

# Online submission

This is a submission that was made online via the Council's website.

<b>Submitter No.</b>	S63
<b>Submitter Name</b>	Westland Milk Products
<b>Submitter Company/Group Name</b>	Westland Milk Products
<b>Submitter is contact</b>	Yes
<b>Email</b>	<a href="mailto:chrisp2@westland.co.nz">chrisp2@westland.co.nz</a>
<b>Wish to be heard</b>	Yes
<b>Joint presentation</b>	Yes
<b>Trade competition</b>	I could not gain an advantage in trade competition through this submission.
<b>Directly affected</b>	N/A
<b>Withhold contact details?</b>	No

## Submission points

Plan section	Provision	Support/oppose	Reasons	Decision sought
Industrial Zones	Industrial Zones	Support	<p>2.1 Westland Milk Products would welcome further opportunities to work with Local Government to progress rezoning proposals.</p> <p>2.2 There is a genuine interest from Yili to inject significant investment into the Hokitika site benefitting the Hokitika community. This ambition to expand has been demonstrated with the significant investment that has already been implemented between 2020 and 2022</p> <p>2.3 There is positivity among Westland Milk Products, its stakeholder base, and the dairy industry as a whole. Demand will remain strong for basic food products and is increasing globally.</p> <p>2.4 To achieve continuous improvement and positive expansion, Westland Milk Products need the support of local government to pave the way for positive sustainable meaningful expansion. This support can come in the form of a plan that recognises the benefit of allowing industrial activity to expand.</p>	<p>This submission therefore focusses on supporting changes to the plan allowing for rezoning of areas for industrial expansion. Westland Milk Products also seeks amendments to the Proposed TTPP to help support efficient use and development of industrial land while achieving sustainable management.</p> <p>1.1 This submission is made by Westland Milk Products (the Submitter) on the:</p> <p><i>Proposed Te Tai o Poutini Plan (TTPP)</i></p> <p>1.2 The specific parts of the Plan to which this submission relates to are:</p> <ul style="list-style-type: none"><li>· The zoning on the planning maps of the Proposed TTPP;</li><li>· Part 2 / EIT - Energy, Infrastructure, and Transport / ENG - Energy section.</li><li>· Part 3 / Zones / Industrial Zones / INZ - Industrial Zones Objectives and Policies section;</li><li>· Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section; and</li><li>· Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section.</li></ul>

Industrial Zones      Industrial Zones      Support

2.2 There is a genuine interest from Yili to inject significant investment into the Hokitika site benefitting the Hokitika community. This ambition to expand has been demonstrated with the significant investment that has already been implemented between 2020 and 2022

2.3 There is positivity among Westland Milk Products, its stakeholder base, and the dairy industry as a whole. Demand will remain strong for basic food products and is increasing globally.

2.4 To achieve continuous improvement and positive expansion, Westland Milk Products need the support of local government to pave the way for positive sustainable meaningful expansion. This support can come in the form of a plan that recognises the benefit of allowing industrial activity to expand.

## 1.SUMMARY OF DECISIONS SOUGHT

1.1 The decisions sought on the Proposed TTPP by the Submitter, alongside their rationale, are detailed in Appendix A. A summary of the decisions sought is provided below.

1.2 The Submitter is supportive of the proposed General Industrial, Light Industrial and General Residential zoning of the properties they own (refer Maps 2-14). The Submitter also supports the proposed General Industrial zoning of the adjacent properties along Stafford Street (Map 16) and Kaniere Road (Map 15).

1.3 The Submitter opposes the proposed General Residential zoning of the properties at 66 Livingstone Street and Lot 1 DP 1431 (Map 17). The two properties are used for a mix residential and commercial activities, the adjoining land is a large block of Light Industrial Zone, and there is no evident reason to support the “spot residential zoning” of the two properties. Livingstone Street is proposed as clearly defensible boundary between the General Residential and Light Industrial zones.

1.4 New and amended policies in the Industrial Zones section are sought by Submitter to achieve the following:

- Under a new policy, provide for existing industrial activities in the region and their continued use, intensification and expansion, and recognise their economic and social benefits.

- Amend Policy INZ - P8 so that the industrial zones performance standards are not strictly imposed on development where the existing site context or amenity allows for a more flexible approach, e.g., where existing buildings sit closer to the road boundary the required 5 m minimum setback.

- Amend Policy INZ - P11 to ensure a proportionate approach to stormwater management.

1.5 Amendments to the rules and standards of the General Industrial and Light Industrial Zones are sought, including:

- Changing the activity status for any infringement of a zone standard to restricted discretionary, and subsequent amendments to Rule GIZ - R9 / LIZ - R9 to include suitable matters of discretion for assessment of infringements.

- Deletion of the matter of discretion under Rule GIZ - R9 that requires a hazardous substances assessment when a performance standard, unrelated to hazardous substances, is infringed.

- Reducing the required setbacks for buildings from road boundaries from 5 m to 2 m.

- Excluding access points from road frontage landscaping requirements.

1.6 Amendments to the Energy section rules are sought to allow for non-habitable industrial buildings in the Electricity Transmission and Distribution Yard and in and around the Significant Electricity Distribution Lines. While electricity distribution constraints (planning map layers) apply to Submitter’s property at 19/27 Town Belt East, non-habitable industrial buildings are considered compatible with the electricity distribution activities.

Overall, the decisions sought by the Submitter will support the continued operation and development of the Westland Milk Products properties, and the surrounding industrial land, and their contribution to the economic and social wellbeing of the West Coast region. The industrial zoning of these properties will help alleviate the shortage of industrial land in the Westland district. Moreover, the decisions sought will enable efficient use and development of industrial land, while ensuring appropriate controls are in place to manage amenity values and to avoid activities that compromise the National Grid Yard.

## Documents included with submission

<b>Document name</b>	Final Submission signed
<b>File</b>	<a href="#">wmpsubmissiononttpp20220822finalsigned.pdf</a>
<b>Description</b>	Written submission



**Submission  
on  
PROPOSED TE TAI O POUTINI PLAN**

**26<sup>th</sup> August 2022**

## **1. EXECUTIVE SUMMARY**

- 1.1 Westland Milk Products appreciates the consultation regarding the Proposed TE TAI O POUTINI PLAN (TTPP). Westland Milk Products acknowledges and supports the proposed concept of the new plan and is specifically supportive of the proposal to rezone some areas within Hokitika. Westland Milk Products is an important stakeholder within the Hokitika community and play a vital role in the advancement of the Hokitika economy. The new owners Yili have indicated that they are keen to look at opportunities to develop further infrastructure for the benefit of the industry and the community as a whole.
- 1.2 This submission therefore focusses on supporting changes to the plan allowing for rezoning of areas for industrial expansion. Westland Milk Products also seeks amendments to the Proposed TTPP to help support efficient use and development of industrial land while achieving sustainable management.

## **2. INTRODUCTION**

- 2.1 Westland Milk Products would welcome further opportunities to work with Local Government to progress rezoning proposals.
- 2.2 There is a genuine interest from Yili to inject significant investment into the Hokitika site benefitting the Hokitika community. This ambition to expand has been demonstrated with the significant investment that has already been implemented between 2020 and 2022
- 2.3 There is positivity among Westland Milk Products, its stakeholder base, and the dairy industry as a whole. Demand will remain strong for basic food products and is increasing globally.
- 2.4 To achieve continuous improvement and positive expansion, Westland Milk Products need the support of local government to pave the way for positive sustainable meaningful expansion. This support can come in the form of a plan that recognises the benefit of allowing industrial activity to expand.

## **3. SUBMISSION OVERVIEW**

- 3.1 This submission is made by Westland Milk Products (the Submitter) on the:  
*Proposed Te Tai o Poutini Plan (TTPP)*
- 3.2 The specific parts of the Plan to which this submission relates to are:

- The zoning on the planning maps of the Proposed TTPP;
  - Part 2 / EIT - Energy, Infrastructure, and Transport / ENG - Energy section.
  - Part 3 / Zones / Industrial Zones / INZ - Industrial Zones Objectives and Policies section;
  - Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section; and
  - Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section.
- 3.3 In terms of zoning, this submission relates to properties owned by the Submitter and adjacent properties that are owned by other parties. The properties owned by the Submitter are identified under paragraph 3.5 and the properties owned by other parties are identified under paragraph 3.7.

