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SUBMISSION

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To: Hastings District Council
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HASTINGS

Submission on: Proposed Variation 2 to the Hastings District Plan
Irongate Industrial

Date: 12 August 2016

Submission by: Federated Farmers of New Zealand

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HAWKE'S BAY PROVINCIAL PRESIDENT

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Federated Farmers appreciates this opportunity to submit on Variation 2 to the Hastings District Plan regarding the Irongate Industrial rezoning.

We acknowledge and support any submissions made by individual members of Federated Farmers.

GENERAL COMMENTS

Federated Farmers generally supports the intent of the Proposal which, it is understood, is to ensure that there is adequate land available for industrial activities in the district. This is to be achieved by way of providing a larger industrial zone and a more affordable stormwater disposal system.

Relief Sought:

1. Federated Farmers is in general support for expanding industrial zoning in order to concentrate industrial landuses.

REVERSE SENSITIVITY.

Nevertheless, Federated Farmers is concerned to see that the interface between the land to be rezoned and the Plains Production Zone is properly managed. The Federation wishes to ensure that rural production activities in the area surrounding the area directly affected by the Proposal are not adversely affected by the Proposal. In particular, the Federation is concerned to see that reverse sensitivity issues are fully addressed.

It is considered that any new development associated with the Proposal should include adequate internal buffer zones so as to allow future activities that might take place on surrounding farmland, to take place, such as normal rural development, the development of residential accommodation that is normally associated with rural activities, and the development of home stays, farm stay accommodation, home occupations, etc. Federated Farmers would be extremely concerned should any externalisation of the effects of the rezoning in the Proposal take place, with the cost of the effects of the rezoning being borne by adjacent land owners rather than the owner of the land that is undergoing the rezoning and redevelopment.

Thus Federated Farmers is concerned to see that issues of reverse sensitivity are fully and properly addressed. It is considered that more attention should be paid to issues of "reverse sensitivity" in the Proposal, particularly in that the rezoned land will be adjacent to rurally zoned land. One way in which this can be achieved is by way of adequate buffer zones and suitable resource consent conditions.

By way of example, urban type development in rural areas can lead to people who are unfamiliar with some of the realities of rural living, such as noise, smells, dust, moving to locations near to those rural areas. The Federation recommends that Council consider the inclusion in relevant resource consents of a clause such as that suggested in *Christchurch International Airport v Christchurch City Council*,² which provides for a "no complaints" procedure.

Relief Sought:

2. Federated Farmers submits that reverse sensitivity on farming arising from the new industrial zone is adequately managed.
3. Federated Farmers submits that Industrial land uses buffer their affects on rural landuses, and no-complaints covenants are considered.

IMPACT ON RATES

Farmers how are being rezoned from Plains Production to Industrial may face the issue of property values rocketing and subsequently large increases in rates, despite there being no immediate change in land use or capital investment.

Federated Farmers recommends a remission policy for land used for primary production and rural purposes in Industrial Zones.

We consider that a remission policy will address an important principle: that rates should reflect the actual economic use of a property rather than its speculative value. Otherwise rates are a tax on unrealised capital gains, where the land use as a farm is not taken into account and the property owner is rated as if they were a developer.

Such a remission policy will provide equity between ratepayers with comparable properties. It is unfair for farms to be rated differently when their land value or capital value is directly attributable to being rezoned from Rural or Plains Production to Industrial. The land use itself has not changed, but the Council has changed the zoning which has resulted in inequitable rates. A farm property on one side of the road zoned as residential should be valued the same as a farm of the same size on the other side of the road zoned as rural.

Remission policies are necessary since Section 22 of the Rating Valuations Act 1998 was repealed. Many councils have a similar remission policy, including Horowhenua District Council, Northland Regional Council, the Kapiti Coast District Council and Thames-Coromandel District Council. The Northland region faces problems around farm properties being valued for subdivision potential due to desirable coastal or scenic locations rather than for its use as farmland. Thames-Coromandel and Kapiti Coast both face an issue of farms being rezoned and falling into urban zoning.

There will be a lag time between rezoning to Industrial, and Industrial businesses eventually occupying that land. In the interim, a remission policy allows a property to be continued to be farmed without being penalised for its unrealised subdivision value.

