

Minute 14 Response – LDFIL Submission No. 348

1. Details of the Sites & Surrounds

Details of the site and surrounds are provided in Figure 1 which outlines the sites in relation to the Proposed District Plan [PDP] Zoning which is highlighted in red.

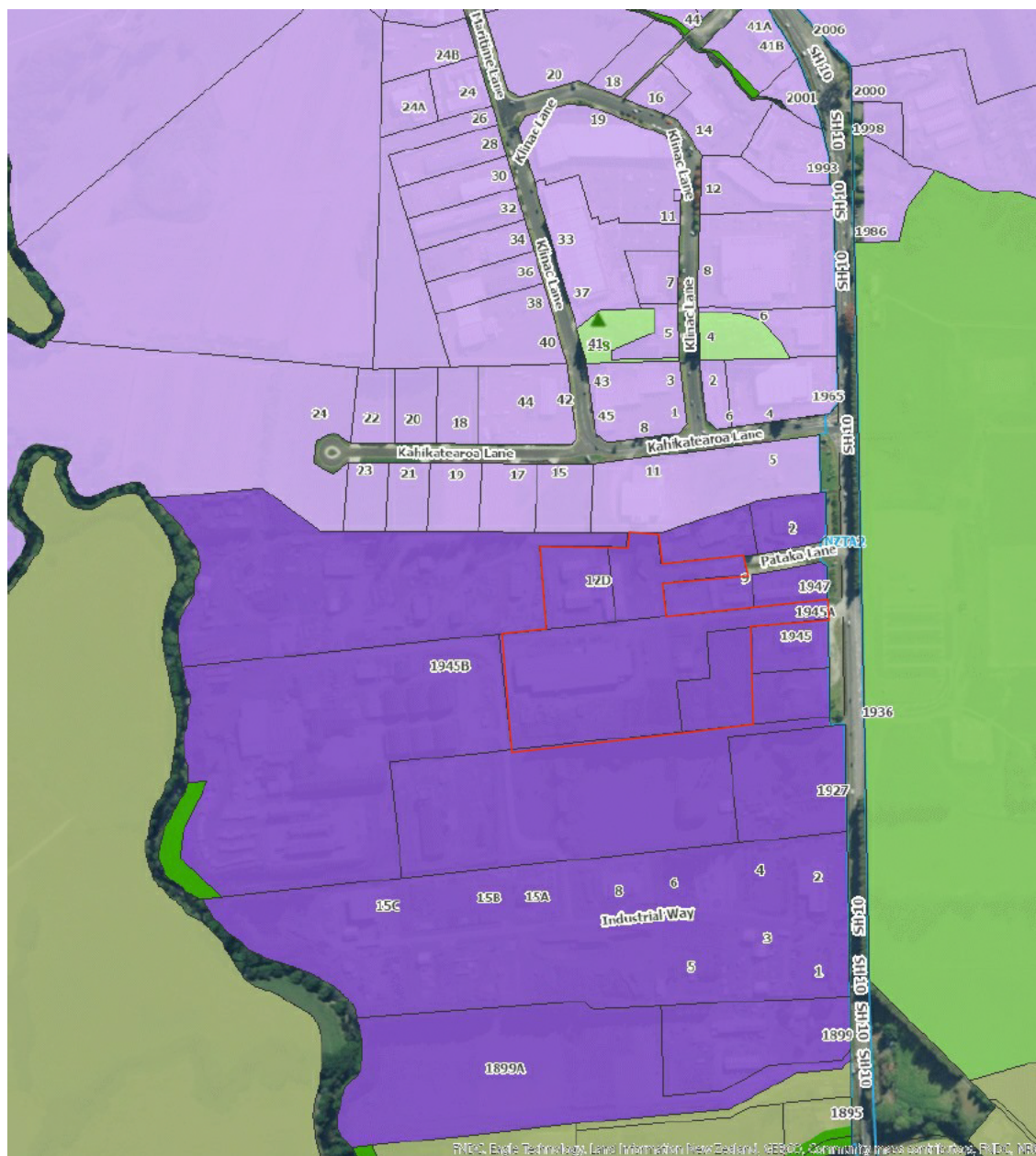


Figure 1 - Submitter Properties

The properties are made up of for separate titles with details as follows:

- NA126B/184 – 6,220m²
- NA126B/185 – 5,826m²
- 176692 – 6,169m²
- 176693 – 2.6341ha

These are shown in Figure 2 below.