**Properties owned by the submitter**

3.4 The Submitter is the landowner of properties as summarised in the Map 1 below.



**Map 1: Westland Properties**

- 3.5 The properties owned by the Submitter are described as follows:
- **“Westland Milk Products Manufacturing Plant”** (refer Map 2 on Page 4):
    - LOT 4 DP 1775 (56 Livingstone Street)
    - LOTS 1 & 4 DP 2295
    - LOTS 1-2 DP 2461 (253 Stafford Street)
    - SEC 1 SO 323271
    - LOTS 1-4 DP 3914
    - RESERVE 447 (30 Livingstone Street)
    - SEC 1 SO 435573
    - SEC 4111 TOWN OF HOKITIKA

- The "**properties east of Town Belt East**":
    - Lot 3 DP 2695 (19 and 27 Town Belt East) (Map 3)
    - Lot 2 DP 2695 (Map 4)
    - Lot 4 DP 1051 (8 Kaniere Road) (Map 5)
    - Lot 2 DP 1051 (4 Kaniere Road) (Map 6)
    - Lot 1 DP 1051 (2 Kaniere Road) (Map 7)
    - Lot 1 DP 1146 (15 Town Belt East) (Map 8)
  - Lot 2 DP 377892 (242 Stafford Street | 70 Livingstone Street) (Map 9)
  - Sec 1054 TOWN OF HOKITIKA (59 Livingstone Street) (Map 10)
  - Lot 1 DP 1163 (43 Livingstone Street) (Map 11)
  - Sec 1056 TOWN OF HOKITIKA (51 Livingstone Street) (Map 12)
  - Lot 2 DP 1163 (41 Livingstone Street) (Map 13)
  - Lot 2 DP 1322 (15 Livingstone Street) (Map 14)
- 3.6 Under the operative Westland District Plan, the above properties are subject to the following zoning:
- Westland Milk Products Manufacturing Plant properties (Map 2) – Industrial/Commercial Zone
  - The properties east of Town Belt East (Maps 3-8) – Small Settlement Zone
  - The remaining properties (Maps 9-14) – Residential Mixed Zone

**Properties not owned by the Submitter**

- 3.7 The Submitter also has an interest in the proposed zoning of the following properties which are adjacent to the above properties:
- 6, 10, 18, 26 & 38 Kaniere Road (Lot 3 DP 1051, Lot 1 DP 2695, Lot 1 DP 2127, Part Lot 2 DP 2127, and Lot 1 DP 2720) (Map 15)
  - 266 and 270 Stafford Street (Lot 1 DP 377892 and Section 4125 TN OF Hokitika) (Map 16)
  - 66 Livingstone Street (Lot 2 DP 1431) and Lot 1 DP 1431 (Map 17)
- 3.8 Under the operative Westland District Plan, the properties in paragraph 3.7 are subject to the following zoning:
- 6, 10, 18, 26 & 38 Kaniere Road properties (Map 15) – Small Settlement Zone
  - 266 and 270 Stafford Street (Map 16) – Residential Mixed Zone
  - 66 Livingstone Street (Lot 2 DP 1431) and Lot 1 DP 1431 (Map 17) – Residential Mixed Zone
- 3.9 The next pages (pages 4-7) contain the aerials that identify the properties described above.





**Map 2: Westland Milk Products Manufacturing Plant**



**Map 3: Lot 3 DP 2695 (19 and 27 Town Belt East)**



**Map 4: Lot 2 DP 2695**



**Map 5: Lot 4 DP 1051 (8 Kaniere Road)**





**Map 6: Lot 2 DP 1051 (4 Kaniere Road)**



**Map 7: Lot 1 DP 1051 (2 Kaniere Road)**



**Map 8: Lot 1 DP 1146 (15 Town Belt East)**



**Map 9: Lot 2 DP 377892 (242 Stafford Street | 70 Livingstone Street)**





**Map 10: SEC 1054 TOWN OF HOKITIKA (59 Livingstone Street)**



**Map 11: Lot 1 DP 1163 (43 Livingstone Street)**



**Map 12: SEC 1056 TOWN OF HOKITIKA (51 Livingstone Street)**



**Map 13: LOT 2 DP 1163 (41 Livingstone Street)**





**Map 14: LOT 2 DP 1322 (15 Livingstone Street)**



**Map 15: Lot 3 DP 1051, Lot 1 DP 2695, Lot 1 DP 2127, Part Lot 2 DP 2127, and Lot 1 DP 2720 (6, 10, 18, 26 & 38 Kanieri Road)**



**Map 16: Lot 1 DP 377892 and Section 4125 TN OF Hokitika (266 and 270 Stafford Street)**



**Map 17: Lots 1 and 2 DP 1431 (66 Livingstone Street)**

## **4. SUMMARY OF DECISIONS SOUGHT**

- 4.1 The decisions sought on the Proposed TTPP by the Submitter, alongside their rationale, are detailed in Appendix A. A summary of the decisions sought is provided below.
- 4.2 The Submitter is supportive of the proposed General Industrial, Light Industrial and General Residential zoning of the properties they own (refer Maps 2-14). The Submitter also supports the proposed General Industrial zoning of the adjacent properties along Stafford Street (Map 16) and Kaniere Road (Map 15).
- 4.3 The Submitter opposes the proposed General Residential zoning of the properties at 66 Livingstone Street and Lot 1 DP 1431 (Map 17). The two properties are used for a mix residential and commercial activities, the adjoining land is a large block of Light Industrial Zone, and there is no evident reason to support the “spot residential zoning” of the two properties. Livingstone Street is proposed as clearly defensible boundary between the General Residential and Light Industrial zones.
- 4.4 New and amended policies in the Industrial Zones section are sought by Submitter to achieve the following:
  - Under a new policy, provide for existing industrial activities in the region and their continued use, intensification and expansion, and recognise their economic and social benefits.
  - Amend Policy INZ - P8 so that the industrial zones performance standards are not strictly imposed on development where the existing site context or amenity allows for a more flexible approach, e.g., where existing buildings sit closer to the road boundary the required 5 m minimum setback.
  - Amend Policy INZ - P11 to ensure a proportionate approach to stormwater management.
- 4.5 Amendments to the rules and standards of the General Industrial and Light Industrial Zones are sought, including:
  - Changing the activity status for any infringement of a zone standard to restricted discretionary, and subsequent amendments to Rule GIZ - R9 / LIZ - R9 to include suitable matters of discretion for assessment of infringements.
  - Deletion of the matter of discretion under Rule GIZ - R9 that requires a hazardous substances assessment when a performance standard, unrelated to hazardous substances, is infringed.
  - Reducing the required setbacks for buildings from road boundaries from 5 m to 2 m.
  - Excluding access points from road frontage landscaping requirements.
- 4.6 Amendments to the Energy section rules are sought to allow for non-habitable industrial buildings in the Electricity Transmission and Distribution Yard and in and around the Significant Electricity Distribution Lines. While electricity distribution constraints (planning map layers) apply to Submitter’s property at 19/27 Town Belt East, non-habitable industrial buildings are considered compatible with the electricity distribution activities.
- 4.7 Overall, the decisions sought by the Submitter will support the continued operation and development of the Westland Milk Products properties, and the surrounding industrial land, and their contribution to the economic and social wellbeing of the West Coast region. The industrial zoning of these properties will help alleviate the shortage of industrial land in the Westland district. Moreover, the decisions sought

will enable efficient use and development of industrial land, while ensuring appropriate controls are in place to manage amenity values and to avoid activities that compromise the National Grid Yard.

## **5. PROCEDURAL MATTERS**

- 5.1 Westland Milk Products wishes to be heard in support of its submission.
- 5.2 If others make a similar submission, Westland Milk Products will consider presenting a joint case with them at the hearing.
- 5.3 Westland Milk Products does not seek to gain advantage in trade competition through this submission.
- 5.4 Westland Milk Products appreciates the opportunity to make submissions on the regarding the Proposed TE TAI O POUTINI PLAN.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Richard Wyeth', with a small horizontal line at the end.

