

**BEFORE INDEPENDENT HEARING COMMISSIONERS
AT KERIKERI**

IN THE MATTER of the Resource Management Act 1991

AND

**OF the hearing of submissions on the **Proposed Far North District
Plan.****

Hearing 14: Urban Zones

**STATEMENT OF EVIDENCE OF PAUL ARNESEN
ON BEHALF OF MAINFREIGHT LIMITED**

Dated 7 July 2025

(Planning)

SUMMARY OF EVIDENCE

- A. This planning evidence is provided on behalf of Mainfreight Limited (**'Mainfreight'**) in relation to the Proposed Far North District Plan (**'PFNDP'**). Mainfreight is a New Zealand based company that owns and operates a large number of freight facilities around New Zealand and worldwide, including a depot in Kaitaia and with a landholding in Keri Keri.
- B. Mainfreight's submission sought that industrial activities be provided for as permitted activities in the industrial zones; that the 450m² maximum size for buildings in the Light Industry zone be removed; that a definition of Heavy Industry be provided to support Policy LIZ-P3(a); and that the front yard landscaping rules of both industrial zones be amended to require a building setback from the front boundary, and landscaping along the full frontage.
- C. The recommendations within the Section 42A report go some way to addressing the concerns raised in the Mainfreight submission, though the attempt to distinguish between heavy and light industry activities is not clear and is unnecessary, the proposed height limits remain inadequate to enable efficient use of the industrial land resource; and the front yard landscape rule requires further improvement to ensure clarity.

1. INTRODUCTION, QUALIFICATIONS AND EXPERIENCE

- 1.1 My full name is Paul Charles Ian Arnesen.
- 1.2 I have the qualification of a Bachelor of Resource Studies from Lincoln University obtained in 1996. I have approximately 26 years' experience as a planner.
- 1.3 From July 1999 until February 2002 I was employed as a Planning Officer by the Upper Hutt City Council. From February 2002 through June 2003 I was employed as Planner – Customer Advice and Consents with Auckland City Environments, a business unit of the Auckland City Council. From July 2003 until May 2008 I was employed as Senior Planner Resource Consents and Team Leader Resource Consents within Auckland City Environments. From May 2008 until present I have been employed at Planning Focus Limited as a planning consultant and Partner of the firm. I am a full member of the New Zealand Planning Institute.
- 1.4 My evidence relates to the Industrial zone provisions of the PFNDP. I have acted for Mainfreight since 2019 and have obtained resource consents for a number of their freight terminals and third party logistics centres¹. I have also acted for a number of other industrial developers and operators, including Goodman Nominee (NZ) Limited, Property for Industry, ESR Australia & New Zealand, and Southpark Corporation. I have been involved in planning matters associated with Highbrook Business Park, M20 Business Park, Gateway Industry Park, Peninsula Business Park, Wiri Logistics Estate, Otahuhu Logistics Estate and Brigham Creek Business Park. I have a detailed understanding of the planning requirements of freight forwarding, third party logistics, food distribution, and particular food product activities.

2. CODE OF CONDUCT

- 2.1 I have read the Code of Conduct for Expert Witnesses outlined in the Environment Court's Practice Note (2023) ('**Code**') and have complied with it in preparing this evidence. I also agree to follow the Code when presenting evidence to the Independent Hearing Commissioners. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state that I rely upon the evidence of other expert witnesses. I also confirm that I have not omitted to consider material facts known to me that might alter or detract from my opinions.

3. SCOPE OF EVIDENCE

¹ The Mainfreight stable of companies also includes Owens, Daily Fright, and Chem Couriers.

3.1 In summary, Mainfreight's submission sought amendments to the Light Industry Zone ('LIZ') and Heavy Industry Zone ('HIZ') to:

- include a definition of heavy industrial activity, (to align with the proposed rule structure);
- modify Objective LIZ-02(b) to include reference to "warehouse and logistics facilities";
- delete Policy LIZ-P5 relating to built form and scale within the LIZ, and associated rule PER-1 limiting building size to 450m²;
- increase the maximum permitted height in the LIZ and HIZ from 12 metres to 20 metres; and
- amend to the front yard landscaping rules for the purpose of clarity.