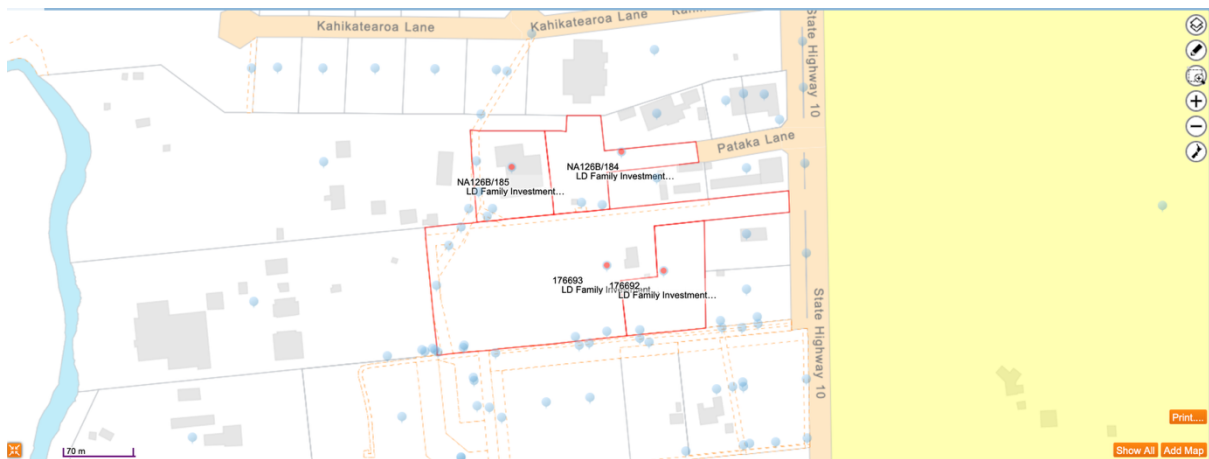


Figure 2 - Submitter Properties

The uses on each site are provided for as follows:

- NA126B/184 – 6,220m² – Kainui Pack and Coolstore
- NA126B/185 – 5,826m² – Kainui Pack and Coolstore

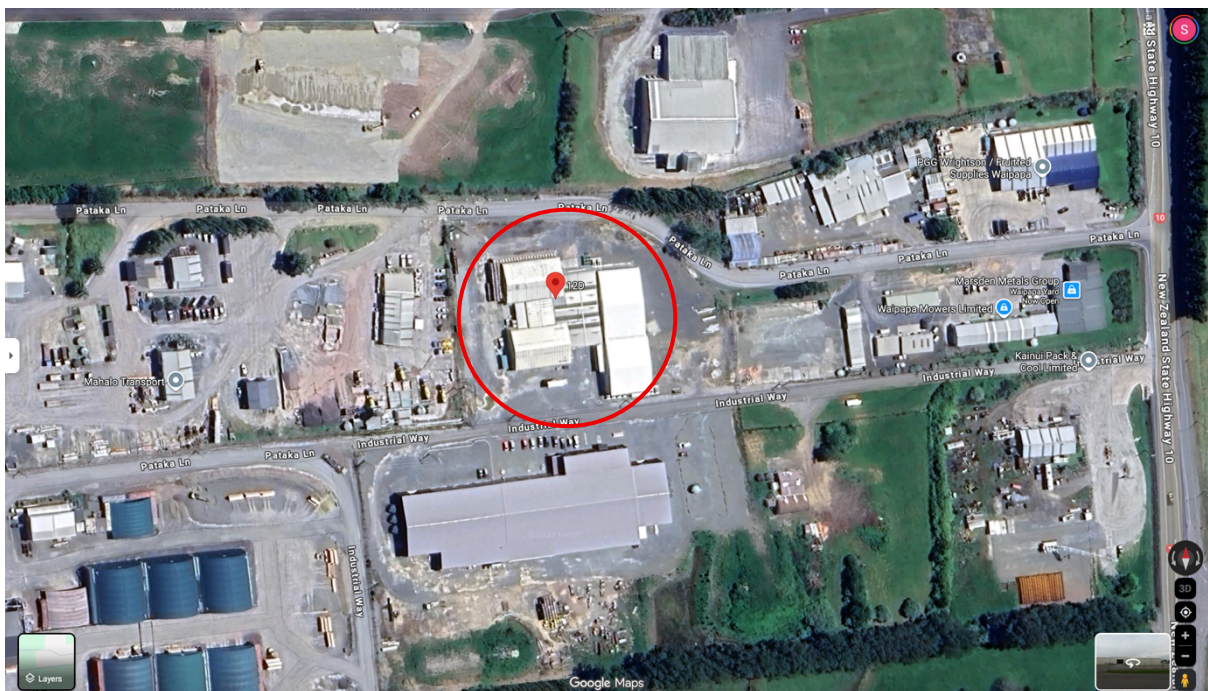


Figure 3 – Kainui Cool Store

- 176692 – 6,169m² – Vacant site.
- 176693 – 2.6341ha – Kainui Pack House & Existing Building

