
- w. **Accept** the submission from *Holcim (New Zealand) Limited [766.36]*
- x. **Reject** the further submission from *Mercury NZ Limited [FS1387.1151]*

II Policy 4.6.4 Maintain industrial land for industrial purposes

II.1 Introduction

101. Nine submissions have been received in respect to Policy 4.6.4. Of these, eight submissions support this policy as notified. The remaining submission from Fire and Emergency New Zealand supports this policy to the extent that it anticipates ancillary non-industrial activities in industrial zones.
102. The purpose of this policy is to ensure that the establishment of industrial activities on industrial land is prioritised over non-industrial activities

II.2 Submissions

Submission Point	Submitter	Summary of Submission
81.140	Waikato Regional Council	Retain Policy 4.6.4 Maintain industrial land for industrial purposes.
302.35	EnviroWaste New Zealand Limited	Retain Policy 4.6.4 Maintain industrial land for industrial purposes, insofar as it gives effect to the relief sought.
<i>FS1386.351</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
378.59	Fire and Emergency New Zealand	Retain Policy 4.6.4 Maintain industrial land for industrial purposes, to the extent that it anticipates ancillary non-industrial activities in the Industrial Zone. AND Add new clause (b) to Policy 4.6.4 Maintain industrial land for industrial purposes, as follows: <u><i>(b) Enable emergency services facilities that provide for the health, safety and well-being of the community and that service or support and identified local need.</i></u> AND Amend the Proposed District Plan to make further or consequential amendments as necessary to address the matters raised in the submission.
<i>FS1035.166</i>	<i>Pareoranga Te Kata</i>	<i>Support</i>

<i>FS/388.48</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
535.25	Hamilton City Council	Retain Policy 4.6.4 Maintain land for industrial purposes.
<i>FS/388.698</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
578.69	Ports of Auckland Limited	Retain Policy 4.6.4 Maintain industrial land for industrial purposes, as notified.
<i>FS/388.863</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
633.5	Van Den Brink Group	Retain Policy 4.6.4 Maintain industrial land for industrial purposes, insofar as it gives effect to the relief sought.
<i>FS/387.30</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
923.65	Waikato District Health Board	Retain Policy 4.6.4 Maintain industrial land for industrial purposes, as notified.
<i>FS/387.1510</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

11.3 Analysis

103. Waikato Regional Council [81] supports Policy 4.6.4 as it will assist with maintaining the Future Proof settlement pattern, and will therefore retain industrial activities primarily within identified industrial nodes and managing reverse sensitivity issues. They make specific note of Policies 6.1, 6.14 and Section 6A in the WRPS. I agree that this policy should be retained in order to signal the priority to provide for industrial land for industrial purposes.
104. EnviroWaste New Zealand Limited [302], Holcim (New Zealand [766] and Van Den Brink Group [633] support Policy 4.6.4. However, they also consider that policy is not sufficiently enabled to provide for ancillary activities related to industrial activities. However, it would appear that these submitters are mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report. The Waikato District Health Board [923] also supports this policy.
105. Hamilton City Council [535] supports Policy 4.6.4 because of the sub-regional need for industrial land to be managed and maintained and not lost to other non-industrial purposes, such as large format retail. I agree that this policy should be retained in order to signal the priority to provide for industrial land for industrial purposes.
106. Ports of Auckland Limited [578] supports Policy 4.6.4 as they state that it will assist with maintaining the Future Proof settlement pattern and retaining industrial activities primarily within identified industrial nodes and managing reverse sensitivity issues. I agree that this policy should be retained in order to signal the priority to provide for industrial land for industrial purposes.
107. Fire and Emergency New Zealand supports Policy 4.6.4 in part to the extent that the provision anticipates ancillary non-industrial activities in the Industrial Zone, but considers that the provisions focus on the management of effects, rather than an outcome that provides clear direction in relation to the appropriateness of some non-industrial activities in the Industrial Zones. For instance, providing for emergency services that have a functional and operational need to be located in close proximity to the communities they serve. They consider that the amendments sought better achieve the purpose of the RMA by providing for the health and safety of people and communities.