3.2 In addressing these requests, my evidence addresses:

- The purpose of industrial zones;
- The difference between heavy and light industrial activities;
- The functional requirements of industrial activities;
- Matters raised in Mainfreight's submission;
- Comments on section 42A report; and
- Recommendations and conclusion.

3.3 In preparing this evidence, I have reviewed the Section 42A report prepared by Ms Sarah Trinder ('**Section 42A report**'), and the associated proposed amendments to the LIZ, HIZ and definitions of the PFNDP.

4. THE PURPOSE OF INDUSTRIAL ZONES

4.1 In general, I agree with stated purpose and objectives of the PFNDP as they relate to the Light and Heavy Industry. Industrial zones should be as enabling as possible of a wide range of employment-based manufacturing, storage, and freight-based activities, with district level controls limited to the protection of adjoining sensitive zones, such as residential and open space zones, while also providing for some level of amenity to the streetscape that are commensurate with the built form and activities anticipated.²

4.2 The PFNDP includes both heavy and light industry zonings, which is consistent with the majority of planning instruments I am familiar with, and consistent with the guidance in the National Planning Standards 2019 ('NPS'). Heavy industry zones seek to provide

² Noting that controls on air quality and water quality are addressed through the rules of Regional Plans.

for more ‘noxious’ types of industrial activities, that can give rise to odour, discharges to air, and noise. The light industry zone often acts as a buffer between the heavy industry zone and more sensitive zones, such as residential and open space.

- 4.3 With the exception of basic standards relating to streetscape amenity/landscaping, rules and standards relating to building design and internal amenity within industrial zones are generally inappropriate, as they do not reflect the varied and utilitarian nature of industrial activities, or the need for efficient land use of industrial land.
- 4.4 My starting point for assessing the efficacy of planning instruments as they relate to industrial zone, is whether they provide the greatest flexibility to enable different typologies of industrial activity, while also protecting the amenity of neighbouring sensitive zones, and environmental quality where applicable.

5. The difference between heavy and light industrial activities

- 5.1 As noted, light and heavy industrial zonings are common in district plans. However, the PFNDP goes one step further in seeking to distinguish between light and heavy industrial activities. Mainfreight’s submission expressed concern that while the policy structure if the LIZ sought to avoid heavy industry activities within the LIZ, there was no associated definition of what constituted a heavy industry activity.

- 5.2 The NPS defines the “heavy industry zone” as:

“Areas used predominantly for industrial activities that generate potentially significant adverse effects. The zone may also be used for associated activities that are compatible with the potentially significant adverse effects generated from industrial activities”

- 5.3 While the above definition is helpful in describing the intent of the zone, it is too subjective to be used as a definition of heavy industry activity, because it requires a judgement to be made on what constitutes a “significant adverse effect”.
- 5.4 Rather than seeking to define heavy industry, the section 42A report has instead sought to define “light industry” in the recommended changes to the PFNDP. The proposed definition of “light industry” is as follows:

Any manufacturing, processing, storage, logistics, repair or distribution activity that does not generate objectionable odour, dust or noise or elevated risk to people’s health and safety. Light industrial activities include, but are not limited to, warehouse storage, automotive repairs, minor engineering and light manufacturing activities, product assembly.

- 5.5 In my opinion, this definition is also too subjective, particularly with regard to what might constitute “odour, dust or noise or elevated risk to people’s health or safety”. For example, a coffee roaster may fall outside of the definition of light industry because the activity could be considered as giving rise to ‘objectionable odours’, and a freight depot could be considered to fall outside the definition of light industry because the associated truck movements were considered to give rise objectionable noise and elevated risk to people’s health and safety associated with the movement of heavy vehicles.
- 5.6 Because of this subjectivity, I do not think it appropriate to distinguish between light and heavy industry. I note that the PFNDP already includes “Offensive Trade” (as specifically defined in Schedule 3 of the Health Act 1953), as a separate distinct activity, which I cover in my evidence below.

