

Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	581	Submitter:	Penny Gallagher
Organisation:	Synlait Milk Ltd		
Point Number	581.1		
Summary of Decision Requested:	Retain Section 1.5.1(c) Compact Urban development as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • This clause recognises the need for an integrated approach to growth to provide certainty to landowners and to inform long-term investment decisions. • Synlait relies on Council to implement policies to integrate infrastructure with development, including wastewater, water and roading in a manner that anticipates and provide for heavy industry at the 45 McDonald Road, Pokeno site. • Reliant on the Council to implement policies that will protect significant capital investment in the dairy industry from sensitive activities that may demand more restrictive environmental conditions. 		
Point Number	581.2		
Summary of Decision Requested:	Retain Section 1.5.5(c) Services and general infrastructure as notified.		
Decision Reasons:	<ul style="list-style-type: none"> • The clause recognises that growth should be managed to avoid, remedy or mitigate conflicts or incompatibilities (including reverse sensitivity effects) • Synlait relies on Council to implement policies to integrate infrastructure with development, including wastewater, water and roading in a manner that anticipates and provide for heavy industry at the 45 McDonald Road, Pokeno site. • Reliant on the Council to implement policies that will protect significant capital investment in the dairy industry from sensitive activities that may demand more restrictive environmental conditions. 		
Point Number	581.3		
Summary of Decision Requested:	Retain Policy 4.1.6(b) Commercial and industrial activities.		
Decision Reasons:	<ul style="list-style-type: none"> • Synlait's development at 45 McDonald Road is consistent with policy 4.1.6(b). • Pokeno is identified as an "industrial strategic growth node". • As an industrial strategic growth node, the provision of infrastructure and services is a strategic and regionally important matter. • A range of industrial activity is provided for in this location and protected from sensitive activities which may undermine the efficient operation of the activity/site of strategic importance. 		
Point Number	581.4		
Summary of Decision Requested:	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.		
Decision Reasons:	<ul style="list-style-type: none"> • Economic growth is strengthened where diversity in economic activity is provided for. • The definition of industry covers a broad spectrum of activities from those industrial activities which operate at a service level through to heavier processing and manufacturing. • The district plan objectives and policies require greater articulation to recognise the range in industrial activity and further explanation as to how these activities will be provided for. • Heavier industrial activities need to have confidence that there are locations within the district where their associated traffic, bulk, scale and amenity effects will be provided for. 		
Point Number	581.5		
Summary of Decision Requested:	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.		
Decision Reasons:	<ul style="list-style-type: none"> • The policy difference in the Proposed District Plan between Industrial and Heavy Industrial zones is limited to being either close to or separated from more sensitive zones. • The policy fails to acknowledge that it is important for heavy industry to have a place to go where it can operate efficiently with more lenient provisions. • The policy fails to recognise the economic benefits of heavy industry that require protection from reverse sensitivity or having to reduce operation to address high environmental outcomes sought by sensitive activities. 		
Point Number	581.6		
Summary of Decision Requested:	Amend Policy 4.6.3 Maintain a sufficient supply of industrial land as follows:		
	<p><i>Maintain a sufficient supply of <u>appropriately located</u> 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 located in non-industrial zones <u>recognising the different locations required</u></i></p>		

Decision Reasons:

- Part of a wider concern that the Proposed District Plan does not provide sufficient articulation of the different requirements between general and heavy industrial land uses.
- The location of Heavy Industrial Zoning should also be protected from encroachment by sensitive activities and proposals for residential and rural-residential rezoning.

Point Number

581.7

Summary of Decision Requested:

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.

Decision Reasons:

- The current wording of Objective 4.6.6 is about managing effects on sensitive activities and ecosystem values outside industrial zones. It does not consider managing adverse effects between the two industrial zones.
- Managing effects approach should include the location of the zones.
- The role of the General Industrial Zone is to provide a buffer between Heavy industrial Zones and more sensitive zones.
- This policy approach would in turn enable different standards of management of environmental effects between the two zones, allowing the Heavy Industrial Zone to provide for heavier activities which have more noise, odour, heavy traffic etc.

Point Number

581.8

Summary of Decision Requested:

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.

Decision Reasons:

- Managing effects approach should include the location of the zones.
- The role of the General Industrial Zone is to provide a buffer between Heavy Industrial Zones and more sensitive zones.
- This policy approach would in turn enable different standards of management of environmental effects between the two zones, allowing the Heavy Industrial Zone to provide for heavier activities which have more noise, odour, heavy traffic etc.

Point Number

581.9

Summary of Decision Requested:

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.

Decision Reasons:

- The policy approach for management of adverse effects does not distinguish between general and heavy industrial zones.
- There needs to be an appropriate zone for Heavy industry which allows heavy industry to produce adverse effects with a more lenient threshold than general industry and general industry should buffer those zones from sensitive activities.
- There is no policy for protecting heavy industry within Heavy Industrial Zones from encroaching residential and sensitive activities.