108. In my view, emergency service facilities are not clearly ancillary to industrial activities, nor are they ancillary to any other activity in any other zone. I consider these to be standalone activities that provide a necessary support to the wider community. This submitter has highlighted that the PWDP does not clearly provide for emergency service facilities within the district, despite them providing an essential service. This omission has been highlighted in the earlier Hearing 6 (Village Zone).
109. Emergency service facilities are not captured by the PWDP's definition of 'industrial activity'. Therefore, because Policy 4.6.4 specifically relates to industrial activities, it is considered appropriate to introduce a specific objective and policy for emergency service facilities, rather than amending this policy by adding the submitter's requested clause (b).
110. I note the recommended new definition for 'emergency services training and management activities' in the s42A report for Hearing 5 (Definitions) and recommend that this objective and policy be added to Section 4.6:
- 4.6.XX Objective – Recognise the essential support role of emergency services training and management activities within industrial zones
- Recognise the essential support role of emergency services training and management activities and their important contribution to the health, safety and wellbeing of people within the industrial zones.
- 4.6.XX Policy – Emergency services facilities and activities
- Enable the development, operation and maintenance of emergency services training and management activities within the industrial zones.
111. This recommended objective and policy are also indicated in Attachment 2.
112. However, an alternative might be to provide an objective and policy framework for emergency facilities in Chapter 6 and corresponding rules in Chapter 14 which set out activity status for these emergency services in each zone across the district. This was a suggestion made in the section 42A report for the earlier Hearing 6 (Village Zone).

11.4 Recommendation

115. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from Waikato Regional Council [81.140]
 - b. **Accept** the submission from EnviroWaste New Zealand Limited [302.35]
 - c. **Reject** the further submission from *Mercury NZ Limited* [FS1386.351]
 - d. **Accept in part** the submission from Fire Emergency New Zealand [302.35] and the further submission from *Pareoranga Te Kata* [FS1035.166] to the extent of the recommended amendment to Section 4.6 shown in Attachment 2.
 - e. **Reject** the further submission from *Mercury NZ Limited* [FS1388.48]
 - f. **Accept** the submission from Hamilton City Council [535.25]
 - g. **Reject** the further submission from *Mercury NZ Limited* [FS1388.698]
 - h. **Accept** the submission from Ports of Auckland Limited [578.69]
 - i. **Reject** the further submission from *Mercury NZ Limited* [FS1388.863]
 - j. **Accept** the submission from Van Den Brink Group [633.5]
 - k. **Reject** the further submission from *Mercury NZ Limited* [FS1387.30]
 - l. **Accept** the submission from Holcim (New Zealand) Limited [766.37]
 - m. **Reject** the further submission from *Mercury NZ Limited* [FS1387.1152]

- n. **Accept** the submission from the Waikato District Health Board [923.65]
- o. **Reject** the further submission from *Mercury NZ Limited* [FS1387.1510]

11.5 Section 32AA evaluation

113. My approach with this evaluation is similar to that addressed in the earlier Hearing 6 (Village Zone) where Fire Emergency New Zealand highlighted the absence of a specific objective and policy for their requested facilities in the Village Zone.

11.5.1 Purpose of the RMA and comparison with any relevant existing objective in the PWDP

114. The introduction of the recommended objective recognises the importance of section 5 the RMA. In particular, it will enable people and communities to provide for their safety. This objective is considered to be clear and concise.
115. The recommended policy is considered clear and concise, and the most appropriate method to achieve the above objective. It facilitates the provision of facilities that concern the safety of the community.
116. Without this paired objective and policy, my view is that this would not enable Council to fulfil its function in order to meet the purpose of the RMA. There are community benefits in providing for these types of facilities in the district and it is important to provide an objective and policy framework to guide potential resource consent assessments.