6. THE FUNCTIONAL REQUIREMENTS OF INDUSTRIAL ACTIVITIES

- 6.1 As noted, my experience in industrial development has involved freight depots, manufacturing/processing activities, and storage/logistics developments.
- 6.2 Buildings for manufacturing/processing facilities are typically designed around the manufacturing equipment/machines, with the architect being supplied the layout of the factory equipment and designing the building around that equipment. Depending on the nature of the manufacturing equipment, buildings, or particular elements of buildings, can need to be quite tall. In addition, if generators are provided taller chimney stacks are required. Data centres are an example of such activities that require greater a height for buildings, and taller stacks for associated back up generators.
- 6.3 Freight depots are designed around the circulation of trucks around and though the building. Mainfreight has a set design where trucks circulate in clockwise direction around a raised platform, such that the level of the truck deck is flush with podium, enabling the efficient and safe transfer of freight between trucks. In locations served by rail, a rail siding also extends in to the depot.
- 6.4 Warehouse spacing is designed to provide for racking. In some cases, where the tenant is known, warehouse buildings will be designed around, or to accommodate a particular racking system. In my experience, taking into account fire-engineering and structural considerations, warehouses are now often constructed to height of approximately 16 metres. Vertical storage provides for the more efficient use

industrially zoned. Most generic warehousing (i.e. built to cater to a range of potential tenants) now tends to be designed with a 'knee height'³ of approximately 16 metres.

7. MATTERS RAISED IN MAINFREIGHT'S SUBMISSION

- 7.1 Within the PFNDP as notified, neither the rule table of the of the LIZ of HIZ referenced industrial activities, such that in each chapter they would fall to be "activities not otherwise listed in this chapter" and therefore would be classified as a discretionary activity under rule sLIZ-R9 and HIZ-R8 respectively. Industrial activities should be a permitted activity within the industrial zones.
- 7.2 Policy LIZ-P3 (a) sought to avoid the establishment of "heavy industrial activities" within the LIZ, but there was no associated definition of heavy industrial activity. Given that industrial activity did not appear to be provided for in either the LIZ or the HIZ, this lack of definition added further uncertainty.
- 7.3 Separate definitions of light and/or heavy industry is unnecessary. If particular activities are to be excluded from the light industry zone, then that activity should be specified. This is already done in the PFNDP through restricting the establishment of "Offensive Trade", which is concisely defined as per the Schedule 3 of the Health Act 1956, such as there is no ambiguity. In general, such offensive trade activities are more suited to heavy industrial areas rather than light industrial areas.
- 7.4 The rule restricting building size within the LIZ to 450m² was opposed, because 450m² is very small for an industrial building, and the rule does not support the stated objective of the LIZ that the zone be utilised for the efficient operation of light industrial activities. Nor is the rule considered necessary to address effects on more sensitive zones. In my opinion, effects on more sensitive zones can be protected by yard setback/landscaping and height in relation to boundary standards applied at the zone boundary.
- 7.5 The height restriction of 12 metres is not sufficient for modern warehousing/logistics buildings, and does not meet the objective of providing for the efficient use of industrial land. The Mainfreight submission sought a height standard of 20 metres in both the LIZ and HIZ, which is a common height within industrial zones (e.g. Auckland Unitary Plan – Operative in Part).
- 7.6 The Mainfreight submission seeks the deletion of Policy LIZ-P5, which states:

³ The height to the underside of the truss, where the roof and the wall connects.

Ensure that built form is of a scale and design that is:

- a. consistent with the amenity of the Light Industrial zone; and*
- b. complementary to the character and amenity of adjoining zones.*

7.7 It is unclear which objective this policy is seeking to support. I do not consider that industrial buildings need to be designed to be “consistent with the amenity of a Light the Industrial zone”, nor do I consider it appropriate that industrial buildings should have to be designed to be “complementary to the character and amenity of adjoining zones.” I have assumed that this policy relates to and supports the 450m² building size standard and the relatively low 12 metre height standard. As I have noted, I do not agree with either of those standards, and consider that Policy LIZ-P5, if it is to be retained, should only reference bulk and scale of buildings and landscaping with reference to avoiding effects on adjoining more sensitive zones, rather than venturing into the more subjective matters of built form, design, and complementary character.