**Richard Wyeth**  
**Chief Executive**  
**Westland Milk Products**



## APPENDIX A: SUBMISSION OF WESTLAND MILK PRODUCTS

Item	Specific provision	Submitter's view (support/oppose/amend) and rationale	Decision sought
1. Industrial zoning of properties owned by the Submitter	<p><u>Planning Maps</u> Proposed General Industrial zoning of the properties below:</p> <ul style="list-style-type: none"> <li>• Westland Milk Products Manufacturing plant (Refer Map 2 on Page 4 of Submission Letter)</li> <li>• LOTS 2 &amp; 3 DP 2695, LOTS 1, 2 &amp; 4 DP 1051, and LOT 1 DP 1146 (Maps 3-8)</li> </ul> <p>Proposed Light Industrial zoning of the properties below:</p> <ul style="list-style-type: none"> <li>• Lot 2 DP 377892 (Map 9)</li> </ul>	<p>The Submitter <b>supports</b> the General Industrial and Light Industrial zoning of these properties.</p> <p>The proposed zoning is considered to achieve sustainable management in accordance with Part 2 of the RMA based on the following reasons:</p> <ul style="list-style-type: none"> <li>• The zoning represents the most efficient use and development of natural and physical resources, i.e., the land comprising the subject properties.</li> <li>• The enabling of industrial uses on these properties will support existing and new development and employment opportunities which contribute to economic and social wellbeing of the region.</li> <li>• The proposed zoning will help alleviate the shortage of industrial zoned land in the Westland district and reduce the pressure for “out of zone” industrial activity to establish.</li> <li>• The industrial zoning aligns with the existing industrial activities carried out at the subject and adjacent properties. The generous size and shape of the properties allow space for larger industrial buildings and vehicle manoeuvring, and its location is suitably near a key transport route.</li> </ul>	<b>No changes sought</b>
2. Residential zoning of properties owned by the Submitter	<p><u>Planning Maps</u> Proposed General Residential zoning of the properties at 15, 41, 43, 51 &amp; 59 Livingstone Street (Maps 10-14)</p>	<p>The Submitter <b>supports</b> the General Residential zoning of these properties. The zoning aligns with the existing residential area of Hokitika.</p>	<b>No changes sought</b>

<p>3. Industrial zoning of adjacent properties adjacent along Stafford Street &amp; Kaniere Road (not owned by the Submitter)</p>	<p><u>Planning Maps</u> Proposed General Industrial zoning of the properties at 6, 10, 18, 26 &amp; 38 Kaniere Road (Map 15).  Proposed Light Industrial zoning of the properties at 266 and 270 Stafford Street (Map 16).</p>	<p>The Submitter <b>supports</b> the General Industrial zoning of 6, 10, 18, 26 &amp; 38 Kaniere Road and the Light Industrial zoning of 266 and 270 Stafford Street.</p> <p>The proposed zoning is considered to achieve sustainable management in accordance with Part 2 of the RMA based on the following reasons:</p> <ul style="list-style-type: none"> <li>• The zoning represents the most efficient use and development of the natural and physical resource of the subject properties.</li> <li>• Provision for industrial uses on these properties will enable existing and new development and employment opportunities which contribute to economic and social wellbeing of the district.</li> <li>• The enabling of industrial uses on these properties will support existing and new development and employment opportunities which contribute to economic and social wellbeing of the region.</li> <li>• The industrial zoning aligns with the existing industrial activities carried out at the properties. The generous size and shape of the properties allow space for larger industrial buildings and vehicle manoeuvring, and its location is suitably near a key transport route.</li> <li>• Expansion of industrial activities in this area provides opportunities for urban agglomeration benefits.</li> </ul>	<p><b>No changes sought</b></p>
<p>4. Residential zoning of adjacent properties adjacent on Stafford Street (not owned by the Submitter)</p>	<p><u>Planning Maps</u> Proposed General Residential zoning of the properties at 66 Livingstone Street and Lot 1 DP 1431 (Map 17)</p>	<p>The Submitter <b>opposes</b> the General Residential zoning of these properties.</p> <p>The zoning is opposed for the following reasons:</p> <ul style="list-style-type: none"> <li>• The properties subject to General Residential zoning form part of a larger block of Light Industrial zoned land bound by Stafford Street, Town Belt East, Hampden Street and Livingstone Street. The “spot zoning” of these properties does not follow best practice, which is for zone boundaries to be clearly defensible, e.g., follow roads where</li> </ul>	<p><b>The zoning of the subject properties is changed from the General Residential Zone to the Light Industrial Zone</b></p>

		<p>possible.</p> <ul style="list-style-type: none"> <li>• The two properties contain an ‘On the Spot’ store and a single dwelling. The small number of properties and mix of residential and non-residential activities are not considered sufficient reason for separate residential zoning.</li> <li>• The rezoning of these properties to Light Industrial Zone and using Livingstone Street to form a clearly defensible zone boundary is considered appropriate.</li> <li>• The location of the General Residential Zone adjoining the Light Industrial Zone would impose boundary requirements, e.g., yard setbacks, landscaping, that would restrict future development on adjacent industrial sites, e.g., 70 Livingstone Street. Moving the Light Industrial Zone boundary to Livingstone Street would enable more efficient use and development of land by removing boundary requirements on industrial land.</li> </ul>	
5. Industrial Zones section – Objectives and policies	Part 3 / Zones / Industrial Zones / INZ - Industrial Zones Objectives and Policies section	<p>The Submitter generally supports the objectives and policies in the Industrial Zones section.</p> <p>The Submitter, however, seeks the following <b>amendments</b> to the policies to ensure efficient use and development of the industrial land resource, and to recognise and provide for existing industrial activities and their contribution to the economic and social wellbeing of the region.</p> <p><u>Inclusion of a new policy</u></p> <p>The Submitter <b>seeks a new policy</b> to provide for existing industrial activities in the region. Proposed wording for the new policy is provided below:</p> <p>When making planning decisions that relate to existing industrial activities in the INZ - Industrial Zones, decision-makers must have particular regard to the following matters:</p>	<p><b>The Submitter seeks the following:</b></p> <ul style="list-style-type: none"> <li>• <b>A new policy to provide for existing industrial activities</b></li> <li>• <b>Amendments to Policy INZ - P8</b></li> <li>• <b>Amendments to Policy INZ – P11</b></li> </ul> <p><b>Refer column to the left for details of new and amended policies</b></p>