12 Policy 4.6.5 - Recognition of industrial activities outside of urban areas

12.1 Introduction

117. Four submissions were received that support Policy 4.6.4. The purpose of this policy is to recognise that there are some circumstances where industries have established outside of urban areas.

12.2 Submissions

Submission Point	Submitter	Summary of Submission
548.11	Grander Investments Limited	Retain Policy 4.6.5 Recognition of industrial activities outside of urban areas, as notified.
<i>FS1306.17</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FS1388.775</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
578.70	Ports of Auckland Limited	Retain Policy 4.6.5 Recognition of industrial activities outside of urban areas, as notified.
633.6	Van Den Brink Group	Retain Policy 4.6.5 Recognition of industrial activities outside of urban areas, insofar as it gives effect to the relief sought.
<i>FS1387.31</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

766.38	Holcim (New Zealand) Limited	Retain Policy 4.6.5 Recognition of industrial activities outside of urban areas, insofar as it gives effect to the relief sought.
<i>FSI387.1153</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>

12.3 Analysis

118. Grander Investments Limited [548], Ports of Auckland Limited [578] and Van Den Brink Group [633] all support Policy 4.6.5.
119. I consider that this policy should be retained as some industrial activities require locations outside of urban areas and, in some cases, reflect historic industrial occupation. One example of this is the former wool scouring operation beside State Highway 1 at Ohinewai.
120. Holcim (New Zealand) Limited [766] supports Policy 4.6.5 as it recognises and provides for existing industrial activities. I agree that this policy should be retained for this reason. However, they also raise a concern that this policy is not reflected in the land use provisions because industrial activities are not sufficiently enabled by the rules. This matter is addressed in Part B of this report.

12.4 Recommendation

121. For the reasons given above, it is recommended that the hearings panel:
- Accept** the submission from Grander Investments Limited [548.11]
 - Accept** the further submission from Hynds Foundation [FSI306.17]
 - Reject** the further submission from Mercury NZ Limited [FSI388.775]
 - Accept** the submission from Ports of Auckland Limited [578.70]
 - Accept** the submission from Van Den Brink Group [633.6]
 - Reject** the further submission from Mercury NZ Limited [FSI387.31]
 - Accept** the submission from Holcim (New Zealand) Limited [766.38]
 - Reject** the further submission from Mercury NZ Limited [FSI387.1153]

13 Objective 4.6.6 – Manage adverse effects

13.1 Introduction

122. Nine submissions have been received in support of Objective 4.6.6 and no primary submissions sought the amendment or deletion of the objective. The reason for this objective is to ensure that the amenity values of sensitive activities and ecosystem values outside of the industrial zones are protected.

13.2 Submissions

Submission Point	Submitter	Summary of Submission
81.141	Waikato Regional Council	Retain Objective 4.6.6 Manage adverse effects.
<i>FSI322.32</i>	<i>Synlait Milk</i>	<i>Oppose</i>

182.12	Kirriemuir Trustee Limited	Retain Objective 4.6.6 Manage adverse effects, as notified.
299.8	2SEN Limited and Tuakau Estates Limited	Retain Objective 4.6.6 Manage adverse effects, as notified.
302.37	EnviroWaste New Zealand Limited	Retain the intent of Objective 4.6.6 Manage adverse effects, insofar as it gives effect to the relief sought.
465.8	Buckland Marine Limited	Retain Objective 4.6.6 Manage adverse effects, as notified.
578.71	Ports of Auckland Limited	Retain Objective 4.6.6 Manage adverse effects, as notified.
633.7	Van Den Brink Group	Retain Objective 4.6.6 Manage adverse effects, insofar as it gives effect to the relief sought.
<i>FS1087.18</i>	<i>Ports of Auckland Limited</i>	<i>Support</i>
<i>FS1387.32</i>	<i>Mercury NZ Limited</i>	<i>Oppose</i>
766.39	Holcim (New Zealand) Limited	Retain Objective 4.6.6 Manage adverse effects, as notified insofar as it gives effect to the relief sought.
923.66	Waikato District Health Board	Retain Objective 4.6.6 Manage adverse effects, as notified.