7.8 The Mainfreight submission sought changes to the “landscaping and screening on road boundaries” standards LIZ-S6 and HIZ-S6⁴, which as written would enable warehouse buildings to abut the road boundary, and require any residual landscaping along the front boundary to be planted as a ‘continuous screen’ (hedge) of at least 1.8 metres in height. The standard, as written, has the effect of creating a screen along the street frontage, which is contrary to good urban design and crime through urban design principles.

7.9 The front yard standard should instead require a landscape strip of at least two metres on width, to be planted with a mixture of ground cover or shrubs and specimen trees. This would enable screening of parking areas and engagement with ancillary office, which are usually located at the front of industrial development, addressing the street.

8. SECTION 42A REPORT

8.1 The section 42A report, and associated recommendations, accepts that industrial activities need to be provided for as permitted activities within the Industrial zones. Mainfreight’s submission that sought Heavy Industry be defined as those activities “considered noxious, giving rise to significant discharges to air, land, or water, or similar to such effect” is rejected, in favour of a new definition of Light Industry, as I addressed in para 5.6, above. In this regard, it is noted that “offensive trade” trade is separately defined, and is listed as a non-complying activity in the LIZ and a

⁴ As noted at Para 869 of the Section 42A Report, the incorrect rule was referenced in the submission.

discretionary activity in the HIZ.⁵ The section 42A report recommends that only Light Industrial Activities and Waste Management Activities be provided for as a permitted within the Light Industry zone, while 'Industrial Activities' are listed as a fully discretionary activity, and Offensive Trade is listed as a non-complying activity.⁶

8.2 For the reasons set out above, I am not in favour of the attempt to separately define light and heavy industry activities based first making an analysis on:

- what may or may not be objectionable odour, noise, or dust;
- what is considered to be an elevated risk to people's health and safety: and/or
- what is 'light manufacturing' as compared to 'heavy manufacturing'.

Any such judgement is subjective, and not appropriate for the rule structure of a District Plan.

8.3 Noting that Offensive Trade is provided for as a separate activity, and is suitably defined, I do not believe it is necessary to have separate definition of heavy and light industry. Further, those activities that are most likely to give rise to objectional odour, such as fellmongering, fish cleaning, tallow melting, tanning, and wool scouring, fall within the PFNDP definition of offensive trade, such that the purpose if the LIZ to avoid such activities is already served.

8.4 I do not consider that the proposed three separate classifications for industrial activity serves a resource management purpose, and that the rules proposed have potential to cause additional uncertainty, and unnecessary time and cost in the processing of resource consent applications. I therefore recommend that definition of light industry be deleted, and the associated rules be amended to reference 'industry' rather than 'light industry'.

8.5 The section 42A report recommend that rule LIZ-R1 PR-1 be amended such that the restriction on building size in the LIZ is deleted. For the reasons set out above, I support this change.

8.6 The section 42A report rejects Mainfreight's submission with regard to increasing the 12 metre maximum building height in the LIZ, but partially accepts the submission in

⁵ I am concerned that the fully discretionary status for offensive trade in the HIZ may be overly restrictive, noting that offensive trade is an activity that contributes to the rural economy. In my opinion, restricted discretionary or controlled activity status would be more appropriate, with control/discretion restricted to the likes of odour, noise and dust.

⁶ In that regard, I find it curious, and somewhat inconstant, that the section 42A report has specifically included waste management facilities as a permitted activity within the LIZ, given the odour associated with such activities bears a deal of similarity to odours associated with offensive trades.

relation to the HIZ, increasing building height to 15 metres. In this regard, the section 42A analysis states:

777. In my opinion the notified 12m height limit in the LIZ is considered appropriate in the Far North District context and is appropriate for the scale of development, and adjoining zone development. It enables the functional requirements of typical Light Industrial activities while maintaining compatibility with surrounding land uses. The height standard is broadly consistent with planning practice in comparable districts and supports the efficient use of light industrial land.

8.7 I disagree that a 12 metre height standard provides for the functional requirements of modern warehousing and logistics facilities, which are increasingly using vertical racking to provide efficiencies. Further, I do not consider that increasing the maximum permitted height of buildings within the LIZ from 12 metres to at least 20 metres would have a significant adverse effect on adjoining zones. This amenity is protected by height in relation to boundary standard LIZ-S2, setback standard LIS-S3, and landscaping standard LIZ-S8.