		<p>a. The benefits of existing industrial activities, including their contribution to employment and the economy in the region;</p> <p>b. The continued use, intensification and expansion of existing industrial activities must not be unreasonably constrained; and</p> <p>c. Amenity values in existing industrial areas and their surrounds are informed by existing industrial development and use.</p> <p><u>Amend Policy INZ - P8</u></p> <p>The current wording of Policy INZ - P8 is considered overly prescriptive, and the use of “impose” creates an inflexible directive. When resource consent applications are assessed, there is a risk that performance standards will be unreasonably imposed without having regard to the existing context. In many cases, the performance standards of the industrial zones will not reflect the existing amenity values of the local area. For example, the General Industrial Zone includes a performance standard that requires buildings to have a minimum setback of 5 m from road boundaries. On the Westland Milk Products site, existing buildings adjoin the boundary of Livingstone Street in places, i.e., they are sited closer to the road boundary than 5 m. The siting of a replacement building in the same position as the existing building would not worsen amenity values the area as, all things being equal, the building mass and siting is maintained. Requiring a replacement building to be set back 5 m from Livingstone Street is therefore considered onerous. The prescriptive wording of Policy INZ - P8 creates a risk of performance standards, such as building setbacks, being inappropriately imposed without consideration of the existing context.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Policy INZ - P8 to avoid undue constraints on the efficient and effective operation of existing industrial activities (strikethrough for deletion, underline for insertion, and bold for emphasis):</p>	
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		<p>Impose performance standards on development and land use in the INZ - Industrial Zones <del>where necessary to that</del> protects the amenity values of the commercial, residential and rural areas surrounding the INZ - Industrial Zones.</p> <p><u>Amend Policy INZ - P11</u></p> <p>While the Submitter supports the requirement of Policy INZ – P11 to implement on-site management and stormwater treatment, the <b>following amendments are sought</b> to ensure any requirements are proportionate to the nature and scale of development (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p><del>Require the careful on-site management and treatment of stormwater from industrial buildings and sites in order to</del>  <b><u>S</u></b>afeguard the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments, <b><u>from the adverse effects of stormwater runoff by requiring the careful on-site management and treatment of stormwater from industrial buildings and sites, while giving regard to:</u></b></p> <p><b><u>(a) The nature and scale of development and the constraints of industrial activities; and</u></b></p> <p><b><u>(b) Any catchment-wide stormwater management measures.</u></b></p>	
6. General Industrial Zone rules	Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section	<p>Under Rule GIZ - R1, an infringement of Standards 1-8 will change the activity status of an application to discretionary.</p> <p>A discretionary activity status is considered an onerous requirement as it may increase the scope of a resource consent application to matters that are unrelated to the any proposed infringement. This may result in monetary and time costs for applicants and the Council that do not correspond with the nature and scale of the proposed activity.</p>	<p><b>The Submitter seeks amendments to Rule GIZ - R1 and Rule GIZ - R9.</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p>A restricted discretionary activity status is considered appropriate to ensure that resource consent applications are proportionate and relate to any infringement. The Submitter therefore <b>seeks the following amendments</b> to the wording under Rule GIZ - R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity status where compliance not achieved: <del>Discretionary where Standards 1-8 are not complied with.</del></p> <p>Restricted Discretionary where <del>S</del><u>standards 9 is are</u> not complied with.</p> <p>Rule GIZ - R9 provides for activities that hold a restricted discretionary activity status due to the infringement of a performance standard under Rule GIZ - R1. This rule will require amendments as a result of the above change to also provide for infringements of standards 1-8.</p> <p>Moreover, the Submitter <b>opposes</b> the inclusion of 'management of hazardous substances' as a matter of discretion under Rule GIZ - R9. As the rule applies to infringements of standards that do not relate to hazardous substances, the inclusion may result in the unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the District Plan. Any rule requiring assessment of hazardous substances should include specific qualifying thresholds, e.g., size of hazardous facility, specific risks.</p> <p>Based on the above, the Submitter <b>seeks the following amendments</b> to Rule GIZ - R9 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity Status Restricted Discretionary Where:</p> <p>1. The building <del>projects into the recession plane; and</del> <u>infringes</u></p>	
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		<p><b><u>any performance standard for Rule GIZ – R1.</u></b></p> <p><del>2. All other performance standards for Rule GIZ – R1 are complied with.</del></p> <p>Discretion is restricted to:</p> <p><del>a. Design and location of buildings;</del></p> <p><del>b. Design and location of parking and access;</del></p> <p><del>c. Management of hazardous substances in accordance with the objectives and policies of the Hazardous Substances chapter; and</del></p> <p><del>d. Landscape treatment.</del></p> <p>a. <b><u>Any policy which is relevant to the standard;</u></b></p> <p>b. <b><u>The effects of the infringement of the standard;</u></b></p> <p>c. <b><u>The effects of any special or unusual characteristic of the site which is relevant to the standard;</u></b></p> <p>d. <b><u>The characteristics of the development; and</u></b></p> <p>e. <b><u>Where more than one standard will be infringed, the effects of all infringements.</u></b></p>	
7. General Industrial Zone standards	Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section	<p><u>Front yard/road boundary setbacks</u></p> <p>Under 5.2.3.1 of the Westland District Plan, there are no front yard minimum setbacks that apply to buildings in the Industrial/Commercial Zone. The Proposed TTPP, however, includes a minimum building setback of 5 m from road boundaries under Standard 3(b) of Rule GIZ – R1.</p> <p>The 5 m setback requirement is considered an onerous requirement that does not enable the efficient and effective operation and development of industrial activities.</p>	<p><b>The Submitter seeks amendments to standards 3 and 7 of Rule GIZ - R1</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p>The Submitter therefore <b>seeks the following amendments</b> to Standard 3 of Rule GIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Buildings are setback a minimum:</p> <ul style="list-style-type: none"> <li>a. 10m from State Highways; <del>and</del></li> <li>b. <u>5m</u> from road boundaries; <del>and</del></li> <li>c. <u>5m from</u> any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone or SETZ - Settlement Zone boundary and the Rail Corridor;</li> </ul> <p><u>Road frontage landscaping</u></p> <p>The Proposed TTPP includes a road frontage landscaping requirement under Standard 7 of Rule GIZ – R1. The wording of the standard does not however exempt access points from the requirement.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 7 of Rule GIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>The area adjoining the road frontage of all sites (<u>excluding access points</u>), and the side boundary of a site that adjoins a RESZ - Residential, SETZ - Settlement, OSZ - Open Space or MUZ - Mixed Use Zone shall contain landscaping with a minimum width of 2 m, of a standard that does not restrict road visibility, or obstruct signage or accessways within the road corridor</p>	
8. Light Industrial Zone rules	Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section	<p>Under Rule LIZ - R1, an infringement of Standards 1-8 will change the activity status of an application to discretionary.</p> <p>A discretionary activity status is considered an onerous requirement as it</p>	<b>The Submitter seeks amendments to Rule LIZ - R1 and Rule LIZ – R9.</b>

		<p>may increase the scope of a resource consent application to matters that are unrelated to the any proposed infringement. This may result in monetary and time costs for applicants and the Council that do not correspond with the nature and scale of the proposed activity.</p> <p>A restricted discretionary activity status is considered appropriate to ensure that resource consent applications are proportionate and relate to any infringement. The Submitter therefore <b>seeks the following amendments</b> to the wording under Rule LIZ - R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity status where compliance not achieved: <del>Discretionary where Standards 1-8 are not complied with.</del></p> <p>Restricted Discretionary where <del>S</del><u>standards</u> <del>9 is are</del> not complied with.</p> <p>The above change will require the following amendments to the wording under LIZ - R9 to ensure consistency (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> <li>1. The building <del>projects into the recession plane; and</del> <u>infringes any performance standard for Rule LIZ – R1.</u></li> <li>2. <del>All other performance standards for Rule LIZ - R1 are complied with.</del></li> </ol> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. <del>Design and location of buildings;</del></li> <li>b. <del>Design and location of parking and access; and</del></li> <li>c. <del>Landscape treatment.</del></li> </ol>	<p><b>Refer column to the left for details of amendments</b></p>
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		<p>a. <u>Any policy which is relevant to the standard;</u></p> <p>b. <u>The effects of the infringement of the standard;</u></p> <p>c. <u>The effects of any special or unusual characteristic of the site which is relevant to the standard;</u></p> <p>d. <u>The characteristics of the development; and</u></p> <p>e. <u>Where more than one standard will be infringed, the effects of all infringements.</u></p>	
9. Light Industrial Zone standards	Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section	<p><u>Front yard/road boundary setbacks</u></p> <p>Under 5.2.3.1 of the Westland District Plan, there are no front yard minimum setbacks that apply to buildings in the Industrial/Commercial Zone. The Proposed TTPP, however, includes a minimum building setback of 5 m from road boundaries under Standard 3(b) of Rule LIZ – R1.</p> <p>The 5 m setback requirement is considered an onerous requirement that does not enable the efficient and effective operation and development of industrial activities.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 3 of Rule LIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Buildings are setback a minimum:</p> <p>d. 10m from State Highways; <del>and</del></p> <p>e. <b><u>5m2m</u></b> from road boundaries; <del>;</del> <b><u>and</u></b></p> <p>f. <b><u>5m from</u></b> any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone or SETZ - Settlement Zone boundary and the Rail Corridor;</p>	<p><b>The Submitter seeks amendments to standards 3 and 7 of Rule GIZ - R1</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p><u>Road frontage landscaping</u></p> <p>The Proposed TTPP includes a road frontage landscaping requirement under Standard 7 of Rule LIZ – R1. The wording of the standard does not however exempt access points from this requirement.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 7 of Rule LIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>The area adjoining the road frontage of all sites <b><u>(excluding access points)</u></b>, and the side boundary of a site that adjoins a RESZ - Residential, SETZ - Settlement, OSZ - Open Space or MUZ - Mixed Use Zone shall contain landscaping as follows... <i>[rest of standard wording not included]</i></p>	
<p>10. Electricity Distribution Lines and the National Grid Yard</p>	<p>Part 2 / EIT - Energy, Infrastructure, and Transport / ENG - Energy section</p>	<p>The property at 19/27 Town Belt East (Lot 3 DP 2695) is owned by the Submitter and, as shown on the Proposed TTPP Planning Maps, are subject to the Electricity Transmission Distribution Yard and Significant Electricity Distribution Line layers (refer image below).</p>	<p><b>The Submitter seeks amendments to Rule ENG - R6 and Rule ENG - R7</b></p> <p><b>Refer column to the left for details of amendments</b></p>