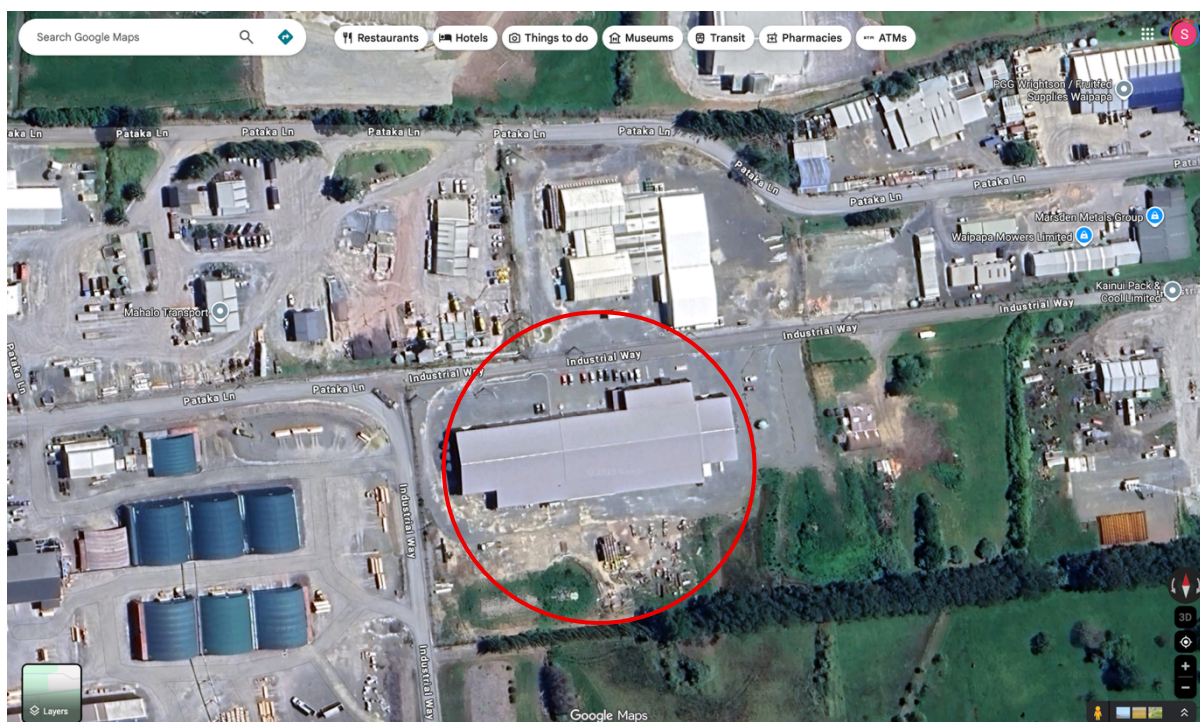


Figure 4 – Kainui Packhouse

The wider surrounds are represented by various uses, the majority of which are light industrial in nature. A map of these are provided in **Appendix B**.

Waipapa is not serviced with any Council three waters infrastructure. Power and telecoms are available.

While this response primarily assesses the properties within the original submission, I note that my Statement of Evidence proposes a minor extension to this boundary to include adjacent properties of a similar character. This is done to create a more coherent zoning pattern and avoid an outcome of 'pocket zoning' in line with sound planning practice.

The property along Waipapa Road appears to be unchallenged in terms of its retention as Light Industrial, and as such has not been assessed further.

2. Strategic Direction

This is an assessment of the rezoning submission against the strategic direction chapters of the Proposed Far North District Plan (PDP), as required by Minute 14.

The submission seeks to rezone several properties from the Heavy Industrial Zone to the Light Industrial Zone.

Table 1: Strategic Direction – Cultural Prosperity

Matter	Assessment
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Te Tiriti o Waitangi partnerships support iwi and hapū to deliver on the social, economic, environmental and cultural wellbeing outcomes for tangata whenua .	Submitters have no Treaty relationship in this instance.
Te ao māori, tikanga māori and tangata whenua as kaitiaki, embedded in and integral to decision making.	Noted. Council makes decisions in this instance.
The district's diverse cultures and communities are celebrated and cultural heritage recognised.	Noted. There are no cultural or heritage items of concern on the submitter sites.
The district's historic heritage is identified and managed to ensure its long-term protection for current and future generations.	There are no cultural or heritage items of concern on the submitter sites.
A district wide approach to the impacts of climate change and natural hazards , which includes a te ao māori decision making framework, developed with iwi and hapū .	Figures below highlight applicable natural hazards and where relevant can be applied to development proposals.

Table 2: Strategic Direction – Social Prosperity

Matter	Assessment
Community wellbeing is heightened by a sense of place.	The sense of place of the sites and surrounds is largely light industrial in nature.
Development of initiatives that will support the wellbeing of Tangata Whenua , in partnership with iwi and hapū .	These are not known.
Encourage opportunities for fulfilment of the community's cultural, social, environmental, and economic wellbeing.	This is possible on the vacant submitter property. For the remaining sites, they already provide for most of the wellbeings as an existing activity.
Promotion of communities and places that will meet the needs for not only the present	The submission contends that the community is better placed through the Light Industrial Zone in this instance.

population but future generations which are adaptive to climate change.	
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Table 3: Strategic Direction – Economic Prosperity

Matter	Assessment
A high-earning diverse local economy which is sustainable and resilient to economic downturns, with the district's Māori economy making a significant contribution.	The existing activities already provide for economic growth and employment.
Existing industries and enterprises are supported and continue to prosper under volatile and changing economic conditions.	The submitter contends that the Light Industrial Zone is better suited in this respect.
Development and retention of highly motivated, educated and skilled people in the district.	Activities are largely existing and zoning should match this so that these people are retained.
People, businesses and places are connected digitally and through integrated transport networks.	The State Highway network is in close proximity.
A district economy that is responsive, resilient and adaptive to the financial costs of a changing climate.	Activity is largely existing, taking into account best information about climate change. Future development will also need to be aware of these matters.