13.3 Analysis

123. Waikato Regional Council [81] supports Objective 4.6.6 as it assists with giving effect to the WRPS direction concerning the need to have regard to reverse sensitivity effects. They specifically note Policy 6.1 and Section 6A in the WPRS and request that this submission point be read in conjunction with their submission on Policy 4.6.7 [81.147]. I agree that Objective 4.6.6 should be retained for this reason.
124. Synlait Milk [FS1322] opposes the submission to the extent that it fails to address reverse sensitivity. It would appear that Synlait is challenging the methods that achieve objective, rather than the objective itself. It would be helpful for them to clarify this matter at the hearing.
125. Kirriemuir Trustee Limited [182] supports Objective 4.6.6 because industrial activities are required to manage effects in accordance with regional and district plan provisions and any relevant resource consents. I agree that Objective 4.6.6 should be retained for this reason.
126. 2SEN Limited and Tuakau Estates Limited [299] supports Objective 4.6.6 because industrial activities are required to manage effects in accordance with regional and district plan provisions. I agree that Objective 4.6.6 should be retained for this reason.
127. EnviroWaste New Zealand Limited [302] supports Objective 4.6.6 as its intention is to manage adverse effects on sensitive activities in other zones and ecosystems. I agree that this objective should be retained for these reasons. However, EnviroWaste also considers that the provisions are unnecessarily restrictive and could be modified to achieve the same outcome. It would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.

128. Buckland Marine Limited [465] supports Objective 4.6.6 because it is important that the amenity values of sensitive land uses be protected. I agree with this reason.
129. Ports of Auckland Limited [578] supports Objective 4.6.6 as notified. I agree that this objective should be retained as it is important to manage adverse effects from industrial activities.
130. Van Den Brink Group [633] supports Objective 4.6.6. as its intention is to manage adverse effects on sensitive activities in other zones and ecosystem. I agree that this objective should be retained for these reasons. Ports of Auckland Limited [FS1087.18] supports this submitter's position on the basis that this objective manages adverse effects on sensitive activities in other zones and ecosystems.
131. Holcim (New Zealand) Limited [766] supports Objective 4.6.6 as its intention is to manage adverse effects on sensitive activities in other zones and ecosystem. I agree that this objective should be retained for these reasons. The submitter also considers that the provisions are unnecessarily restrictive and could be modified to achieve the same outcome. It would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.
132. Waikato District Health Board [923] supports Objective 4.6.6 because it assists with giving effect to the WRPS direction concerning the need to have regard to reverse sensitivity effects which can negatively impact community health and wellbeing. I agree that Objective 4.6.6 should be retained for this reason.

13.4 Recommendation

135. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from Waikato Regional Council [81.141]
 - b. **Reject** the further submission from *Synlait Milk* [FS1322.32]
 - c. **Accept** the submission from Kirriemuir Trustee Limited [182.12]
 - d. **Accept** the submission from 2SEN Limited and Tuakau Estates Limited [299.8]
 - e. **Accept** the submission from EnviroWaste New Zealand Limited [302.37]
 - f. **Accept** the submission from Buckland Marine Limited [465.8]
 - g. **Accept** the submission from Ports of Auckland Limited [578.71]
 - h. **Accept** the submission from Van Den Brink Group [633.7]
 - i. **Accept** the further submission from Ports of Auckland Limited [FS1087.18]
 - j. **Reject** the further submission from *Mercury NZ Limited* [FS1387.32]
 - k. **Accept** the submission from Holcim (New Zealand) Limited [766.39]
 - l. **Accept** the submission from the Waikato District Health Board [923.66]

14 Policy 4.6.7 – Management of adverse effects within industrial zones

14.1 Introduction

133. Eight submissions have been in respect to Policy 4.6.7. Of these, six support this policy as notified. The remaining two submissions request amendments to this policy that:
- reflect the management of adverse effects through zoning and the use of the Industrial Zone as a buffer
 - distinguish between significant and non-significant adverse effects
134. The purpose of this policy is to manage adverse effects from industrial activities within industrial zones, including the visual impact of buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic.