Point Number

581.10

Summary of Decision Requested:

Amend Policy 4.7.14 Structure and master planning to refer to approved structure or master plans that are either included within or incorporated by reference into the Proposed District Plan.

Decision Reasons:

- This scenario would mean that landowners and developers may be forced to comply with a Structure Plan which they have not had any ability to submit on in accordance with Schedule 1 processes of the RMA.

Point Number

581.11

Summary of Decision Requested:

Add the Pokeno Structure Plan within the Proposed District Plan or incorporated by reference in the Proposed District Plan.

Decision Reasons:

- There is concern that a Structure Plan which is "approved" by the Council, but not included in the District Plan will take on the effect of a rule through application of Policy 4.7.14.

Point Number

581.12

Summary of Decision Requested:

Add policies to Chapter 5 Rural Environment which specifically address the potential for increased housing density in the rural environment to encroach on lawfully established heavy industry activities in adjoining zones.

Decision Reasons:

- To achieve the objectives in Chapter 4.6 Heavy and Industrial Zones, it is essential that the efficient operation of heavy industrial activities located in appropriate zones is not threatened or undermined by the development and encroachment of dwellings or other sensitive activities within an adjoining rural zone.
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Point Number 581.13

Summary of Decision Requested: **Add** a new clause (iv) to Policy 5.3.2 Productive rural activities as follows:

(iv) Encourage the adoption of sustainable farming practices to ensure long-term operation of farming as part of the rural economy.

Decision Reasons:

- Supports the adoption of best practice in farming.
 - Synlait "Lead with Pride" programme recognises and rewards suppliers who achieve dairy farming practice. Synlait considers a similar policy should be incorporated into the Proposed District Plan to support long-term economic use and land use within a quality rural environment.
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Point Number 581.14

Summary of Decision Requested: **Retain** the definition of 'Noise-sensitive activity' in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.15

Summary of Decision Requested: **Retain** the definition of "Notional boundary" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.16

Summary of Decision Requested: **Retain** the definition of "Sensitive land use" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.17

Summary of Decision Requested: **Retain** the definition of "Significant Natural Areas" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.18

Summary of Decision Requested: **Retain** the definition of "Use" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.19

Summary of Decision Requested: **Retain** the definition of "Vegetation clearance" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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Point Number 581.20

Summary of Decision Requested: **Amend** the definition of "industrial activity" in Chapter 13 Definitions to be consistent with the definition proposed in the Draft National Planning Standard.

OR

Amend the definition of "industrial activity" in Chapter 13 Definitions to include ancillary activities such as research facilities, laboratories, yard-based activities, logistics and transport related activities.

Decision Reasons:

- The definition in the Proposed District Plan is too limiting and does not take account of ancillary activities associated with industrial activities.
- The definition in the Proposed District Plan is inconsistent with the Draft National Planning Standard.

Point Number 581.21

Summary of Decision Requested: **Delete** Rule 14.11.IPI Permitted activity to remove duplication of regional rules concerning management of stormwater.

OR

Amend Rule 14.11.IPI Permitted activities to remove duplication of regional rules concerning management of stormwater.

Decision Reasons:

- These provisions appear to duplicate the regional council rules.
- The duplication of regional plan rules in a district plan is neither efficient or effective. It adds costs and duplication of compliance to achieve the same environmental outcome.

Point Number 581.22

Summary of Decision Requested: **Amend** Rule 14.12.IP4(l)(e) Permitted Activities to increase the maximum number of vehicle movements per day and the maximum percentage of heavy vehicle movements.

OR

Delete Rule 14.12.IP4(l)(e) Permitted activities and replace with a new rule where developments over 10,000m2 trigger a requirement for an integrated transport assessment.

Decision Reasons:

- The rule is restrictive and the place for heavy vehicle movements is in a Heavy Industrial Zone. Any limit within this rule should reflect the types of activities anticipated in the zone.
- Require larger scaled developments to undertake an integrated transport assessment will enable the specific traffic profile associated with larger scaled activities and the characteristics of the locality to be assessed.

Point Number 581.23

Summary of Decision Requested: **Amend** Rule 21.1.1 Permitted Activities to broaden the range of ancillary activities permitted under the Heavy Industrial Zone.

Decision Reasons:

- The current list of ancillary activities provided for fails to acknowledge the broad range of activities which may be co-located or ancillary to a heavy industry activity.
- The submission provides as an example the ancillary activities at a dairy processing plant.

Point Number 581.24

Summary of Decision Requested: **Amend** Rule 20.2.2C1(b) Landscape planting to require that where a lot contains a permanent or intermittent stream, a total width of 4m on both sides of the the stream will provide an 8m wide landscape strip in total.