Table 4: Strategic Direction – Urban Form and Development

Matter	Assessment
The wellbeing of people who live in and visit towns in the Far North is considered first when it comes to planning places and spaces.	The submitter contends that this is better provided through the Light Industrial Zone.
Urban growth and development consolidated around existing reticulated networks within town centres, supporting a more	The Waipapa area is unserved. Activities are existing and provide their own three waters.

compact urban form, affordability and providing for a mix of housing typologies.	
Adequate development infrastructure in place or planned to meet the anticipated demands for housing and business activities.	As above.
Urban growth and development is resilient and adaptive to the impacts from natural hazards or climate change.	Previously considered.

Table 5: Strategic Direction – Infrastructure and Electricity

Matter	Assessment
The benefits of infrastructure and renewable electricity generation activities across the district are recognised and provided for, while ensuring their adverse effects are well managed.	Not relevant.
Infrastructure and renewable electricity generation activities are protected from incompatible land use, subdivision and development that may compromise their effective operation, maintenance and upgrading.	The State Highway network would be considered for future activities.

Table 6: Strategic Direction – Rural Environment

Matter	Assessment
Primary production activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised.	Not relevant.
Protection of highly productive land from inappropriate development to ensure its production potential for generations to come.	Not relevant.

Table 7: Strategic Direction – Environmental Prosperity

Matter	Assessment
A culture of stewardship in the community that increases the district's biodiversity and environmental sustainability.	The site has no such features.
Collaborative relationships with iwi and hapū in order to support tangata whenua to carry out their obligation and responsibility as kaitiaki.	This is assumed between Council and tangata whenua.
Active management of ecosystems to protect, maintain and increase indigenous biodiversity for future generations.	The sites has no such features.
Land use practices reverse climate change by enabling carbon storage and reducing carbon emissions.	These are employed where relevant.
The natural character of the coastal environment and outstanding natural features and landscapes are managed to ensure their long-term protection for future generations.	Not relevant.
Areas of significant indigenous vegetation and significant habitats of indigenous fauna and protected for current and future generations.	Not relevant.

3. Alignment With Zone Outcomes

Table 8: Assessment of the Light Industrial Zone

Objective	Assessment
The Light Industrial zone is utilised for the efficient operation of industrial activities and is managed to ensure its long-term protection, including from: a. land fragmentation; b. land sterilisation; and c. reverse sensitivity effects.	The sites have light industrial activities present.

The Light Industrial zone accommodates a range of industrial activities that: a. efficiently use the physical resources of the zone; b. include, but are not limited to, warehouse storage, automotive repairs, minor engineering and light manufacturing activities, product assembly c. are not unreasonably constrained by surrounding activities, and d. avoid compromising the operation of future industrial activities within the zone.	The sites have light industrial activities present.
Enable land use and subdivision in the Light Industrial zone where there is adequacy and capacity of available or programmed development infrastructure to support it.	This is fleshed out in LIZ-P2 to note that this objective can be met where such infrastructure is available. If it is not, it is able to be serviced on site [which the sites already are].
The adverse environmental effects generated by industrial activities are managed, in particular at zone boundaries.	As provided for in my primary evidence, the interface boundary has been applied with no known justification.
The Light Industrial zone provides for a limited range of commercial activities which either support industrial activities or are not anticipated in the Mixed Use zone.	There are some commercial retail type activities in the surrounds.
Policies	Assessment
Enable development and operation of industrial activities in the Light Industrial zone.	This is sought through the submission.
Require all subdivision in the Light Industrial zone to provide reticulated wastewater, stormwater and potable water services and local electricity distribution network to the boundary of each lot (where available) and encourage all subdivision to provide the following reticulated services to the boundary of each lot: a. telecommunications: i. fibre where it is available; ii. copper where fibre is not available;	This is provided on site and continue to be done so when development takes place.
Avoid the establishment of activities that do not support the function of the Light Industrial zone, including: a. offensive trade (excluding waste management facility); b. residential activities (where they are not ancillary to a Industrial activity); c. community facilities; d. retirement villages; e. education facilities (excluding trades training); and f. sport and recreation facilities.	These are not currently present.
Allow commercial activities in the Light Industrial zone that: a. are complementary to and support industrial activities; or b. require larger sites and may not accommodate	There are some commercial retail type activities in the surrounds.