14.2 Submissions

Submission Point	Submitter	Summary of Submission
81.142	Waikato Regional Council	Retain Policy 4.6.7 Management of adverse effects within industrial zones.
302.38	EnviroWaste New Zealand Limited	Retain the intent of Policy 4.6.7 Management of adverse effects within industrial zones, insofar as it gives effect to the relief sought.
578.72	Ports of Auckland Limited	Retain Policy 4.6.7 Management of adverse effects within industrial zones, as notified.
581.8	Synlait Milk Limited	Amend Policy 4.6.7 Management of adverse effects within industrial zones, to address management of adverse effects through the location of zones (relative to more sensitive environments) and the use of the General Industrial Zone as a buffer.
<i>FS1306.27</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FS1341.24</i>	<i>Hynds Pipe Systems Limited</i>	<i>Support</i>
<i>FS1377.151</i>	<i>Havelock Village Limited</i>	<i>Oppose</i>
581.9	Synlait Milk Limited	Amend Policy 4.6.7 Management of adverse effects within industrial zones so that 'significant' adverse effects from heavy industrial sites are managed and mitigated where practicable but otherwise that adverse effects (that are not significant) should be considered consistent with the environmental outcomes anticipated for heavy industrial activity.
<i>FS1306.28</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FS1341.25</i>	<i>Hynds Pipe Systems Limited</i>	<i>Support</i>
633.8	Van Den Brink Group	Retain Policy 4.6.7 Management of adverse effects within industrial zones, insofar as it gives effect to the relief sought.
<i>FS1087.19</i>	<i>Ports of Auckland Limited</i>	<i>Support</i>
766.40	Holcim (New Zealand) Limited	Retain Policy 4.6.7 Management of adverse effects within industrial zones, insofar as it gives effect to

		the relief sought.
923.67	Waikato District Health Board	Retain Policy 4.6.7 Management of adverse effects within industrial zones.
465.9	Buckland Marine Limited	Amend Policy 4.6.9 Management of adverse effects within industrial zones, as follows: (a) <i>Manage adverse effects including visual impact from buildings, parking, loading spaces and outdoor storage, lighting, noise, odour and traffic by managing the location of industrial uses, bulk and form of buildings, landscaping and screening at the interface with roads and environmentally sensitive areas where appropriate.</i>

14.3 Analysis

135. Waikato Regional Council [81] supports Policy 4.6.7 Management of adverse effects within industrial zones. They state this policy assists with giving effect to the WRPS direction concerning the need to have regard to reverse sensitivity effects and they specifically note Policy 6.1 and Section 6A. I agree that it is appropriate to retain Policy 4.6.7 for the same reasons.
136. EnviroWaste New Zealand Limited [302] refers to an objective although it is apparent that they are meaning to refer to Policy 4.6.7. Support is given in respect to managing adverse effects on sensitive activities in other zones and ecosystems. However, they state that the provisions are unnecessarily restrictive and seek that they be modified to achieve the same outcome.
137. I agree that it is appropriate to retain Policy 4.6.7 so that effects from industrial activities are managed in a way that does not adversely affect the environment. It would appear that EnviroWaste is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.
138. Ports of Auckland Limited [578] supports Policy 4.6.7. I agree that this policy should be retained without change in order to achieve the objective of protecting the amenity values of sensitive activities and ecosystem values from the adverse effects generated by industrial activities.
139. Synlait Milk Limited [581] opposes Policy 4.6.7 and requests that it be amended so that it addresses the management of adverse effects through the location of zones (relative to more sensitive environments) and the use of the Industrial Zone as a buffer.
140. Synlait also requests amendments so that significant adverse effects from heavy industrial sites are managed and mitigated where practicable, otherwise effects that are not significant should be considered consistent with the environmental outcomes anticipated for heavy industry.
141. Hynds Foundation [FS/306] and Hynds Pipe Systems Limited [FS/341] support the whole of Synlait Milk Limited's submission and neither identifies a specific submission point. However, they both express identical concerns that zoning of land adjacent to a Heavy Industrial Zone will create reverse sensitivity effects on existing and proposed industrial operations. They consider that there should be no encroachment by sensitive activities onto industrial land in order for Council to exercise its functions and ensure the efficiency and effectiveness of the plan provisions.