Decision Reasons:

- The creation of 8m wide landscape strips either side of a permanent or intermittent stream within an industrial zoned property may result in the loss of land available for efficient uses.
- A setback is not required for the purposes of enhancing a publicly accessible environment, although it is acknowledged that planting will assist in improved water quality.

Point Number 581.25

Summary of Decision Requested: **Retain** Rule 21.2.3.1 Noise - General.

Decision Reasons:

- The proposed rule provides for an appropriate level of noise effects, consistent with activities in a Heavy Industrial Zone.

Point Number 581.26

Summary of Decision Requested: **Retain** Rule 21.2.3.3 Noise - Construction.

Decision Reasons:

- The proposed rule provides for an appropriate level of noise effects, consistent with activities in a Heavy Industrial Zone.

Point Number 581.27

Summary of Decision Requested: **Delete** Rule 21.2.5.IPI (a), (ii), (iii) and (iv) Earthworks - General.

AND

Add new provisions to Rule 21.2.5.IPI that enable earthworks to be permitted at scale consistent with the scale of buildings anticipated in a Heavy Industrial Zone, for example:

- total depth of fill or cut: 5m
- not exceed an area greater than 10,000m2 for each earthwork project

- maximum volume: 10,000m³ for each earthwork project
- no controls on imported fill material where it is to be used for a building platform for which building consent has been obtained.

Decision Reasons:

- Imported fill for a building platform with building consent, there are no or negligible environmental effects arising from the use of the material.
- There should not be a limit on the volume or area of such material. This is also a potential duplication of regulation, with a resource consent offering non environmental outcomes beyond those already achieved through building consent.
- The construction of large-footprint buildings can be anticipated within the Heavy Industrial Zone. Accordingly, an earthworks rule should establish an appropriate threshold for consideration of environmental effects for permitted activities.
- The district plan provisions should align with the earthworks controls under the Regional Plan and the Building Act.

Point Number 581.28

Summary of Decision Requested: Delete Rule 21.2.5.IP3(a)(i) and (ii) Earthworks - General
AND

Add new provisions to Rule 21.2.5.IP3 that enable earthworks to be permitted at scale consistent with the scale of buildings anticipated in a Heavy Industrial Zone, for example:

- total depth of fill or cut: 5m
- not exceed an area greater than 10,000m² for each earthwork project
- maximum volume: 10,000m³ for each earthwork project
- no controls on imported fill material where it is to be used for a building platform for which building consent has been obtained.

Decision Reasons:

- There should not be a limit on the volume or area of such material. This is also a potential duplication of regulation, with a resource consent offering non environmental outcomes beyond those already achieved through building consent.
- The construction of large-footprint buildings can be anticipated within the Heavy Industrial Zone. Accordingly, an earthworks rule should establish an appropriate threshold for consideration of environmental effects for permitted activities.
- The district plan provisions should align with the earthworks controls under the Regional Plan and the Building Act.

Point Number 581.29

Summary of Decision Requested: **Add** a new rule to Rule 21.2.7.1 Signs - General to permit signs for way-finding, health and safety and other regulatory requirements e.g. signage required for storage of hazardous substances.

Decision Reasons:

- Signage relating to way-finding, health and safety and other regulatory requirements is typically internal to the operation of a site.
- These types of signs are generally sized to provide messages to users within a site and therefore have no external impact on the amenity values of the Heavy Industrial Zones.

Point Number 581.30

Summary of Decision Requested: **Amend** Rule 21.3.1 PI(ii) Height - general as follows:
~~20~~ 25m over the balance of the net site area.

Decision Reasons:

- Large buildings can be anticipated within the Heavy Industrial zone and may require height above 20m to accommodate the activities and storage associated with warehousing and distribution activities.

Point Number 581.31

Summary of Decision Requested: **Delete** the requirement for a recession plane in the Heavy Industrial Zone in Rule 21.3.3 Daylight admission, except where a Heavy Industrial Zone site adjoins a Residential Zone site.

Decision Reasons:

- Heavy Industrial Zones are where activities with the potential to create more adverse environmental effects are located within a district. The land values, activities and large buildings require a high degree of land use efficiency. These factors do not support a high degree of amenity access and therefore the inclusion of recession plane control is unnecessary and results in inefficient land use within the Heavy Industrial Zone.

Point Number 581.32

Summary of Decision Requested: **Amend** Rule 22.3.7.2 Building setback - sensitive land use to include a requirement for sensitive land uses to be setback from a Heavy Industrial Zone boundary.

Decision Reasons:

- The Proposed District Plan fails to protect sensitive activities for Heavy Industrial zones and/or prevent reverse sensitivity effects from encroaching housing and sensitive activities. Encroachment of housing and sensitive activities may result in restrictions on the efficient operation of heavy industrial activities within the Heavy Industrial Zone.