amenity values anticipated in the Mixed Use zone.	
Ensure that built form and landscaping is a. consistent with the amenity of the Light Industrial zone; and b. complementary to the character and amenity of adjoining zones.	From my observation of the sites and surrounds, landscaping is not present in a cohesive manner.
Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Light Industrial Zone: a. consistency with the scale, density, design and character of the light industrial environment and purpose of the zone; b. the location, scale and design of buildings or structures, outdoor storage areas, and internal roading; c. opportunities for connectivity, within and between developments, public open space, parking services and facilities; d. for non industrial activities: i. scale and compatibility with industrial activities; ii. potential reverse sensitivity effects on industrial activities. e. at zone interfaces: i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. any adverse effects on the character and amenity of adjacent zones. f. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; including: i. opportunities for low impact design principles; ii. management of three waters infrastructure and trade waste such as industrial by-products. g. managing natural hazards; h. the adequacy of roading infrastructure to service the proposed activity; i. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and j. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.	These matters can be addressed at time of development.

Table 9: Assessment of the Heavy Industrial Zone

Objective	Assessment
The Heavy Industrial zone is utilised for the efficient operation of industrial activities and is managed to ensure its long-term protection, including from: a. land fragmentation; b. land sterilisation; and c. reverse sensitivity effects.	The sites do not have heavy industrial activities present.

The Heavy Industrial zone accommodates a range of industrial activities that: a. efficiently use the physical resources of the zone; b. are characterised largely by the use of large-scale purpose built utilitarian buildings and large areas of car parking and/or outdoor storage; c. are not unreasonably constrained by surrounding activities; and d. avoid compromising the operation of future heavy industrial activities within the zone.	The properties accommodate the buildings promoted in the objective.
The adverse environmental effects generated by industrial activities are managed, in particular at zone boundaries.	As provided for in my primary evidence, the interface boundary has been applied with no known justification.
The Heavy Industrial zone accommodates a limited range of ancillary activities where they support on-site industrial activity.	There are no known ancillary activities on the submitter sites.
Policies	Assessment
Enable the development and operation of industrial activities in this zone.	Activities are largely existing.
Require all subdivision in the Heavy Industrial zone to provide reticulated wastewater, stormwater and potable water services and local electricity distribution network to the boundary of each lot (where available) and encourage all subdivision to provide the following reticulated services to the boundary of each lot: a. telecommunications: i. fibre where it is available; ii. copper where fibre is not available;	This is provided on site and continue to be done so when development takes place.
Avoid the establishment of activities that do not support the function of the Heavy Industrial zone, including: a. residential activities; b. retirement villages; c. education facilities (excluding trades training); d. sport and active recreational activities; and e. commercial activities not ancillary to the on-site industrial use.	These activities are not present on the submitter sites.
Require industrial activities to internalise adverse effects on-site as far as practicable, particularly along the interface of surrounding zones.	Internal effects are internalised.
Only provide for ancillary activities where: a. there is a direct relationship to the heavy industrial activity on-site; and b. it does not compromise the ability of other activities in the Heavy Industrial zone to operate efficiently and effectively.	There are no known ancillary activities on the submitter sites.
Avoid land fragmentation that diminishes the ability of a site in the Heavy Industrial zone to	The land use activities are on developed parcels. No further land fragmentation is known at this stage.

accommodate a wide range of industrial activities.	
Consider the following matters where relevant when assessing and managing the effects of land use and subdivision in the Heavy Industrial Zone: a. consistency with the scale, density, design and character of the heavy industrial environment and purpose of the zone ; b. the location, scale and design of buildings and structures, outdoor storage areas, parking and internal roading; c. for non-industrial activities: i. scale and compatibility with industrial activities; ii. potential reverse sensitivity effects on industrial activities; d. at zone interfaces: i. any setbacks, fencing, screening or landscaping required to address potential conflicts; ii. any adverse effects on the character and amenity of adjacent zones; e. the adequacy and capacity of available or programmed development infrastructure to accommodate the proposed activity; including: i. opportunities for low impact design principles; ii. management of three waters infrastructure and trade waste such as industrial by-products; f. managing natural hazards; g. the adequacy of roading infrastructure to service the proposed activity; h. any adverse effects on historic heritage and cultural values, natural features and landscapes or indigenous biodiversity; and i. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6.	These matters can be addressed at time of development.

