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Ltd

Organisation:

Trading as Aztech Buildings

On behalf of:

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Would you like to present your submission in person at a hearing?

 Yes I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Additional requirements for hearing:

## Attached Documents

File
Proposed Waikato District Plan Submission Aztech Buildings Ltd Oct 18
Proposed District Plan Notified July 2018

**Submission on Publicly Notified District Plan**  
*Clause 6 of Schedule 1, Resource Management Act 1991*

**To:** Waikato District Council **Date:**  
08/10/2018 **Submission method:**  
on-line

**Submitter Details:** Zeala Ltd t/a Aztech Buildings- C/ Planman Consultants Ltd

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I wish to be heard in support of my submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing. I **could not** gain an advantage in trade competition through this submission.

**This is a submission on the Waikato District Council Proposed District Plan (the Proposal):**

The specific issue and/or Proposed District Plan provision(s) of the proposal that my submission relates to is:	Support, Oppose or Support in part	My Submission is:	I seek the following decision from the local authority and/or make the following Recommendation:
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Timing of the notification of the Proposed Plan	General Comment	<p>Legislative reforms are currently occurring with other documents being updated:</p> <ul style="list-style-type: none"> <li>- Draft National Planning Standards (NPS) have been through consultation, with indications of adoption in 2019. The NPS are set to improve consistency in Plan structure format and content. The Ministry for Environment has signaled a desire for cost savings and standardisation - particularly with regard to definitions.</li> <li>- The Proposed Plan is required to 'give effect to' to the Objectives and Policies of the Operative Waikato Regional Policy Statement (WRPS). While the WRPS was Operative 2016, the Objectives and Policies are yet to fully encompass the northern areas of the District that transferred from the former Franklin District. The WRPS will be reviewed to encompass this additional area and is largely informed with regard to settlement patterns, by 'Future Proof' which is also being updated over the 2018/19 period.</li> </ul> <p>That National Standards, potential changes in land use patterns through the adoption of revisions in Future Proof that will then inform the WRPS raises question marks regarding the timing of the review as subsequent changes to the Proposed Plan brought about by these other documents will be unnecessarily time consuming and expensive.</p>	Potentially defer hearing of submissions until post NPS adoption, and/or post stage 2 of the review of Future Proof,/updated WRPS. Deferring the Proposed Plan will also allow for more through editing of the document
Section A 1.4.3.1(a)	Oppose in Part	Farming Activities includes a prescriptive list of activities. This list is not inclusive of all things that could be deemed farming activities and differs from the definition of farming within the Proposed Plan. Deleting the list does not detract from the Strategic Direction of the document.	Productive rural activities are those activities that use rural resources for economic gain or which cannot be carried out easily or appropriately in an urban setting. Farming activities, <del>including dairy, dry stock, horse breeding/training, honey production, horticulture, pig and poultry, mining, and forestry</del> are all significant industries in economic terms for the Waikato district.
1.10.1.1 (a)	Oppose in Part	Refers to wrong WRPS Policy in the second line.	by virtue of Policy 6.11i in the Waikato Regional... should read:.. Policy 6.1.1.
Section B 5.1.1 (a) (i) & (ii)	Support	The primacy of this Objective is supported	Productivity of the rural sector is of national importance, the primary Objective of the Rural Environment recognises this importance. Rules need to be consistent with this Policy see following section on Rural Rules.
5.3.2	Support	Policy recognises the importance of buildings associated with farming, rural industry and established rural activities and is supported.	Rules need to be consistent with this Policy see following section on Rural Rules.
5.3.5	Support in part	Providing for earthworks 'supporting' rural activities is not actually 'supportive' if the Rules unduly restrict such activities.	Change (a) <del>Provide for</del> to (a) Enable