142. Havelock Village Limited [FS1377] opposes Synlait's submission and states that the location of the Heavy Industrial Zone should take into account surrounding sensitive environments but the use of the general Industrial Zone as a buffer is not always necessary or appropriate.
143. It would appear that Synlait's concerns reflect their submission point [581.7] on Objective 4.6.6 which was analysed earlier. Again, it is considered that Policy 4.6.2 already sufficiently provides for the submitter's relief in that it refers to the provision of the two industrial zones and the need to manage adverse effects from industry when received at sensitive locations.
144. Synlait Milk Limited, Hynds Foundation and Hynds Pipe Systems Limited are invited to comment further on how Policy 4.6.2 does not satisfy their relief at the hearing.
145. Synlait Milk Limited [581] also requests amendments so that significant adverse effects from heavy industrial sites are managed and mitigated where practicable. Otherwise, they state that adverse effects not considered 'significant' should be considered consistent with the environmental outcomes anticipated for heavy industrial activity.
146. Synlait states that the policy approach for management of adverse effects does not distinguish between general and heavy industrial zones. They consider there needs to be an appropriate zone which allows heavy industry to produce adverse effects with a more lenient threshold than general industry, and that general industry should buffer those zones from sensitive activities. They also state that there is no policy for protecting heavy industry within Heavy Industrial zones from encroaching on residential and sensitive activities.
147. Van Den Brink Group [633] refers to an objective although it is apparent that they are meaning to refer to Policy 4.6.7. Support is given in respect to managing adverse effects on sensitive activities in other zones and ecosystems. However, they state that the provisions are unnecessarily restrictive and seek that they be modified to achieve the same outcome. I agree that it is appropriate to retain Policy 4.6.7 so that effects from industrial activities are managed in a way that does not adversely affect the environment. It would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.
148. Ports of Auckland Limited [FS1087] also supports the policy intention to manage adverse effects of development within the Industrial Zone.
149. Holcim (New Zealand) Limited [766] refers to an objective although it is apparent that they are meaning to refer to Policy 4.6.7. Support is given in respect to managing adverse effects on sensitive activities in other zones and ecosystems. However, they state that the provisions are unnecessarily restrictive and seek that they be modified to achieve the same outcome. I agree that it is appropriate to retain Policy 4.6.7 so that effects from industrial activities are managed in a way that does not adversely affect the environment. It would appear that this submitter is mainly concerned with the lack of enabling land use provisions in the Industrial Zone. This matter is addressed in Part B of this report.
150. Waikato District Health Board [923] supports Policy 4.6.7 as it assists with giving effect to the WRPS direction regarding reverse sensitivity effects which have potential to negatively impact community health and wellbeing. I agree that it is appropriate to retain this policy for this reason.
151. Buckland Marine Limited [465] requests that Policy 4.6.7 be amended because road frontage is an important aspect for many industrial premises and requiring screening at the interface with roads is impractical. They support landscaping if it is consistent with the nature and purpose of the Industrial Zone and does not impact on the proposed land use.
152. It would appear that Buckland Marine Limited also requests deletion of the words '*... at the interface with roads and environmentally sensitive areas*' at the end of the sentence in notified

clause (a). In any case, I do not support any change to the notified version. While industrial businesses need to be visible from their road frontage, it is also important to manage visual impact from industrial development to achieve an acceptable level of amenity. Rather than completely screening an industrial development when viewed from the road frontage, it is appropriate that landscaping softens, or mitigates, its visual impact. This is a management technique common to many district plans. If a developer requests a reduction or complete waiver of a landscaping requirement, the merits can be considered through a resource consent application.