4. Higher Order Direction

Table 10: Assessment of National Policy Statements

Matter	Assessment
National Policy Statement for Freshwater Management	Not relevant.
National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat	Not relevant.
National Policy Statement for Highly Productive Land	Not relevant.
National Policy Statement for Indigenous Biodiversity	Not relevant.
National Policy Statement for Renewable Electricity Generation	Not relevant

National Policy Statement on Electricity Transmission	Not relevant
National Policy Statement on Urban Development	Relevant to the extent that the site is Urban in character although unserved.
New Zealand Coastal Policy Statement	Not relevant

Table 11: Assessment of National Environment Standards

Matter	Assessment
National Environmental Standards for Commercial Forestry	Not relevant.
National Environmental Standards for Air Quality	Not relevant.
National Environmental Standards for Sources of Drinking Water	Not relevant.
National Environmental Standards for Telecommunications Facilities	Not relevant.
National Environmental Standards for Electricity Transmission Activities	Not relevant.
National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health	Not relevant.
National Environmental Standards for Freshwater	Not relevant.
National Environmental Standards for Marine Aquaculture	Not relevant.
National Environmental Standard for Storing Tyres Outdoors	Not relevant.
National Environmental Standards for Greenhouse Gas Emissions from Industrial Process Heat	Not relevant.

Table 12: Assessment of Regional Policy Statement

Objective / Policy	Comment
Integrated Catchment Management	Not relevant
Region Wide Water Quality	Not relevant
Ecological Flows and Water Quality	Not relevant
Indigenous Ecosystems & Biodiversity	There are no SNA's on the properties.
Enabling Economic Wellbeing	No change from the proposal.
Economic Activities – Reverse Sensitivity And Sterilization	The proposal does not result in any reverse sensitivity or sterilization effects.
Regionally Significant Infrastructure	The proposal does not impact any regionally significant infrastructure such as the State

	Highway and will need approvals separate to FNDC in any event for development.
Efficient and Effective Infrastructure	The proposal seeks to use existing on site infrastructure where available.
Security of Energy Supply	Power is existing to the sites.
Use and Allocation of Common Resources	Not relevant.
Regional Form	The proposal seeks a logical continuation of urban and regional form that more appropriately sets out an industrial boundary in Waipapa.
Tangata Whenua Role in Decision Making	The submitter acknowledges the role of tangata whenua.
Natural Hazard Risk	Refer below.
Natural Character, Outstanding Natural Features, Outstanding Natural Landscapes And Historic Heritage	Not relevant.

5. Reasons For The Request

The reasons for the request are appropriately laid out in the submission and are not repeated here.

6. Assessment of Site Suitability & Potential Effects of Rezoning

As outlined in Figure 5 below, the proposed sites are not subject to flooding.



Figure 5 – Natural Hazards - Flooding

The site is considered to have 'Kiwi Present'. Aside from this there are no other natural features present or attributed to the site and surrounds.

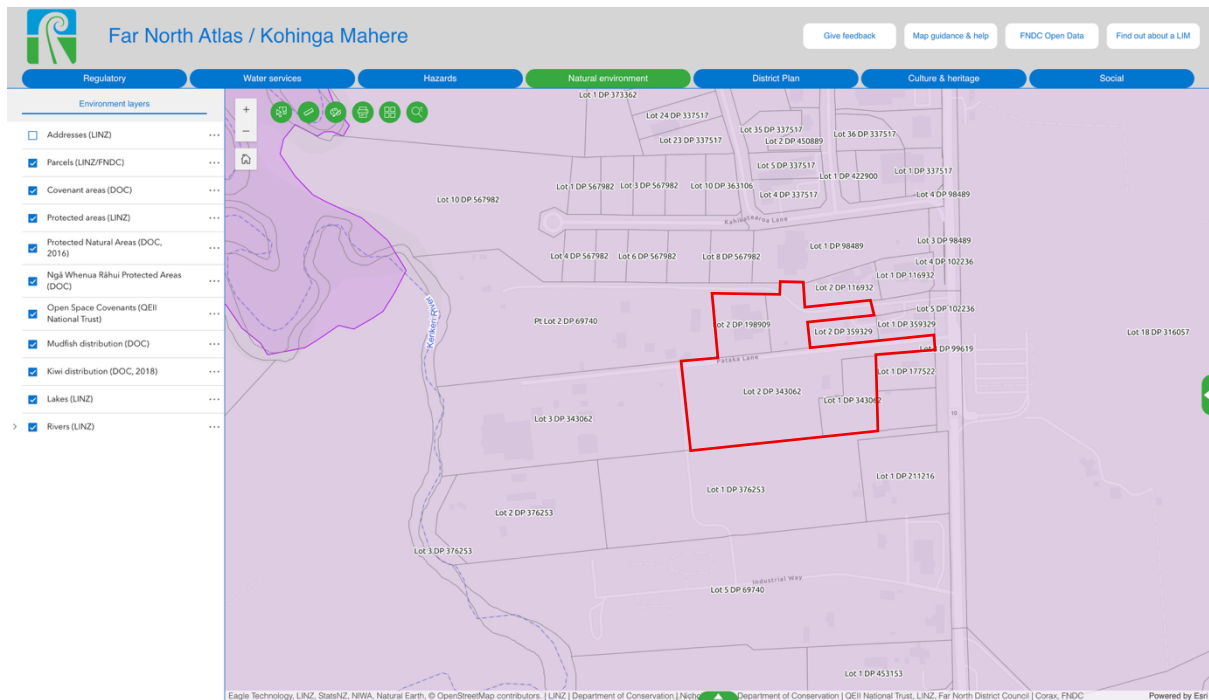


Figure 6 – Natural Features

There is no mapped historic or cultural heritage.