The ENG - Energy section contains rules ENG - R6 and ENG - R7 which control activities located in and around the two layers. Any new industrial buildings within the layers would be a non-complying activity under these rules. The rules are considered overly restrictive and do not provide for activities that are compatible with electricity distribution activities.

To provide for activities compatible with the electricity distribution activities, the Submitter **seeks the following amendments** to rules ENG - R6 and ENG - R7 (strikethrough for deletion, underline for insertion, and bold for emphasis).

Rule ENG - R6 controls activities in and around the Significant Electricity Distribution Lines. Clause (3) of the rule provides for other activities (non-energy) as permitted activities. The following **amendment is sought** to provide for a limited range of industrial buildings:

Activity Status Permitted

Where:

...

		<p>3. The following other activities are able to occur under the conductors where these are Permitted within the relevant zone and overlay:</p> <p>...</p> <p><b><u>v. Non-habitable industrial buildings;</u></b></p> <p>Rule ENG – R7 controls activities in the Electricity Transmission Distribution Yard. Clause (1) of the rule provides for activities as permitted activities. The <b>following amendment is sought</b> to provide for a limited range of industrial buildings:</p> <p>Activity Status Permitted Where:</p> <p>1. These are the following activities where they are also Permitted within the relevant zone and overlay:</p> <p>...</p> <p>iv. Non - habitable <b><u>industrial,</u></b> farm or horticultural buildings or structures excluding commercial greenhouses, protective canopies, wintering barns, produce packing facilities, dairy and milking sheds;</p>	
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*Nourishment made beautifully*

**Submission  
on  
PROPOSED TE TAI O POUTINI PLAN**

**26<sup>th</sup> August 2022**

## **1. EXECUTIVE SUMMARY**

- 1.1 Westland Milk Products appreciates the consultation regarding the Proposed TE TAI O POUTINI PLAN (TTPP). Westland Milk Products acknowledges and supports the proposed concept of the new plan and is specifically supportive of the proposal to rezone some areas within Hokitika. Westland Milk Products is an important stakeholder within the Hokitika community and play a vital role in the advancement of the Hokitika economy. The new owners Yili have indicated that they are keen to look at opportunities to develop further infrastructure for the benefit of the industry and the community as a whole.
- 1.2 This submission therefore focusses on supporting changes to the plan allowing for rezoning of areas for industrial expansion. Westland Milk Products also seeks amendments to the Proposed TTPP to help support efficient use and development of industrial land while achieving sustainable management.

## **2. INTRODUCTION**

- 2.1 Westland Milk Products would welcome further opportunities to work with Local Government to progress rezoning proposals.
- 2.2 There is a genuine interest from Yili to inject significant investment into the Hokitika site benefitting the Hokitika community. This ambition to expand has been demonstrated with the significant investment that has already been implemented between 2020 and 2022
- 2.3 There is positivity among Westland Milk Products, its stakeholder base, and the dairy industry as a whole. Demand will remain strong for basic food products and is increasing globally.
- 2.4 To achieve continuous improvement and positive expansion, Westland Milk Products need the support of local government to pave the way for positive sustainable meaningful expansion. This support can come in the form of a plan that recognises the benefit of allowing industrial activity to expand.

## **3. SUBMISSION OVERVIEW**

- 3.1 This submission is made by Westland Milk Products (the Submitter) on the:  
*Proposed Te Tai o Poutini Plan (TTPP)*
- 3.2 The specific parts of the Plan to which this submission relates to are:

- The zoning on the planning maps of the Proposed TTPP;
  - Part 2 / EIT - Energy, Infrastructure, and Transport / ENG - Energy section.
  - Part 3 / Zones / Industrial Zones / INZ - Industrial Zones Objectives and Policies section;
  - Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section; and
  - Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section.
- 3.3 In terms of zoning, this submission relates to properties owned by the Submitter and adjacent properties that are owned by other parties. The properties owned by the Submitter are identified under paragraph 3.5 and the properties owned by other parties are identified under paragraph 3.7.

**Properties owned by the submitter**

- 3.4 The Submitter is the landowner of properties as summarised in the Map 1 below.



**Map 1: Westland Properties**

- 3.5 The properties owned by the Submitter are described as follows:
- **“Westland Milk Products Manufacturing Plant”** (refer Map 2 on Page 4):
    - LOT 4 DP 1775 (56 Livingstone Street)
    - LOTS 1 & 4 DP 2295
    - LOTS 1-2 DP 2461 (253 Stafford Street)
    - SEC 1 SO 323271
    - LOTS 1-4 DP 3914
    - RESERVE 447 (30 Livingstone Street)
    - SEC 1 SO 435573
    - SEC 4111 TOWN OF HOKITIKA

- The "**properties east of Town Belt East**":
    - Lot 3 DP 2695 (19 and 27 Town Belt East) (Map 3)
    - Lot 2 DP 2695 (Map 4)
    - Lot 4 DP 1051 (8 Kaniere Road) (Map 5)
    - Lot 2 DP 1051 (4 Kaniere Road) (Map 6)
    - Lot 1 DP 1051 (2 Kaniere Road) (Map 7)
    - Lot 1 DP 1146 (15 Town Belt East) (Map 8)
  - Lot 2 DP 377892 (242 Stafford Street | 70 Livingstone Street) (Map 9)
  - Sec 1054 TOWN OF HOKITIKA (59 Livingstone Street) (Map 10)
  - Lot 1 DP 1163 (43 Livingstone Street) (Map 11)
  - Sec 1056 TOWN OF HOKITIKA (51 Livingstone Street) (Map 12)
  - Lot 2 DP 1163 (41 Livingstone Street) (Map 13)
  - Lot 2 DP 1322 (15 Livingstone Street) (Map 14)
- 3.6 Under the operative Westland District Plan, the above properties are subject to the following zoning:
- Westland Milk Products Manufacturing Plant properties (Map 2) – Industrial/Commercial Zone
  - The properties east of Town Belt East (Maps 3-8) – Small Settlement Zone
  - The remaining properties (Maps 9-14) – Residential Mixed Zone

**Properties not owned by the Submitter**

- 3.7 The Submitter also has an interest in the proposed zoning of the following properties which are adjacent to the above properties:
- 6, 10, 18, 26 & 38 Kaniere Road (Lot 3 DP 1051, Lot 1 DP 2695, Lot 1 DP 2127, Part Lot 2 DP 2127, and Lot 1 DP 2720) (Map 15)
  - 266 and 270 Stafford Street (Lot 1 DP 377892 and Section 4125 TN OF Hokitika) (Map 16)
  - 66 Livingstone Street (Lot 2 DP 1431) and Lot 1 DP 1431 (Map 17)
- 3.8 Under the operative Westland District Plan, the properties in paragraph 3.7 are subject to the following zoning:
- 6, 10, 18, 26 & 38 Kaniere Road properties (Map 15) – Small Settlement Zone
  - 266 and 270 Stafford Street (Map 16) – Residential Mixed Zone
  - 66 Livingstone Street (Lot 2 DP 1431) and Lot 1 DP 1431 (Map 17) – Residential Mixed Zone
- 3.9 The next pages (pages 4-7) contain the aerials that identify the properties described above.