Point Number 581.33

Summary of Decision Requested: **Amend** Rule 22.3.7.4 Building setback - Noise sensitive areas to include a requirement for noise sensitive activities to be setback from a Heavy Industrial Zone boundary.

Decision Reasons:

- The Proposed District Plan fails to protect noise sensitive activities for Heavy Industrial zones and/or prevent reverse sensitivity effects from encroaching housing and sensitive activities. Encroachment of housing and sensitive activities may result in restrictions on the efficient operation of heavy industrial activities within the Heavy Industrial Zone.

Point Number 581.34

Summary of Decision Requested: **Amend** Rule 22.4.1.2RD1(b)(iv) General subdivision as follows:
(iv) potential for subdivision and subsequent activities to adversely affect adjoining activities through reverse sensitivity effects;

Decision Reasons:

- Concise wording would assist in the administration of the District Plan.
- Seeks a more clearly articulated provisions that describes the scenario where reverse sensitivity may arise as an issue.

Point Number 581.35

Summary of Decision Requested: **Amend** Rule 22.4.1.5RDI(b)(iv) Rural Hamlet Subdivision as follows:
(iv) potential for subdivision and subsequent activities to adversely affect adjoining activities through reverse sensitivity effects;"

Decision Reasons:

- Concise wording would assist in the administration of the District Plan.
- Seeks a more clearly articulated provisions that describes the scenario where reverse sensitivity may arise as an issue.

Point Number 581.36

Summary of Decision Requested: **Delete** Rule 21.2.6 Hazardous substances.

Decision Reasons:

- The inclusion of rules for hazardous substances in the Proposed District Plan duplicated legislation and offers no additional environmental protections to those already achieved through other regulations, such as in the Heavy Industrial Zone provisions where hazardous substances are anticipated.

Point Number 581.37

Summary of Decision Requested: **Delete** Rule 14.11.1P7 Permitted activities to remove duplication of regional rules concerning management of stormwater.
OR
Amend Rule 14.11.1P7 Permitted activities to remove duplication of regional rules concerning management of stormwater.

Decision Reasons:

- These provisions appear to duplicate the regional council rules.
- The duplication of regional plan rules in a district plan is neither efficient or effective. It adds costs and duplication of compliance to achieve the same environmental outcome.

Point Number 581.38

Summary of Decision Requested: **Add** a new rule to Rule 21.2.7.2 Signs - Effects on traffic to permit signs for way-finding, healthy and safety and other regulatory requirements e.g. signage required for storage of hazardous substances.

Decision Reasons:

Point Number 581.39

Summary of Decision Requested: **Amend** Objective 6.3.1 Renewable energy as follows:
Energy efficient design and an increase in renewable electricity generation activities and the use of carbon-free energy sources are promoted.

Decision Reasons:

- Supports initiatives to investigate, trial and potentially adopt practices that will positively contribute to the achievement of a low carbon economy.

Point Number 581.40

Summary of Decision Requested: **Add** new policy to Section 6.3 Energy as follows:

6.3.6 Policy - Future carbon free energy sources

(g) Provide for the investigation, development, operation, maintenance and upgrading of carbon free energy sources associated with industrial activities.

Decision Reasons:

- It is appropriate that the District Plan contains a policy that supports the introduction of structures and activities which may be required to investigate, develop, operate, maintain and upgrade new and non-traditional forms of energy generation for industrial activities.
- Supports initiatives to investigate, trial and potentially adopt practices that will positively contribute to the achievement of a low carbon economy.

Point Number 581.41

Summary of Decision Requested: **Retain** Policy 6.4.3 Infrastructure Location and Services.

Decision Reasons:

- Supporting that the zoning or urban areas, including Heavy Industrial Zones, is coordinated with the supply of infrastructure and services. This should ensure that the Heavy Industrial Zone is able to be used for its intended purposes without undue limitation on traffic movements and access to water and wastewater services.

Point Number 581.42

Summary of Decision Requested: **Delete** Section 10.1 Hazardous Substances and its attendant Objective 10.1.1 and Policies 10.1.1.4;

OR

Amend Section 10.1 so that the objectives and policies in the Proposed District Plan only concern the management of the Hazardous Substances in highly sensitive environments such as Significant Natural Areas.

Decision Reasons:

- Inclusion of objectives and policies for hazardous substances in the Proposed District Plan duplicates legislation and offer not additional protections. This is particularly relevant in the Heavy Industry Zone where hazardous substances are anticipated.

Point Number 581.43

Summary of Decision Requested: **Retain** the definition of "Earthworks" in Chapter 13 Definitions as notified.

Decision Reasons:

- The definition provides appropriate interpretation in administration of the District Plan.
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