

Report: Summary of Submissions by Submitter Number/Name

Submitter Number:	790	Submitter:	Northgate Developments Ltd & Northgate Industrial Park Ltd
Point Number	790.1		
Summary of Decision Requested:	<p>Retain the Industrial zoning as notified of land within the Horotiu Industrial Park, Horotiu as per Planning Map 26.1, comprising:</p> <ul style="list-style-type: none"> Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way. 		
Decision Reasons:	<ul style="list-style-type: none"> Northgate Developments Ltd and Northgate Industrial Park (Northgate) owns significant portion of land within Horotiu Industrial Park located directly west of Great South Road and south of Horotiu Industrial Park. Also developed Northgate Business Park that uses vehicle access via Gateway Drive, Evolution Drive and Innovation Way. Existing zoning of Horotiu Industrial Park and associated rule framework established due to an appeal to amend zoning from Rural to Industrial under the previous Waikato District Plan. Chapter 24B of the Operative Waikato District Plan enables staged development through the provisions outlined for Horotiu Industrial Park. Aligns with sites current zoning and activities being developed on land. 		
Point Number	790.2		
Summary of Decision Requested:	<p>Amend the zoning of approximately 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353 (SA60D/2) from Rural to Industrial (see Attachment A to the submission for the extent of rezoning).</p> <p>OR</p> <p>Any further amendments as necessary to support the Northgate position.</p>		
Decision Reasons:	<ul style="list-style-type: none"> Horotiu Industrial Park rezoned Industrial since 2011 with development provided for in Schedule 24B of the ODP. Table 6-2 of the Regional Policy Statement (RPS) provides for up to 150ha of growth at Horotiu from 2010-20161. Policy 6.14 of the Future Proof Growth Strategy document provides specific policy direction for Horotiu, clause (C) most relevant to submission. Methods 6.14.1 and 6.14.2 of the RPS require District Plans to zone land and prepare structure plans to give effect to Industrial allocations provided in Table 6-2. Therefore District Plan provisions define land use zones with principles in Table 6-2 of the RPS specifying broad strategic location of land allocation. Land allocations and staging based on principles in the RPS such as ensuring land development does not outstrip infrastructure provisions, ensuring industrial development locations fit with strategic infrastructure and ensuring reasonable match of supply and demand. ODP has established land use zones based on land allocations in Table 6-2 of the RPS. Land use zones and related provisions in ODP aim to identify Horotiu as a strategic industrial node, enable 56ha of development until 2021 and enable 94ha of development after 2021. ODP prioritises development within the Horotiu Industrial Zone into stages 1, 2 and 3 to align with timing in Table 6-2 of the RPS. ODP gives effect to the RPS as land areas in ODP closely matched land areas contained in Table 6-2 of the RPS. 14ha of Industrial land within Stage 3C of the Horotiu Industrial Park Zone rezoned in 2017 as part of Plan Change 17, reducing industrial development enabled by the RPS by 14ha. Industrial land allocated by Hamilton City Council within the Te Rapa North strategic industrial node as per Table 6-2 of the RPS will affect the wider industrial land allocation. Perry's seeking for their industrial zoned land to be amended to allow for commercial and residential development across their site. Perry's site accounted for 30ha of the 85ha of land allocated under Table 6-2 of the RPS. Perry's site zoned Industrial under Hamilton City Council District Plan however a special housing area is proposed to allow for residential and commercial purposes. As a result these changes in development may create a shortfall of around 44ha of industrial land outlined in Table 6-2 of the RPS. 48ha of Dixon's land which neighbours Northgate could be suitable for Industrial development for the following reasons; sites are adjacent which enable contiguous industrial zoning to be established, most logical extension of Horotiu Industrial Zone, logical extensions to infrastructure and roading connections, topography relatively flat and land is generally away from any sensitive receivers. Refer to Attachment A for topographical maps. The land is directly adjacent to the existing Horotiu Industrial Park and would enable a contiguous industrial zoning to be established that adjoins land owned by Ports of Auckland and Northgate Developments Ltd. It is the most logical extension of the Horotiu Industrial Zone due to its location and the fact that it is owned by one landowner. Infrastructure and roading connections be extended into the site from the Horotiu Industrial Park. The topography of the land is relatively flat compared to the balance of the site; and The land is generally located away from any sensitive receivers. 		
Point Number	790.3		
Summary of Decision Requested:	<p>Amend Rule 20.2.3.1 P2 Noise General, to revert back to Rule 24B.19 of the Operative Waikato District Plan for the Industrial Zone at Horotiu (Horotiu Industrial Park comprising the following titles:</p> <ul style="list-style-type: none"> Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.) <p>OR</p> <p>Any further amendments as necessary to support the submission.</p>		
Decision Reasons:			

