



**Remember
submissions
close at 5pm,
Friday 21
October 2022**

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Form 5: Submission on Proposed Far North District Plan


TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	Edward Creedy		
Company / Organisation Name: (if applicable)	Mainfreight Limited		
Contact person (if different):	Paul Arnesen Planning Focus Limited		
Full Postal Address:	PO Box 911361 Auckland 1142		
Phone contact:	Mobile: 0210 222 1165	Home:	Work: 09 379 5020
Email (please print):			
2. (Please select one of the two options below)			
<input checked="" type="checkbox"/> I could not gain an advantage in trade competition through this submission <input type="checkbox"/> I could gain an advantage in trade competition through this submission			
<i>If you could gain an advantage in trade competition through this submission, please complete point 3 below</i>			
3. <input checked="" type="checkbox"/> I am directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition			
<input type="checkbox"/> I am not directly affected by an effect of the subject matter of the submission that: (A) Adversely affects the environment; and (B) Does not relate to trade competition or the effect of trade competition			
<i>Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991</i>			
The specific provisions of the Plan that my submission relates to are: See attached			



Confirm your position: <input type="checkbox"/> Support <input type="checkbox"/> Support In-part <input checked="" type="checkbox"/> Oppose (please tick relevant box)
My submission is: <i>See attached</i>
I seek the following decision from the Council: <i>See attached</i>
<input checked="" type="checkbox"/> I wish to be heard in support of my submission <input type="checkbox"/> I do not wish to be heard in support of my submission (Please tick relevant box)
If others make a similar submission, I will consider presenting a joint case with them at a hearing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you wish to present your submission via Microsoft Teams? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Signature of submitter: (or person authorised to sign on behalf of submitter) 
Date: 21 October 2022 (A signature is not required if you are making your submission by electronic means)

Important information:



1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

Send your submission to:

Post to: Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Email to: pdp@fndc.govt.nz

Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.

Submissions close 5pm, 21 October 2022

Please refer to pdp.fndc.govt.nz for further information and updates.

Please note that original documents will not be returned. Please retain copies for your file.

Note to person making submission

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

SUBMISSION ON FAR NORTH PROPOSED DISTRICT PLAN

Clause 6 of Schedule 1 to the Resource Management Act 1991

To: Far North District Council

Name of Submitter: Mainfreight Limited

1. This is a submission on the Far North Proposed District Plan ('FNPDP').
2. The submission has been prepared by Paul Arnesen of Planning Focus Limited, on behalf of Mainfreight Limited (the 'Submitter').
3. Mainfreight Limited own and operate a number of sites in the Far North, and are seeking to expand their operations. In this regard, the Submitter is having difficulty finding suitable industrially zoned sites.
4. The Submitter could not gain an advantage in trade competition through this submission.
5. The Submitter opposes restrictions placed on, and the rule structure of, the Light Industry zone and Heavy Industry zone within the FNPDP.

Provisions that the Submission relates to:

6. The Submitter opposes the provisions of the Light Industry zone ('LIZ') that are disenabling of the establishment of warehouses and logistics centres, and the provisions of the LIZ and Heavy Industry zone ('HIZ') as they apply to height and front yard landscaping.
7. Without limitation, the particular provisions of the LIZ that the submission relates to are:
 - Objective LIZ-O2(b)
 - Policy LIZ-P5
 - Rule LIZ-R1 PER-1 (New buildings and structures)
 - Rule LIZ-S1 (Maximum height)
 - Rule LIZ-S7 (Landscaping and screening on road boundaries)
8. Without limitation, the particular provisions of the LIZ that the submission relates to are:
 - Rule HIZ-R1 (New buildings)
 - Rule HIZ-S1 (Maximum height)
 - Rule HIZ-S6 (Landscaping and screening on road boundaries)

Reasons for Submission

9. Rule LIZ-R1 of the FNPDP limits building size to 450m², with any larger building requiring consent as a discretionary activity. There is no stated purpose or clear rationale for this rule within the FNPDP.