14.4 Recommendation

136. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from the Waikato Regional Council [81.142]
 - b. **Accept** the submission from EnviroWaste New Zealand Limited [302.38]
 - c. **Accept** the submission from Ports of Auckland Limited [578.72]
 - d. **Reject** the submission from Synlait Milk Limited [581.8]
 - e. **Reject** the further submission from Hynds Foundation [FS1306.27] and Hynds Pipe Systems Limited [FS1341.24]
 - f. **Accept** the further submission from Havelock Village Limited [FS1377.151]
 - g. **Reject** the submission from Synlait Milk Limited [581.9]
 - h. **Reject** the further submission from *Hynds Foundation* [FS1306.28] and *Hynds Pipe Systems Limited* [FS1341.25]
 - i. **Accept** the submission from Van Den Brink Group [633.8]
 - j. **Accept** the further submission from Ports of Auckland Limited [FS1087.19]
 - k. **Accept** the submission from Holcim (New Zealand) Limited [766.40].
 - l. **Accept** the submission from the Waikato District Health Board [923.67]
 - m. **Reject** the submission from Buckland Marine Limited [465.9]

15 Policy 4.6.8 – Specific activities within Nau Mai Business Park

15.1 Introduction

153. Two submissions have been received in respect to Policy 4.6.8 which request amendments that:
- a. Specify what types of activities are anticipated within the Nau Mai Business Park
 - b. Involve a clerical correction to make it clear that the policy relates to this specific location

154. The purpose of this policy is to ensure that Nau Mai Business Park is developed with specific types of activities given its location outside of the district's strategic industrial nodes. The types of listed permitted activities reflect an existing resource consent.

15.2 Submissions

Submission Point	Submitter	Summary of Submission
742.30	New Zealand Transport Agency	Retain Policy 4.6.8 Specific activities within Nau Mai Business Park, except for the amendments sought below AND Amend Policy 4.6.8 Specific activities within Nau Mai Business Park, to specify what types of activities are anticipated within the Nau Mai Business Park.
697.552	Waikato District Council	Amend Policy 4.6.8 (a) Specific activities within Nau Mai Business Park as follows: <i>Nau Mai Business Park is developed with specific types of activities ...</i>

15.3 Analysis

155. The New Zealand Transport Agency [742] requests that Policy 4.6.8 be amended to specify what type of activities are anticipated within the Nau Mai Business Park. The submitter states that they were involved with previous planning processes for Nau Mai Business Park and they support the continued development of this area consistent with the outcomes of those processes.
156. No amendments have been provided by the submitter to indicate how their relief would be satisfied. The submitter is invited to provide this detail at the hearing although it is noted that the list of permitted activities in Rule 20.5.2 already set out what is expected at this location and it would not be appropriate to specify these at a policy level.
157. Waikato District Council seeks a clerical correction to Policy 4.6.8 as shown above in the table and in Attachment 2. It is recommended that this submission point be accepted. However, this correction can be addressed via clause 16(2) in Schedule 1 of the RMA and is not reliant on a submission.

15.4 Recommendation

158. For the reasons given above, it is recommended that the hearings panel:
- Reject** the submission from the New Zealand Transport Agency [742.30].
 - Accept** the submission from Waikato District Council [697.552] and amends Policy 4.6.8 as shown in Attachment 2.

16 Policy 4.6.9 - Management of adverse effects within Nau Mai Business Park

16.1 Introduction

159. The purpose of Policy 4.6.9 is to develop Nau Mai Business Park so that specific types of activities are established and operated so that adverse effects are managed within the Park itself rather than neighbouring zones having to manage those effects.
160. One submission has been received in respect to Policy 4.6.8 seeking a clerical amendment.