- Rule 24B.19 of the Operative District Plan enables noise limits up to 75dBA of noise 24hours per day. Rule 24B.19 requires noise levels to be less when received by other zones.
- Activities within Industrial zone which are near to other zone boundaries will need to constrain activities to achieve compliance with Rule 24B.19 of the Operative District Plan.
- Centralised Industrial activities are able to make higher noise levels over 24 hours as per Operative District plan Rule 24B.19.
- Rule 20.2.3.1 -P2 of the Operative District Plan seeks to reduce nighttime noise level limits from 75dB to 55dB between 10pm and 7am.
- Noise level limit changes may curtail industrial activities who were established because of current 24hour noise standard.
- Current landowners bought into industrial zoning knowing noise levels higher than other industrial environments.
- No justification in s32A analysis for noise level reduction limits in Proposed District Plan.
- It is not considered that 75dB noise level over 24hour period will increase external effects given adjoining zones will still need to comply with lower noise level limits such as the Living Zone.
- Define Horotiu Industrial Park in PDP and allow for current noise limits as per Rule 24B.19 of the Operative District Plan.

Point Number 790.4

Summary of Decision Requested: **Amend** Rule 20.2.3.1 P3 Noise General, to revert back to Rule 24B.19 of the Operative District Plan for the Industrial Zone at Horotiu (Horotiu Industrial Park comprising the following titles:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899); and
- The certificates of title that have frontage to Gateway Drive, Evolution Drive and Innovation Way.)

See submission for details of the rule.

OR

Any further relief or amendments as necessary to support the submission.

Decision Reasons:

- Rule 20.2.3.1 P3 requires noise to comply with noise standards in each Zone other than the Industrial Zone. This approach is generally consistent with current Horotiu Industrial Park Rule 24.19.1 (b) and (c).
- The land adjoining Horotiu Industrial Park is proposed to adjoin Rural or Residential land.
- The Proposed District Plan will introduce new noise levels between 7pm and 10pm. The Operative District Plan has continuous noise standard from 7am to 10pm, which drops after 7pm.
- The Proposed District Plan reduces day time noise from 55dBA (L10) to 50dB (LAeq) and introduces a 40dB (LAeq) noise level for activities between 10pm and 7am.
- The change may curtail Industrial activities established because of Horotiu Industrial Park or due to noise levels permitted at adjoining sites.
- Request Horotiu Industrial Park be defined in Proposed District Plan with noise standards for adjoining sites being consistent with current Rule 24B.19 (b) and (c) of the ODP.

Point Number 790.5

Summary of Decision Requested: **Delete** Rule 20.2.5.1 P1 (a)(vi) Earthworks - General, or any further amendments.

OR

Any relief as necessary to support the submission.

Decision Reasons:

- It is likely earthworks undertaken within 1.5m of boundaries.
- Buildings can be built up to the boundary in Industrial Zone resulting in automatic resource consents required for earthworks even if volume and area are met in clauses (a)(ii) and (iii).
- It is unclear what environmental effect is proposed to be controlled as clause (a)(v) seeks to ensure appropriate fall is achieved. i.e. 1 vertical to 2 horizontal. This clause addresses stability issues for adjoining properties.
- The inclusion of this provision will have the consequence of requiring resource consents creating a time and cost disadvantage to landowners/developers.

Point Number 790.6

Summary of Decision Requested: **Delete** reference to "residential purposes" in Rule 20.2.5.1 P3 Earthworks - General

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Clause (a) of Rule 20.2.5.1 - P3 states that "earthworks for purposes other than creating a building platform for residential purposes within the site..." but these are not residential purposes proposed for Industrial Zone.
- Reference to residential activities in Industrial Zone not considered appropriate, should be amended to refer to either 'development' or 'industrial land uses'.