5.3.6(a)	Support in part	<p>Support the enabling policy with regard to Intensive farming where the proposal is shown to mitigate the potential adverse effects of operations. Amend the wording of what constitutes intensive farming so that the definition excludes farming operations that are dependent on the productive capacity of the soils on site. Rules need to be consistent with this Policy see following section on Rural Rules, while the current definition is not reflective of this Policy - and frankly does not make sense. See later discussion on definition of Intensive farming.</p>	<p>Amend: <del>Enable Provide for</del> intensive farming activities <del>provided they operate in accordance with industry best practice and management of that are not reliant on the productive capacity of the soil on the site provided that the operation effectively manages the</del> adverse effects both on-site and on any neighbouring sites.</p>
5.3.7 (a)	Support in part	<p>This Policy should recognise that farming/the rural environment may also contain large buildings/structures associated with rural production such as covered feed pads, wintering barns, glass houses, barns, implement sheds etc.</p> <p>Further having large rural buildings which may house farming stock, either on a temporary or permanent basis, enables the better mitigation of one of the potential adverse effects of ruminant stock (effluent disposal) by separated stormwater from animal effluent whilst the animals are housed. This type of mitigation is supported at a Regional Council level. Housing animals also results in increased productivity, reduction in waste product and reduced pugging.</p>	<p>Add buildings associated with rural production to the list under 5.3.7 (a)</p>
5.3.7 (h)	Support	<p>Support the enabling policy with regard to Intensive farming where best practice is followed with regard to mitigating the potential adverse effects of operations.</p>	<p>Rules need to be consistent with this Policy see following section on Rural Rules.</p>

Section C Chapter 13 Definitions: Animal Feed Lot	Oppose	Animal feed lot does not appear in either the list of landuse activities, land use effects, or land use buildings. The reference in the definition to the 'intensively feeding animals' could give rise to confusion around 'Intensive Farming'	Delete definition as does not appear to be reference elsewhere in the plan
Fill Material	Support in part	Clarify the that the list is not inclusive - other materials could be fill such as sand	Amend: Means material used for filling activities including, <b>but not limited to, materials such as sand</b> , soil, clay or aggregate.
Impervious surface	Support in part	Definition is unduly restrictive and does not cater for 'pervious' materials that may be used for driveways etc	Amend: Means a surface such as a road, rooftop, footpath, paving, decking, swimming pool, patio, driveway, vehicle access and manoeuvring area or highly-compacted soil that is not vegetated and does not infiltrate runoff. It excludes wooden decks with spacing between boards of 4mm <b>or more, or surfaces such as gobi paving</b> , where water is allowed to drain through to a permeable surface below <b>the deck</b> .
Infrastructure	Oppose in part	The definition includes (e) & (f) (irrigation & drainage) - which may be interpreted to include farm irrigation and farm drains	Amend definition (e)(f) to exclude farm irrigation/drains.

Intensive Farming	Oppose	<p>The proposed definition of Intensive Farming does not make sense and is not consistent with the Objectives and Policies relating to Rural Productivity and Rural Effects and should be amended. What constitutes Intensive Farming throughout various Local Authorities varies, but the overriding theme relates to the lack of reliance on the productive capacity of the soils on site. I.e. factory farming where feed is imported and not grown in-situ.</p> <p>Proposed Definition:</p> <p><i>Intensive Farming – means the commercial raising and keeping of plants or animals contained in buildings or outdoor enclosures, that occurs independent of the soil fertility on the site, is dependent on a high input of food or fertiliser from beyond the site, and may (but not necessarily) involve artificially controlled growing conditions. It may include the use of feedlots for farmed animals, free range farming where feed is introduced from off site, and vegetable, fruit and herb growing operations indoors in artificially controlled growing conditions.</i></p>	<p><b>Intensive farming</b></p> <p><del>Means farming which is not dependent on the fertility of the soils on which it is located and which may be under cover or within an outdoor enclosure, and be dependent on supplies of food produced on and/or off the land where the operation is located. It includes:-</del></p> <p><del>a. intensive pig farming undertaken wholly or principally in sheds or other shelters or buildings;</del></p> <p><del>b. free range pig farming;</del></p> <p><del>c. poultry or game bird farming undertaken wholly or principally within sheds or other shelters or buildings;</del></p> <p><del>d. free range poultry or game bird farming;</del></p> <p><del>e. mushroom farming; and</del></p> <p><del>f. intensive goat farming.</del></p> <p><del>It excludes the following, provided the building is used for the purpose for which it was built:</del></p> <p><del>a. woolsheds;</del></p> <p><del>b. dairy sheds;</del></p> <p><del>c. calf pens or wintering accommodation for less than 30 stock (except where stock are being reared for the replacement of breeding stock to be used on-</del></p>
Chapter 14 Infrastructure and Energy  14.2.3	Oppose in Part	Infrastructure includes drainage - Discretionary or Non Complying Activities status may apply for earthworks associated with farm drainage. This is in conflict with the Rural Objectives and Policies relating to Earthworks	See above regarding amended definition for infrastructure.
Table 14.12.5.7 required parking spaces and loading bays	Oppose in part	The parking standard for industrial buildings does not recognise the differing nature of Industrial buildings or the nature of the activities within such buildings with failure triggering Restricted Discretionary Assessment. A large storage warehouse will not necessarily require 20 times as many car parking spaces as an industrial building 1/20th the scale. Most TA's use a sliding scale to recognise this.	Amend and add to the requirements: 1 car space per 100m <sup>2</sup> <u>GFA</u> for the first 500m <sup>2</sup> of any tenancy and thereafter 1 space per 500m <sup>2</sup> .