**Map 2: Westland Milk Products Manufacturing Plant**



**Map 3: Lot 3 DP 2695 (19 and 27 Town Belt East)**



**Map 4: Lot 2 DP 2695**



**Map 5: Lot 4 DP 1051 (8 Kanieri Road)**





**Map 6: Lot 2 DP 1051 (4 Kaniere Road)**



**Map 7: Lot 1 DP 1051 (2 Kaniere Road)**



**Map 8: Lot 1 DP 1146 (15 Town Belt East)**



**Map 9: Lot 2 DP 377892 (242 Stafford Street | 70 Livingstone Street)**





**Map 10: SEC 1054 TOWN OF HOKITIKA (59 Livingstone Street)**



**Map 11: Lot 1 DP 1163 (43 Livingstone Street)**



**Map 12: SEC 1056 TOWN OF HOKITIKA (51 Livingstone Street)**



**Map 13: LOT 2 DP 1163 (41 Livingstone Street)**



**Map 14: LOT 2 DP 1322 (15 Livingstone Street)**



**Map 15: Lot 3 DP 1051, Lot 1 DP 2695, Lot 1 DP 2127, Part Lot 2 DP 2127, and Lot 1 DP 2720 (6, 10, 18, 26 & 38 Kanieri Road)**



**Map 16: Lot 1 DP 377892 and Section 4125 TN OF Hokitika (266 and 270 Stafford Street)**



**Map 17: Lots 1 and 2 DP 1431 (66 Livingstone Street)**



## **4. SUMMARY OF DECISIONS SOUGHT**

- 4.1 The decisions sought on the Proposed TTPP by the Submitter, alongside their rationale, are detailed in Appendix A. A summary of the decisions sought is provided below.
- 4.2 The Submitter is supportive of the proposed General Industrial, Light Industrial and General Residential zoning of the properties they own (refer Maps 2-14). The Submitter also supports the proposed General Industrial zoning of the adjacent properties along Stafford Street (Map 16) and Kaniere Road (Map 15).
- 4.3 The Submitter opposes the proposed General Residential zoning of the properties at 66 Livingstone Street and Lot 1 DP 1431 (Map 17). The two properties are used for a mix residential and commercial activities, the adjoining land is a large block of Light Industrial Zone, and there is no evident reason to support the “spot residential zoning” of the two properties. Livingstone Street is proposed as clearly defensible boundary between the General Residential and Light Industrial zones.
- 4.4 New and amended policies in the Industrial Zones section are sought by Submitter to achieve the following:
  - Under a new policy, provide for existing industrial activities in the region and their continued use, intensification and expansion, and recognise their economic and social benefits.
  - Amend Policy INZ - P8 so that the industrial zones performance standards are not strictly imposed on development where the existing site context or amenity allows for a more flexible approach, e.g., where existing buildings sit closer to the road boundary the required 5 m minimum setback.
  - Amend Policy INZ - P11 to ensure a proportionate approach to stormwater management.
- 4.5 Amendments to the rules and standards of the General Industrial and Light Industrial Zones are sought, including:
  - Changing the activity status for any infringement of a zone standard to restricted discretionary, and subsequent amendments to Rule GIZ - R9 / LIZ - R9 to include suitable matters of discretion for assessment of infringements.
  - Deletion of the matter of discretion under Rule GIZ - R9 that requires a hazardous substances assessment when a performance standard, unrelated to hazardous substances, is infringed.
  - Reducing the required setbacks for buildings from road boundaries from 5 m to 2 m.
  - Excluding access points from road frontage landscaping requirements.
- 4.6 Amendments to the Energy section rules are sought to allow for non-habitable industrial buildings in the Electricity Transmission and Distribution Yard and in and around the Significant Electricity Distribution Lines. While electricity distribution constraints (planning map layers) apply to Submitter’s property at 19/27 Town Belt East, non-habitable industrial buildings are considered compatible with the electricity distribution activities.
- 4.7 Overall, the decisions sought by the Submitter will support the continued operation and development of the Westland Milk Products properties, and the surrounding industrial land, and their contribution to the economic and social wellbeing of the West Coast region. The industrial zoning of these properties will help alleviate the shortage of industrial land in the Westland district. Moreover, the decisions sought

will enable efficient use and development of industrial land, while ensuring appropriate controls are in place to manage amenity values and to avoid activities that compromise the National Grid Yard.

## **5. PROCEDURAL MATTERS**

- 5.1 Westland Milk Products wishes to be heard in support of its submission.
- 5.2 If others make a similar submission, Westland Milk Products will consider presenting a joint case with them at the hearing.
- 5.3 Westland Milk Products does not seek to gain advantage in trade competition through this submission.
- 5.4 Westland Milk Products appreciates the opportunity to make submissions on the regarding the Proposed TE TAI O POUTINI PLAN.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Richard Wyeth', with a small horizontal line at the end.

**Richard Wyeth**  
**Chief Executive**  
**Westland Milk Products**

## APPENDIX A: SUBMISSION OF WESTLAND MILK PRODUCTS

Item	Specific provision	Submitter's view (support/oppose/amend) and rationale	Decision sought
1. Industrial zoning of properties owned by the Submitter	<p><u>Planning Maps</u> Proposed General Industrial zoning of the properties below:</p> <ul style="list-style-type: none"> <li>• Westland Milk Products Manufacturing plant (Refer Map 2 on Page 4 of Submission Letter)</li> <li>• LOTS 2 &amp; 3 DP 2695, LOTS 1, 2 &amp; 4 DP 1051, and LOT 1 DP 1146 (Maps 3-8)</li> </ul> <p>Proposed Light Industrial zoning of the properties below:</p> <ul style="list-style-type: none"> <li>• Lot 2 DP 377892 (Map 9)</li> </ul>	<p>The Submitter <b>supports</b> the General Industrial and Light Industrial zoning of these properties.</p> <p>The proposed zoning is considered to achieve sustainable management in accordance with Part 2 of the RMA based on the following reasons:</p> <ul style="list-style-type: none"> <li>• The zoning represents the most efficient use and development of natural and physical resources, i.e., the land comprising the subject properties.</li> <li>• The enabling of industrial uses on these properties will support existing and new development and employment opportunities which contribute to economic and social wellbeing of the region.</li> <li>• The proposed zoning will help alleviate the shortage of industrial zoned land in the Westland district and reduce the pressure for “out of zone” industrial activity to establish.</li> <li>• The industrial zoning aligns with the existing industrial activities carried out at the subject and adjacent properties. The generous size and shape of the properties allow space for larger industrial buildings and vehicle manoeuvring, and its location is suitably near a key transport route.</li> </ul>	<b>No changes sought</b>
2. Residential zoning of properties owned by the Submitter	<p><u>Planning Maps</u> Proposed General Residential zoning of the properties at 15, 41, 43, 51 &amp; 59 Livingstone Street (Maps 10-14)</p>	<p>The Submitter <b>supports</b> the General Residential zoning of these properties. The zoning aligns with the existing residential area of Hokitika.</p>	<b>No changes sought</b>