Point Number 790.7

Summary of Decision Requested: **Amend** Rule 20.2.7.1 P2(c)(i) Signs - General, to permit larger signage as site size increases

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Provision does not take into consideration site size and imposes a one size fits all rule.
- Acknowledge the purpose to avoid proliferation of signage while maintaining suitable visual, streetscape and amenity effects. Provision should enable increased signage as permitted activity when site size increases.
- Rule 20.4.1 of the PDP requires 1000m2 minimum for Industrial Subdivision. It would then follow that a site twice as large could have 6m2 signage for sites 2000m2 in size. This would not result in an unreasonable adverse effect when baseline is 3m2 per

1000m2.

- It is requested that the provision be amended to incrementally increase allowable signage on site as size of site increases. Would enable larger sites with larger buildings to have signage that reflects the size of activities.

Point Number 790.8

Summary of Decision Requested: **Add** a clause to Rule 20.3.1 - P1 Building height that enables building height within Horotiu Industrial Park to be consistent with that provided for in Rule 24B.22 of the Operative District Plan. Horotiu Industrial Park comprises the following titles:

- Lot 1 DP 390831 (364687), Lot 18 DP 494347 (723133), Lot 1 DPS 61620 (SA50B/598), Lot 2 DPS 61260 (SA50B/599), Lot 3 DPS 61260 (SA50B/600), Lot 16 DP 494347 (723131), Lot 17 494347 (723132), Lot 1 DP 499692 (742155) and Lot 2 DP 499692 (822899).

OR

Any further amendments or relief as necessary to support the submission.

Decision Reasons:

- Northgate Developments Ltd and Northgate Industrial Park owns significant portion of land within Horotiu Industrial Park located west of Great South Road and south of Horotiu Road, Horotiu.
- Northgate developed Northgate Business Park that has access via Gateway Drive, Evolution Drive and Innovation Way.
- Land remaining Industrially zoned under PDP.
- Horotiu Industrial Park zoning and framework established as a result of an appeal to the previous Waikato District Plan. Consent order agreement enforced by Environment Court.
- Horotiu Industrial Park provisions provided as a permitted activity in Chapter 24B of the ODP subject to timing of land release, scale of activities and management of potential effects.
- Provisions provide Industrial development as Permitted activity given compliance with performance standards that govern timing land release, scale of activities and management of potential external effects such as noise, bulk, height, setbacks, landscaping and traffic.
- Rule 20.3.1 -P3 of PDP specifies 15m maximum building height.
- Rule differs from provisions for Horotiu Industrial Park as per Rule 24B.22 of the ODP which enables/restricts development to; 25m maximum height when located over 400m from Horotiu Road provided 15m maximum height for 15% of site for Stages 1, 2, 3A and 3B, and up to 15m or 10m when located within 50m of Horotiu Road or within 50m of Stage 3C boundaries as per Rule 24B.22.1(a) of the ODP.
- Operative provisions demonstrate the closer development to external boundaries of Horotiu Industrial Park the more stringent height is. Buildings 15-25m can be accommodated within Horotiu Industrial Park.
- Rule changes may curtail Industrial activities in Horotiu Industrial Park which have been bought due to higher height limits.
- All current landowners bought sites knowing height requirements. Consistent with amenity values for area.
- Requested Horotiu Industrial Park be defined in PDP while retaining existing height rules in Rule 24B.22 of the ODP.
- Northgate would accept further relief/amendments to the PDP to support the Northgate position.

Point Number 790.9

Summary of Decision Requested: **Delete** Rule 20.4.1 RD1(a)(ii) Subdivision General.

OR

Any further relief or amendments as necessary to support the submission.

Decision Reasons:

- Rule 20.4.1 (a) (ii) - RD1 imposes an averaging requirement of 2000m2 for subdivision within Industrial Zone being twice the size of minimum net site area enabled by clause (a)(i), reduces development potential.
 - It is unclear the effect of averaging standard trying to achieve when minimum lot size is 1000m2.
 - If issue was around suitable lot sizes and shapes to accommodate future land uses an alternative approach would be minimum shape factor requirements.
 - The lot size required for Industrial land is based on market demand as land is bought per m2 rate.
 - Purchasers set lot sizes based on what is most cost effective. Industrial subdivision follows sale and purchase agreements.
 - If subdivision standards require double minimum lot size as an average, it will lead to inefficient use of Industrial land.
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