<p>Chapter 22 Rural Rules</p> <p>22.1.3 RD1 Status for Intensive Farming</p>	<p>Opposed</p>	<p>There is no justification within the Objectives or Policies of the Rural zone for the classification of Intensive Farming as a Restricted Discretionary Activity. Further failure of the 'development standards' (landuse effects and building effects rules) mean automatic default to Non Complying. Standards that need to be met to achieve the Restricted Discretionary Activity include a setback of 300 metres for any building or yard from any site boundary (where the activity is deemed to be Intensive Farming). The impact of such restrictions would be that a small intensive farming operation would need to be located on approximately 40 hectares of land to avoid NON COMPLYING status - this is not consistent with the Objectives and Policies for Intensive Farming.</p> <p>The proposed Rule creates unnecessary restrictions on the ability to establish Intensive Farming Operations on smaller land holdings and is counter intuitive to the nature of Intensive Farming Operations which normally take place on such smaller holdings and are non reliant on the productive capacity of the land. Further it is considered that there is no justification for the 300 metre yard separation in dealing with the effects of buildings or yards associated with Intensive Farming, where the policy acknowledges potential effects are odour, noise, and visual amenity, and where such effects are 'permitted' for other rural activities. (green houses, silage bins, normal farming practices).</p> <p>Further the proposed rule does not recognise the potential positive environmental effect of buildings housing animals (either temporarily or permanently) in effectively separating stormwater from animal effluent, increased productivity through reduced farm pugging etc.</p>	<p>Amend Restricted Discretionary default status of Intensive Farming to 'Permitted' subject to compliance with standards that reflect the potential adverse effects of differing types of 'Intensive Farming'. Failure of the 'Permitted Activity' standards should then default to a Restricted Discretionary Activity Status where the potential effects (odour, noise and visual amenity) are able to be assessed to avoid, remedy or mitigate such effects.</p> <p>Aside from a 'rethink' on the RD status of applications, reduce the yard setback requirement to 100 metres (for permitted activities), delete the specific building coverage requirement and rely on the building coverage standards within Rule 22.3.6 and other general development standards within the Rural zone, noting that the effects of 'farming' operations that do not comply with standards relating to activities, effects or building contained in Rules 22.12, 22.2 and 22.3 (unless otherwise specified as controlled, restricted discretionary or non-complying, default to full Discretionary assessment under Rule 22.1.5.</p>
<p>22.2.3.1 Earthworks General - Permitted Activity Standards.</p>	<p>Support in Part</p>	<p>While the 'permitted activity' status for ancillary rural earthworks is supported the definition of ancillary rural earthworks (point 3 of the definition) creates some uncertainty over the extent of works which could be deemed permitted (i.e. earthworks for structures associated with farm buildings).</p> <p>The Waikato Section of Operative District Plan included permitted activity status for earthworks necessary for building works authorised by a building consent provided that the area of <u>earthworks</u> is no more than 150% of the area of those building works and occurs on land with an average gradient no steeper than 1:8.</p>	<p>Add a further bullet point (v) to the list of 'Permitted Earthworks' under 22.2.3.1 (a) which reads:</p> <p><b>Ffor building works authorised by a building consent, and the area of earthworks is no more than 150% of the area of those building works and occurs on land with an average gradient no steeper than 1:8</b></p>
<p>Planning Maps</p>	<p>Oppose in Part</p>	<p>There appears to be some inconsistency in terminology used in the Overlays on the Planning Maps v provisions within the text - for example in the Rural zone reference Outstanding Natural Character v Maps Natural Character</p>	<p>Amend terms to provide consistency between maps and text.</p>