<p>3. Industrial zoning of adjacent properties adjacent along Stafford Street &amp; Kaniere Road (not owned by the Submitter)</p>	<p><u>Planning Maps</u> Proposed General Industrial zoning of the properties at 6, 10, 18, 26 &amp; 38 Kaniere Road (Map 15).  Proposed Light Industrial zoning of the properties at 266 and 270 Stafford Street (Map 16).</p>	<p>The Submitter <b>supports</b> the General Industrial zoning of 6, 10, 18, 26 &amp; 38 Kaniere Road and the Light Industrial zoning of 266 and 270 Stafford Street.</p> <p>The proposed zoning is considered to achieve sustainable management in accordance with Part 2 of the RMA based on the following reasons:</p> <ul style="list-style-type: none"> <li>• The zoning represents the most efficient use and development of the natural and physical resource of the subject properties.</li> <li>• Provision for industrial uses on these properties will enable existing and new development and employment opportunities which contribute to economic and social wellbeing of the district.</li> <li>• The enabling of industrial uses on these properties will support existing and new development and employment opportunities which contribute to economic and social wellbeing of the region.</li> <li>• The industrial zoning aligns with the existing industrial activities carried out at the properties. The generous size and shape of the properties allow space for larger industrial buildings and vehicle manoeuvring, and its location is suitably near a key transport route.</li> <li>• Expansion of industrial activities in this area provides opportunities for urban agglomeration benefits.</li> </ul>	<p><b>No changes sought</b></p>
<p>4. Residential zoning of adjacent properties adjacent on Stafford Street (not owned by the Submitter)</p>	<p><u>Planning Maps</u> Proposed General Residential zoning of the properties at 66 Livingstone Street and Lot 1 DP 1431 (Map 17)</p>	<p>The Submitter <b>opposes</b> the General Residential zoning of these properties.</p> <p>The zoning is opposed for the following reasons:</p> <ul style="list-style-type: none"> <li>• The properties subject to General Residential zoning form part of a larger block of Light Industrial zoned land bound by Stafford Street, Town Belt East, Hampden Street and Livingstone Street. The “spot zoning” of these properties does not follow best practice, which is for zone boundaries to be clearly defensible, e.g., follow roads where</li> </ul>	<p><b>The zoning of the subject properties is changed from the General Residential Zone to the Light Industrial Zone</b></p>

		<p>possible.</p> <ul style="list-style-type: none"> <li>• The two properties contain an ‘On the Spot’ store and a single dwelling. The small number of properties and mix of residential and non-residential activities are not considered sufficient reason for separate residential zoning.</li> <li>• The rezoning of these properties to Light Industrial Zone and using Livingstone Street to form a clearly defensible zone boundary is considered appropriate.</li> <li>• The location of the General Residential Zone adjoining the Light Industrial Zone would impose boundary requirements, e.g., yard setbacks, landscaping, that would restrict future development on adjacent industrial sites, e.g., 70 Livingstone Street. Moving the Light Industrial Zone boundary to Livingstone Street would enable more efficient use and development of land by removing boundary requirements on industrial land.</li> </ul>	
5. Industrial Zones section – Objectives and policies	Part 3 / Zones / Industrial Zones / INZ - Industrial Zones Objectives and Policies section	<p>The Submitter generally supports the objectives and policies in the Industrial Zones section.</p> <p>The Submitter, however, seeks the following <b>amendments</b> to the policies to ensure efficient use and development of the industrial land resource, and to recognise and provide for existing industrial activities and their contribution to the economic and social wellbeing of the region.</p> <p><u>Inclusion of a new policy</u></p> <p>The Submitter <b>seeks a new policy</b> to provide for existing industrial activities in the region. Proposed wording for the new policy is provided below:</p> <p>When making planning decisions that relate to existing industrial activities in the INZ - Industrial Zones, decision-makers must have particular regard to the following matters:</p>	<p><b>The Submitter seeks the following:</b></p> <ul style="list-style-type: none"> <li>• <b>A new policy to provide for existing industrial activities</b></li> <li>• <b>Amendments to Policy INZ - P8</b></li> <li>• <b>Amendments to Policy INZ – P11</b></li> </ul> <p><b>Refer column to the left for details of new and amended policies</b></p>

		<p>a. The benefits of existing industrial activities, including their contribution to employment and the economy in the region;</p> <p>b. The continued use, intensification and expansion of existing industrial activities must not be unreasonably constrained; and</p> <p>c. Amenity values in existing industrial areas and their surrounds are informed by existing industrial development and use.</p> <p><u>Amend Policy INZ - P8</u></p> <p>The current wording of Policy INZ - P8 is considered overly prescriptive, and the use of “impose” creates an inflexible directive. When resource consent applications are assessed, there is a risk that performance standards will be unreasonably imposed without having regard to the existing context. In many cases, the performance standards of the industrial zones will not reflect the existing amenity values of the local area. For example, the General Industrial Zone includes a performance standard that requires buildings to have a minimum setback of 5 m from road boundaries. On the Westland Milk Products site, existing buildings adjoin the boundary of Livingstone Street in places, i.e., they are sited closer to the road boundary than 5 m. The siting of a replacement building in the same position as the existing building would not worsen amenity values the area as, all things being equal, the building mass and siting is maintained. Requiring a replacement building to be set back 5 m from Livingstone Street is therefore considered onerous. The prescriptive wording of Policy INZ - P8 creates a risk of performance standards, such as building setbacks, being inappropriately imposed without consideration of the existing context.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Policy INZ - P8 to avoid undue constraints on the efficient and effective operation of existing industrial activities (strikethrough for deletion, underline for insertion, and bold for emphasis):</p>	
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		<p>Impose performance standards on development and land use in the INZ - Industrial Zones <del>where necessary to that</del> protects the amenity values of the commercial, residential and rural areas surrounding the INZ - Industrial Zones.</p> <p><u>Amend Policy INZ - P11</u></p> <p>While the Submitter supports the requirement of Policy INZ – P11 to implement on-site management and stormwater treatment, the <b>following amendments are sought</b> to ensure any requirements are proportionate to the nature and scale of development (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p><del>Require the careful on-site management and treatment of stormwater from industrial buildings and sites in order to</del>  <b><u>S</u></b>afeguard the health and wellbeing of waterbodies, freshwater ecosystems and receiving environments, <b><u>from the adverse effects of stormwater runoff by requiring the careful on-site management and treatment of stormwater from industrial buildings and sites, while giving regard to:</u></b></p> <p><b><u>(a) The nature and scale of development and the constraints of industrial activities; and</u></b></p> <p><b><u>(b) Any catchment-wide stormwater management measures.</u></b></p>	
6. General Industrial Zone rules	Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section	<p>Under Rule GIZ - R1, an infringement of Standards 1-8 will change the activity status of an application to discretionary.</p> <p>A discretionary activity status is considered an onerous requirement as it may increase the scope of a resource consent application to matters that are unrelated to the any proposed infringement. This may result in monetary and time costs for applicants and the Council that do not correspond with the nature and scale of the proposed activity.</p>	<p><b>The Submitter seeks amendments to Rule GIZ - R1 and Rule GIZ - R9.</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p>A restricted discretionary activity status is considered appropriate to ensure that resource consent applications are proportionate and relate to any infringement. The Submitter therefore <b>seeks the following amendments</b> to the wording under Rule GIZ - R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity status where compliance not achieved: <del>Discretionary where Standards 1-8 are not complied with.</del></p> <p>Restricted Discretionary where <del>S</del><u>standards 9 is are</u> not complied with.</p> <p>Rule GIZ - R9 provides for activities that hold a restricted discretionary activity status due to the infringement of a performance standard under Rule GIZ - R1. This rule will require amendments as a result of the above change to also provide for infringements of standards 1-8.</p> <p>Moreover, the Submitter <b>opposes</b> the inclusion of 'management of hazardous substances' as a matter of discretion under Rule GIZ - R9. As the rule applies to infringements of standards that do not relate to hazardous substances, the inclusion may result in the unnecessary duplication of regulation between the Hazardous Substances and New Organisms Act 1996, the Health and Safety at Work Act 2015 and relevant regulations, and the District Plan. Any rule requiring assessment of hazardous substances should include specific qualifying thresholds, e.g., size of hazardous facility, specific risks.</p> <p>Based on the above, the Submitter <b>seeks the following amendments</b> to Rule GIZ - R9 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> <li>1. The building <del>projects into the recession plane; and</del> <u>infringes</u></li> </ol>	
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		<p><b><u>any performance standard for Rule GIZ – R1.</u></b></p> <p><del>2. All other performance standards for Rule GIZ – R1 are complied with.</del></p> <p>Discretion is restricted to:</p> <p><del>a. Design and location of buildings;</del></p> <p><del>b. Design and location of parking and access;</del></p> <p><del>c. Management of hazardous substances in accordance with the objectives and policies of the Hazardous Substances chapter; and</del></p> <p><del>d. Landscape treatment.</del></p> <p>a. <b><u>Any policy which is relevant to the standard;</u></b></p> <p>b. <b><u>The effects of the infringement of the standard;</u></b></p> <p>c. <b><u>The effects of any special or unusual characteristic of the site which is relevant to the standard;</u></b></p> <p>d. <b><u>The characteristics of the development; and</u></b></p> <p>e. <b><u>Where more than one standard will be infringed, the effects of all infringements.</u></b></p>	
7. General Industrial Zone standards	Part 3 / Zones / Industrial Zones / GIZ – General Industrial Zone section	<p><u>Front yard/road boundary setbacks</u></p> <p>Under 5.2.3.1 of the Westland District Plan, there are no front yard minimum setbacks that apply to buildings in the Industrial/Commercial Zone. The Proposed TTPP, however, includes a minimum building setback of 5 m from road boundaries under Standard 3(b) of Rule GIZ – R1.</p> <p>The 5 m setback requirement is considered an onerous requirement that does not enable the efficient and effective operation and development of industrial activities.</p>	<p><b>The Submitter seeks amendments to standards 3 and 7 of Rule GIZ - R1</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p>The Submitter therefore <b>seeks the following amendments</b> to Standard 3 of Rule GIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Buildings are setback a minimum:</p> <ul style="list-style-type: none"> <li>a. 10m from State Highways; <del>and</del></li> <li>b. <u>5m</u> from road boundaries; <del>and</del></li> <li>c. <u>5m from</u> any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone or SETZ - Settlement Zone boundary and the Rail Corridor;</li> </ul> <p><u>Road frontage landscaping</u></p> <p>The Proposed TTPP includes a road frontage landscaping requirement under Standard 7 of Rule GIZ – R1. The wording of the standard does not however exempt access points from the requirement.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 7 of Rule GIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>The area adjoining the road frontage of all sites (<b><u>excluding access points</u></b>), and the side boundary of a site that adjoins a RESZ - Residential, SETZ - Settlement, OSZ - Open Space or MUZ - Mixed Use Zone shall contain landscaping with a minimum width of 2 m, of a standard that does not restrict road visibility, or obstruct signage or accessways within the road corridor</p>	
8. Light Industrial Zone rules	Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section	<p>Under Rule LIZ - R1, an infringement of Standards 1-8 will change the activity status of an application to discretionary.</p> <p>A discretionary activity status is considered an onerous requirement as it</p>	<b>The Submitter seeks amendments to Rule LIZ - R1 and Rule LIZ – R9.</b>