8.8 If concern remains with regard to the particular “Far North Context”, as referenced in the section 42A report, a stepped height restriction could be applied, where building height within a particular distance of residential zones (15 metres) is subject to the 12 metre height standard, with a 20 metre height standard outside the buffer.

8.9 The section 42A report states that the following with regard to Policy LIZ-P5:

660. LIZ-P5 ensures that built form is of a scale and design that aligns with the amenity of the LIZ and is complementary to the character and amenity of adjacent zones.

661. The submitter did not provide any rational for deleting this policy, therefore in my opinion it should be retained as notified.

8.10 The reason that Mainfreight sought the deletion of this policy is that it appeared to relate to the rule restricting building size to 450m². I do not believe that whether or not the design and character of an industrial building is consistent with the amenity of other development within the LIZ is an appropriate consideration, given that the emphasis of development within the LIZ should be focused on enabling industrial activities while avoiding adverse effects on more sensitive zones. Further, and quite appropriately, there is nothing within the rule structure of the LIZ relating to the design of character of building within the LIZ.

- 8.11 If LIS-P5 is to be retained it should be amended such that it only references the amenity of adjoining zones, rather than amenity, character and design within the LIZ.
- 8.12 With respect to the “landscaping and screening on road boundaries” rules, the section 42A report has sought to make amendments to address Mainfreight’s submission. However, as amended, the rule would allow a warehouse building to abut the entirety of a front boundary as it only requires a two metre wide landscape strip over half the length of the front boundary that is not occupied by a building, and because there is no minimum front yard setback standard within the LIZ or HIZ. As such, the rule as proposed would enable a wall of a warehouse building to abut the full length of a road boundary.

9. CONCLUSIONS AND RECOMMENDATIONS

- 9.1 I support the inclusion of industrial activities as a permitted activity within the LIZ and the HIZ, but I do not support the distinction between ‘light industry’ and ‘[heavy] industry’, or the associated difference in activity status between the two within the LIZ. In my opinion, there should only be a single definition of ‘Industrial Activity’, and the separate Offensive Trade category, with other consequential amendments.
- 9.2 I recommend the following definition for industrial activity

Industrial Activity

The manufacturing, assembly, packaging or storage of products or the processing of raw materials and other accessory activities.

- 9.3 I recommend Policy LIZ-P3 be amended as follows:

LIZ-P3

Avoid the establishment of activities that do not support the function of the Light Industrial zone, including:

- ~~heavy industrial~~ offensive trade activities;

- 9.4 I do not support the overly restrictive 12 metre height standard within the LIZ and HIZ, as this height standard not enable modern warehousing buildings. A height limit of a 20 metres would be more appropriate. If there is concern that this height is too tall with respect to the “Far North Context” (as suggested in the Section 42A report), the rule could be amended to be stepped, with a maximum building height of 20m, and 12 metres within 15 metres of residential zones.

- 9.5 The limitation on building size within the LIZ should be removed, as per the recommendation in the Section 42A report.
- 9.6 Policy LIZ-P5 should be amended so that it only references the and location of buildings and landscaping such that it affects the amenity of adjoining zones, rather than internal amenity within the LIZ, and (by inference) the design and appearance of buildings. I recommend Policy LIZ-P5 be reworded accordingly.

LIZ-P5

Ensure that built form and landscaping ~~is of a scale and design that is:~~

- ~~consistent with the amenity of the~~ provides a degree of amenity to the streetscape of the Light Industrial zone; and
- protects the ~~complementary to the character and~~ amenity of adjoining more sensitive zones.

- 9.7 Landscaping standards LIZ-S6 and HIZ-S6 should be reworded such that they require buildings within the LIZ an HIZ to be setback at least two metres from the road boundary, and that the two metre setback from the road be suitably landscaped, as follows.

Landscaping and screening on road boundaries

A landscape strip of at least two metres in width must be provided along the full length of the front boundary, excluding vehicle access points. The landscape strip shall include a mixture of trees and shrubs capable of reaching at least one metre in height at maturity, and may include a separate pedestrian access of up to two metres in width.

Paul Arnesen

7 July 2025