A remission policy can apply to all rezoned land, the Irongate rezoning and the Omahu Road rezoning.

I attach the Horowhenua remission policy as an example. Federated Farmers had Horowhenua members who had been rezoned as Residential and their properties revalued in 2014 based on subdivision potential. Their rates increase that year was inequitable and untenable for their farm businesses, and they were not ready to leave the land they had farmed for years and their homes yet.

Relief Sought:

4. Federated Farmers submits that a rates remission policy is introduced to reduce the unfair impact of rezoning on existing primary production properties.

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.

The Federation aims to add value to its members' farming businesses. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:

- Our members may operate their business in a fair and flexible commercial environment;
- Our members' families and their staff have access to services essential to the needs of the rural community; and
- Our members adopt responsible management and environmental practices.

This submission is representative of member views and reflect the fact that resource management and government decisions impact on our member's daily lives as farmers and members of local communities.

Federated Farmers thanks the Hastings District Council for considering our submission to Variation 2 Irongate Industrial.



Horowhenua District Council's Rates Remissions Policy

Introduction

This policy is adopted pursuant to s.85 of the Local Government (Rating) Act 2002 and section 109 of the Local Government Act 2002.

The general objectives sought to be achieved by this policy are:

- (1) The vision and goals of the Community Outcomes, particularly those supporting community development, voluntary initiatives and the protection of the natural environment, and
- (2) Equity and efficiency in the administration of the rating system.

Applications meeting the conditions and criteria laid out in the policy will be considered, each on its merits, and the outcome is a matter for Council's discretion.

The policy provides for the following classes of rate remissions:

Part 1 Community groups

Part 2 Voluntarily protected land

Part 3 Penalties on rates

Part 4 Excessive water charges

Part 5 Remnant land

Part 6 Rating units in industrial and commercial areas used for residential purposes

Part 7 Land Used for Primary Industry and Rural Residential purposes in areas that have been rezoned as Residential and Business Zones

Part 8 Small rate balances

Part 9 Targeted rates on non-rateable land

Part 10 Properties affected by disasters

Part 11 Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property

Part 12 On Bare Land

Part 13 Council Owned Utilities

Part 14 Contiguous rating units not in common ownership.

Part 1: Remission of Rates on Community Groups

(a) Objective

To facilitate the ongoing provision of non-governmental, not-for-profit community support services to the residents of the District.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must:

- be owned and occupied by a community support organisation;
- used primarily for the provision of community support services to the general public; and
- (except as provided in the next paragraph) not receiving any other form of rating relief.

Rating units that are 50% non-rateable under Part 2 of Schedule 1 of the Act, except for that area where a liquor license is in force, shall have 100% remission of rates other than water and sewer rates over that part of the land. Where a owner has a liquor license they are ineligible for a remission.

Other matters taken into account in determining whether a rating unit qualifies for remission will include:

- the level of rates assessed on the rating unit;
- the extent to which the primary purpose of the ratepayer is to provide services to disadvantaged groups (including children, youth, young families, aged people and economically-disadvantaged people);
- the impact of the ratepayer's activities on the social, cultural, economic or environmental well-being of the District;
- the number of members and/or clients;
- history of service to the residents of the District; and
- the rating status of similar groups.

Applications must be in writing, supported by:

- statement of objectives;
- description of governance structure;
- financial accounts;
- information on activities and programmes; and
- information on membership or clients.

Applications must be received prior to the commencement of the rating year.

Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be 100% of all general and targeted rates generally applied across the District except water and waste water. The ratepayer will be informed of the outcome of the application in writing.

Part 2: Remission of Rates on Voluntarily Protected Land

(a) Objective

To encourage and promote the conservation and protection of significant natural features.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit or part thereof must:

- be the subject of a QEII Open Space or similar DOC covenant (in which case 100% remission of all rates will apply), or the likes of a DOC Management Agreement under the Reserves Act or Conservation Act (in which case 50% remission of some or all rates may apply), and
- not be receiving any other form of rating relief.