		<p>may increase the scope of a resource consent application to matters that are unrelated to the any proposed infringement. This may result in monetary and time costs for applicants and the Council that do not correspond with the nature and scale of the proposed activity.</p> <p>A restricted discretionary activity status is considered appropriate to ensure that resource consent applications are proportionate and relate to any infringement. The Submitter therefore <b>seeks the following amendments</b> to the wording under Rule LIZ - R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity status where compliance not achieved: <del>Discretionary where Standards 1-8 are not complied with.</del></p> <p>Restricted Discretionary where <del>S</del><u>standards 9</u> <del>is are</del> not complied with.</p> <p>The above change will require the following amendments to the wording under LIZ - R9 to ensure consistency (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Activity Status Restricted Discretionary Where:</p> <ol style="list-style-type: none"> <li>1. The building <del>projects into the recession plane; and</del> <u>infringes any performance standard for Rule LIZ – R1.</u></li> <li>2. <del>All other performance standards for Rule LIZ - R1 are complied with.</del></li> </ol> <p>Discretion is restricted to:</p> <ol style="list-style-type: none"> <li>a. <del>Design and location of buildings;</del></li> <li>b. <del>Design and location of parking and access; and</del></li> <li>c. <del>Landscape treatment.</del></li> </ol>	<p><b>Refer column to the left for details of amendments</b></p>
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		<p>a. <u>Any policy which is relevant to the standard;</u></p> <p>b. <u>The effects of the infringement of the standard;</u></p> <p>c. <u>The effects of any special or unusual characteristic of the site which is relevant to the standard;</u></p> <p>d. <u>The characteristics of the development; and</u></p> <p>e. <u>Where more than one standard will be infringed, the effects of all infringements.</u></p>	
9. Light Industrial Zone standards	Part 3 / Zones / Industrial Zones / LIZ – Light Industrial Zone section	<p><u>Front yard/road boundary setbacks</u></p> <p>Under 5.2.3.1 of the Westland District Plan, there are no front yard minimum setbacks that apply to buildings in the Industrial/Commercial Zone. The Proposed TTPP, however, includes a minimum building setback of 5 m from road boundaries under Standard 3(b) of Rule LIZ – R1.</p> <p>The 5 m setback requirement is considered an onerous requirement that does not enable the efficient and effective operation and development of industrial activities.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 3 of Rule LIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p>Buildings are setback a minimum:</p> <p>d. 10m from State Highways; <del>and</del></p> <p>e. <b><u>5m2m</u></b> from road boundaries; <del>and</del></p> <p>f. <b><u>5m from</u></b> any RESZ - Residential Zone, OSRZ - Open Space and Recreation Zone or SETZ - Settlement Zone boundary and the Rail Corridor;</p>	<p><b>The Submitter seeks amendments to standards 3 and 7 of Rule GIZ - R1</b></p> <p><b>Refer column to the left for details of amendments</b></p>

		<p><u>Road frontage landscaping</u></p> <p>The Proposed TTPP includes a road frontage landscaping requirement under Standard 7 of Rule LIZ – R1. The wording of the standard does not however exempt access points from this requirement.</p> <p>The Submitter therefore <b>seeks the following amendments</b> to Standard 7 of Rule LIZ – R1 (strikethrough for deletion, underline for insertion, and bold for emphasis):</p> <p style="padding-left: 40px;">The area adjoining the road frontage of all sites <b><u>(excluding access points)</u></b>, and the side boundary of a site that adjoins a RESZ - Residential, SETZ - Settlement, OSZ - Open Space or MUZ - Mixed Use Zone shall contain landscaping as follows... <i>[rest of standard wording not included]</i></p>	
10. Electricity Distribution Lines and the National Grid Yard	Part 2 / EIT - Energy, Infrastructure, and Transport / ENG - Energy section	The property at 19/27 Town Belt East (Lot 3 DP 2695) is owned by the Submitter and, as shown on the Proposed TTPP Planning Maps, are subject to the Electricity Transmission Distribution Yard and Significant Electricity Distribution Line layers (refer image below).	<p><b>The Submitter seeks amendments to Rule ENG - R6 and Rule ENG - R7</b></p> <p><b>Refer column to the left for details of amendments</b></p>



The ENG - Energy section contains rules ENG - R6 and ENG - R7 which control activities located in and around the two layers. Any new industrial buildings within the layers would be a non-complying activity under these rules. The rules are considered overly restrictive and do not provide for activities that are compatible with electricity distribution activities.

To provide for activities compatible with the electricity distribution activities, the Submitter **seeks the following amendments** to rules ENG - R6 and ENG - R7 (strikethrough for deletion, underline for insertion, and bold for emphasis).

Rule ENG - R6 controls activities in and around the Significant Electricity Distribution Lines. Clause (3) of the rule provides for other activities (non-energy) as permitted activities. The following **amendment is sought** to provide for a limited range of industrial buildings:

Activity Status Permitted

Where:

...



		<p>3. The following other activities are able to occur under the conductors where these are Permitted within the relevant zone and overlay:</p> <p>...</p> <p><b><u>v. Non-habitable industrial buildings;</u></b></p> <p>Rule ENG – R7 controls activities in the Electricity Transmission Distribution Yard. Clause (1) of the rule provides for activities as permitted activities. The <b>following amendment is sought</b> to provide for a limited range of industrial buildings:</p> <p>Activity Status Permitted Where:</p> <p>1. These are the following activities where they are also Permitted within the relevant zone and overlay:</p> <p>...</p> <p>iv. Non - habitable <b><u>industrial,</u></b> farm or horticultural buildings or structures excluding commercial greenhouses, protective canopies, wintering barns, produce packing facilities, dairy and milking sheds;</p>	
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