16.2 Submissions

Submission Point	Submitter	Summary of Submission
697.553	Waikato District Council	Amend Policy 4.6.9 (a) <i>Management of adverse effects within <u>the Nau Mai Business Park</u> and ...</i>

16.3 Analysis

161. Waikato District Council [697] requests an amendment to Policy 4.6.9 so that it references Nau Mai Business Park. The submitter requests this amendment to provide clarity to this policy.
162. While I consider it is obvious that the notified policy is referring to Nau Mai Business Park (rather than any other 'Park'), there is also no difficulty with this amendment. However, to avoid repetition, the hearings panel may wish to consider the alternative of replacing 'within the Nau Mai Business Park' with the words 'within this location'.
163. I note that if this policy intends to manage the adverse effects from the specified activities within the Park itself, rather than leaving neighbouring zones to manage those effects, a further correction is needed so that this policy reads as follows:
- (a) Activities within Nau Mai Business Park are to be established and operated so that adverse effects generated by them are managed within the Nau Mai Business Park and not ~~or~~ within neighbouring zones.
164. These clerical corrections are also shown in Attachment 2.

16.4 Recommendation

165. For the reasons given above, it is recommended that the hearings panel:
- a. **Accept** the submission from Waikato District Council [697.553] and amends Policy 4.6.9 as shown in Attachment 2.

17 New objectives and policies

17.1 Introduction

166. Synlait [581] and Ports of Auckland [578] seek the introduction of new objectives and policies for the industrial zones.
167. Ports of Auckland Ltd (POAL) requests a bespoke framework of objectives, provisions and rules to recognise the difference between the Horotiu Industrial Park and other industrial areas. I have addressed this matter in Part D of my report where I recommend the introduction of a Development Area 20.6 for this location.

168. The remaining request from Synlait for a new objective and policy is addressed below.

17.2 Submissions

Submission Point	Submitter	Summary of Submission
581.7	Synlait Milk Limited	Add a new objective and policy that recognises the adverse effects arising from General Industrial and Heavy Industrial Zones may require different management approaches with more lenient standards in the Heavy Industrial Zone being appropriate.
<i>FSI306.26</i>	<i>Hynds Foundation</i>	<i>Support</i>
<i>FSI341.23</i>	<i>Hynds Pipes Systems Limited</i>	<i>Support</i>
<i>FSI345.57</i>	<i>Genesis Energy Limited</i>	<i>Support</i>
<i>FSI388.949</i>	<i>Mercury Energy Limited</i>	<i>Oppose</i>

17.3 Analysis

169. Synlait Milk Limited [581] considers that part of the management approach to managing effects on sensitive activities should include the location of industrial zones, not just management of activities at the interface. They also consider that the role of the general Industrial Zone is to provide a buffer between heavy industrial zones and more sensitive zones.
170. It is accepted that zoning is a method to manage effects. It is also accepted that the Industrial Zone can act as a buffer between the Heavy Industrial Zone and more sensitive zones. However, while this buffer situation does apply to the submitter's site relative to the Residential Zone in Pokeno, the Heavy Industrial Zone is not completely enveloped by an Industrial Zone. This is because all locations identified as a Heavy Industrial Zone have an interface with the Rural Zone. This includes the submitter's site, the Huntly Power Station, the former Meremere Power Station and various sites at Horotiu, including Affco. If a new objective and policy were to refer to the role of the Industrial Zone as a buffer for more sensitive zones, this may wrongly signal that any land adjoining the Heavy Industrial Zone should be rezoned to Industrial.
171. In my view, Policy 4.6.2 already sufficiently provides for the submitter's relief in that it refers to the provision of the two industrial zones and the need to manage adverse effects from industry when received at sensitive locations. The submitter is invited to comment further on how this particular policy does not satisfy their relief at the hearing.

17.4 Recommendation

172. For the reasons given above, it is recommended that the hearings panel:
- Reject** the submissions from Synlait Milk Limited [581.7]
 - Reject** the further submission from *Hynds Foundation* [FSI306.26]
 - Reject** the further submission from *Hynds Pipes Systems Limited* [FSI341.23]
 - Reject** the further submission from *Genesis Energy Limited* [FSI345.57]
 - Accept** the further submission from *Mercury Energy Limited* [I388.949]