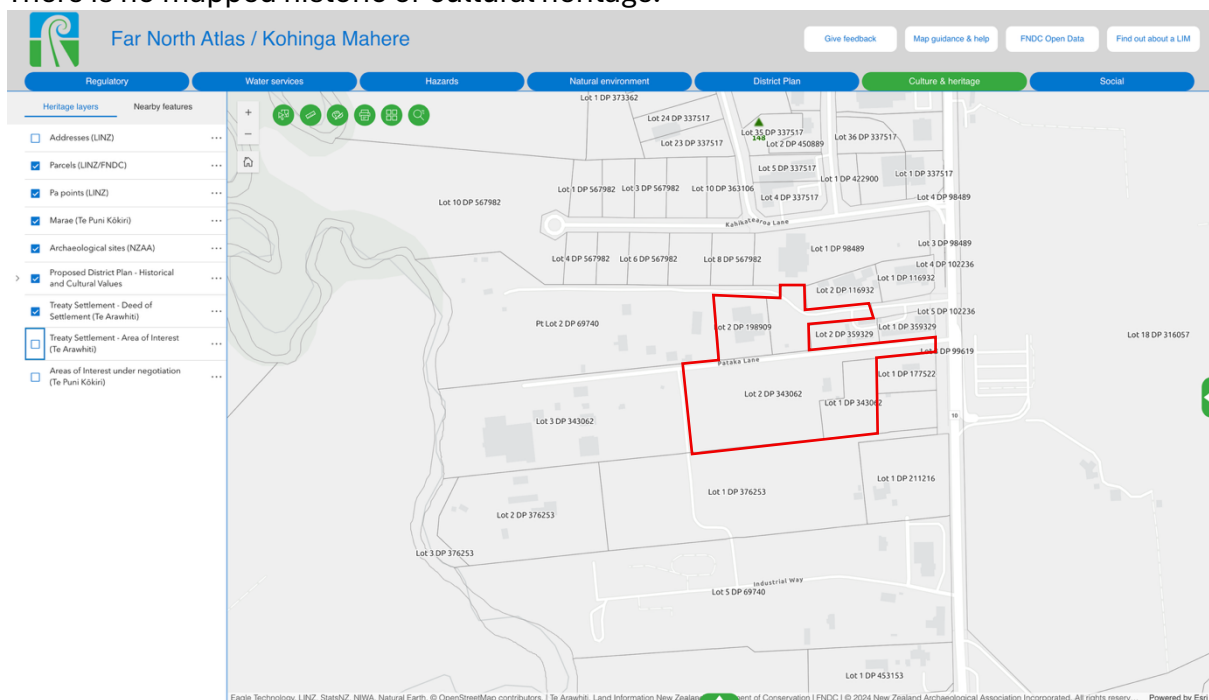


Figure 7 – Cultural / Heritage Features

The site is not within the Coastal Environment.

The site has no mapped biodiversity wetlands.