10. The Section 32 Report¹ states:

The provisions of the Light Industrial zone are largely rolled over from the Industrial zone in the ODP, with some changes to allow for more specificity in the zone and to exclude heavy industrial activities which will be catered for by the Heavy Industrial zone.²

11. While it is not clear, it appears that the limitation on building size has been included in order to 'exclude heavy industrial activities'. In this regard, there is no differentiation of, or definitions for, heavy and light industries within the FNPDP.

12. In the opinion of the Submitter, 'heavy industry' is characterised by potential effects on the receiving environment, particularly with regard to discharge to air, land, and water. Heavy industrial activities are those that involve significant combustion, discharge of odour and/or particulate, outdoor stockpiling of aggregate and/or construction materials, and/or storage and use of significant quantities of hazardous substances. Building size is not reflective of the nature of industrial activity.

13. Rules LIZ-R1 PER-1 and HIZ-R1 specifically relate to new buildings, providing for new buildings as permitted activities. Rules LIZ-R1-PER-1 and HIZ-R1-PER-2 specifically provide for activities ancillary to and industrial activity as a permitted activity, and both the LIZ and HIZ list other activities, such as trade suppliers, as permitted activities. However, neither the LIZ or HIZ contain any rule specifying that industrial activities are permitted. As such, it appears that industrial activities fall to be a discretionary activity in LIZ and HIZ, pursuant to rules LIZ-R9 and HIZ-R8 respectively.

14. The maximum height standard within the LIZ and HIZ is only 12 metres. This height standard is insufficient to accommodate a standard warehouse, and is inconsistent with the stated objective of both zones to enable the efficient operation of industrial activities.

15. The landscaping and screening on road boundaries rule of both the LIZ and HIZ are unclear, but appear to enable buildings to be built hard against the road boundary, with only 50% of the residual area (excluding vehicle access) needing to be landscaped. Further, the requirement for landscaping to be in the form of a continuous hedge of no less than 1.8 metre in height is contrary to urban design and crime prevention through environmental design principles, in preventing interaction of development with the street.

¹ "Urban Environment (General Residential, Mixed Use, and Light Industrial zones) and the Heavy Industrial zone"

² Page 54.

Relief Sought

Without limitation, the Submitter seeks the following relief:

- S509.001 16. The inclusion of a definition of “heavy industrial activities”, specifying that such activities are those that are considered noxious, giving rise to significant discharges to air, land, or water, or similar to such effect.³
- S509.002 17. The modification of Objective LIZ-02(b) to include reference to “warehouse and logistics facilities”.
- S509.003 18. Deletion of Policy LIZ-P5
- S509.004 19. The deletion of rule LIZ-R1 PER-1 relating to maximum building size within the Light Industry zone.
- S509.005, S509.006 20. Modification of rules LIZ-R1 and HIZ -R1 to specially address industrial activities as permitted.
- S509.007 S509.008 21. Modification of maximum height rules LIZ-S1 and HIZ-S1 to permit a height of 20 metres.
- S509.009 S509.010 22. Modification of landscaping and screening on road boundaries rules LIZ-S7 and HIZ-S6 to require a two metre wide landscape strip along the front boundary, excluding pedestrian and vehicle entrance points, incorporating specimen trees and groundcover planting.
- 23. Consequential amendments to give effect to the above as may be necessary.
- 24. The Submitter wishes to be heard in support of this submission.
- 25. If others make a similar submission, the submitter will consider presenting a joint case with them at the hearing.

Dated this 21st day of October 2022

Mainfreight Limited

By its planner and duly authorised agent, Planning Focus Limited:



Paul Arnesen of Planning Focus Limited
Planner/Partner

Address for Service: Planning Focus Limited, c/- Planning Focus Limited, PO Box 911-361, Auckland 1142, Attn: Paul Arnesen (pa@planningfocus.co.nz)

³ This change could also involve a consequential consent requirement for the establishment of ‘heavy industry activities’ within the LIZ.