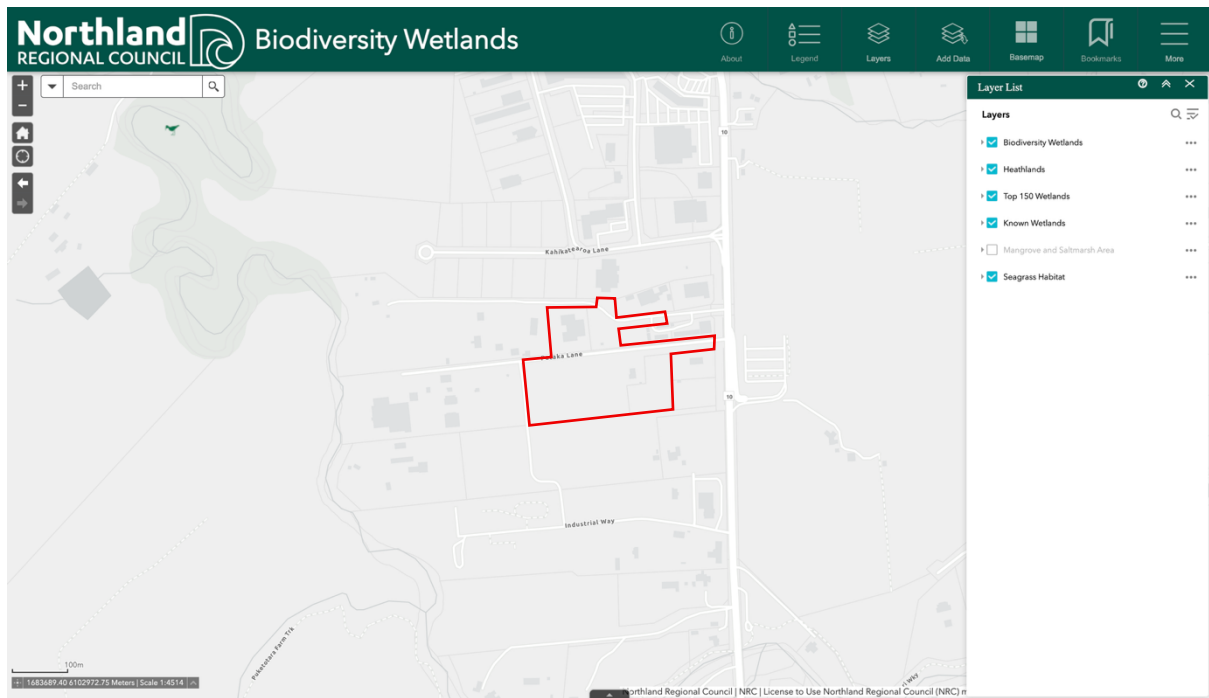


Figure 8 – Biodiversity Wetlands

Site / soil contamination matters can be considered at time of development.

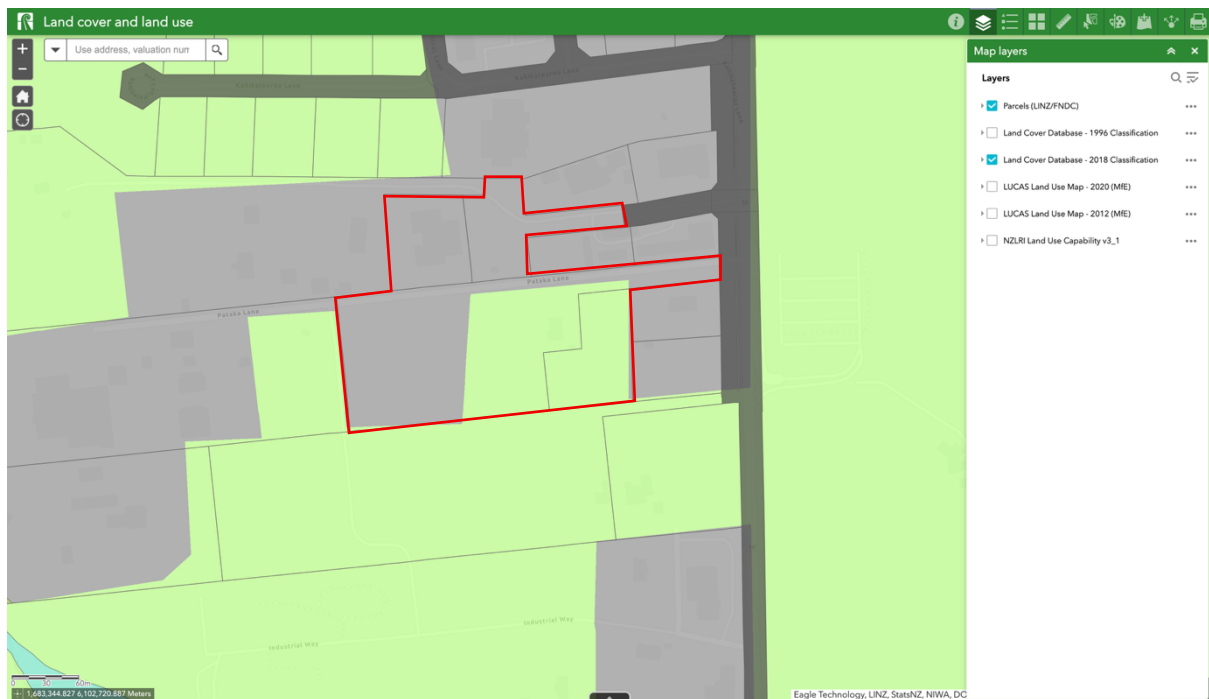


Figure 9 – Landcover Map

In my view, effects on surrounding sites can be effectively managed and mitigated as uses on the sites are vacant / in light industrial use as cool store and packhouses to support the horticultural industry.

7. Infrastructure

The sites are completely devoid of public infrastructure, save for reliance on power, telecoms and the roading network which is managed and owned by the New Zealand Transport Agency.

Therefore, the sites are serviced internally for their own three waters with no pressure or reliance on Council infrastructure.

8. Transport Infrastructure

This is not the realm of FNDC and NZTA has not commented or submitted on the proposal.

9. Consultation & Further Submission

No consultation has been undertaken, noting that the rezoning request is discrete and small in scale that it is unclear who would need to consider the rezoning submission outside of the submitters, Council and Panel. Nonetheless, the PDP review has gone through a schedule 1 RMA process and the public, including neighbours, have had the opportunity to make submissions.

There is one further submissions as follows:

- Foodstuffs North Islands Limited [Allow In Part].

The further submission is not relevant to the rezoning components of the overall submission.

10. Section 32AA Evaluation

This evaluation is provided in my primary evidence.