Other matters taken into account in determining whether a rating unit qualifies for remission will include:

- the degree to which significant natural features worthy of conservation and protection are present on the land;
- the degree to which such significant natural features inhibit the economic utilisation of the land;
- the extent to which the conservation and protection of such significant natural features would be promoted by the remission of rates; and
- the ability or potential of the public to enjoy the significant natural features.

Applications must be in writing, supported by documentary evidence of the protected status.

Applications must be received prior to the commencement of the rating year.

Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500 Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits and if approved the value of the remission will be 100% if General and Targeted rates generally applied across the District except Water and Wastewater (QEII covenants only) and 50% of General and Targeted rates generally applied across the District except Water and Wastewater on others.

The Council will arrange a two-way apportionment of the rating value of the rating unit between the area covered by the application and the balance for this purpose. The ratepayer will be informed of the outcome of the application in writing.

Part 3: Remission of Penalties on Rates

(a) Objective

The objective of the Remission of Penalties is to enable the Council to act fairly and reasonably in its consideration of rates which have not been received by the Council by the penalty date, primarily due to circumstances outside the ratepayer's control.

(b) Conditions and Criteria

Remission of penalties on late payment of rates may be made when it is considered just and equitable to do so. In determining justice and equity, one or more of the following criteria shall be applied.

- a) Where there exists a history of regular, punctual payment over the last five years (or back to purchase date if the rating unit has been owned for less than five years) and payment is made within a 10 days following the ratepayer being made aware of the non-payment, a one-off reduction of instalment penalties may be made.
- b) Where an agreed payment plan is in place, penalties may be suppressed or reduced, where the ratepayer complies with the terms of the agreed payment plan which include payment by direct debit. In the event that the agreement is not maintained, Council reserves the right to levy future penalties.
- c) Where the rates instalment was issued in the name of a previous property owner. The rating unit has a new owner who has been given insufficient notice of invoice due date.
- d) Where a ratepayer has been ill or in hospital or suffered a family bereavement or tragedy of some type and has been unable to attend to payment, on compassionate grounds.
- e) Where an error has been made on the part of the Council staff or arising through error in the general processing or incorrect rates being applied which has subsequently resulted in a penalty charge being imposed.

(c) Process

- a) A ratepayer may request in writing that the penalty applied for late payment be remitted.

- b) Each application will be considered on its merits, and if approved, the value of the remission may be all or part of any penalties incurred.
- c) Applications may also be at the initiative of the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department).
- d) Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Part 4: Remission of Excessive Water Charges

(a) Objective

To enable Council to act fairly, reasonably and consistently in its assisting ratepayers who have excessively high water rates due to a fault in the internal reticulation serving their rating unit.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must have incurred excessive water charges attributable to a fault in the internal reticulation serving the rating unit.

Applications must be made in writing, with verification that the fault has been rectified (e.g. a plumber's bill).

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500 Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Assessment of the excessive water charge will take into account:

- the charges for normal levels of water consumption; and
- the time taken to have the fault repaired.

Each application will be considered on its merits, and if approved the value of the remission will be half of the value of the excessive consumption.

The ratepayer will be informed of the outcome of the application in writing.

Part 5: Remission of Rates on Remnants of Land

(a) Objective

To enable Council to act fairly and equitably in the assessment of rates on what are determined for these purposes to be remnants of land.

(b) Conditions and Criteria

To qualify for remission under this part of the policy a rating unit must:

- comprise a piece of land that does not warrant the assessment or invoicing of rates
- not be the subject of any other form of rating relief.

Matters taken into account in determining whether a rating unit qualifies for remission, and a guide as to what may be expected to qualify as a remnant, will include:

Matter taken into account	Example for guidance
Area	Only a few square metres
Location	Remote, landlocked
History	Unintended remnant of subdivision
Ownership	Indeterminate
Rateable Value	Nominal
Potential Uses	Nil

Applications must be received prior to the commencement of the rating year. Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated.

Applications may be at the initiative of the Group Manager – Finance, Finance Manager, or Rates Officer or in writing from the ratepayer.

(c) Process

Applications will be considered and determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be the whole of the rates that would otherwise be assessed on the

rating unit. The ratepayer will be informed of the outcome of the application in writing.

Part 6: Remission of Rates on Rating Units in Industrial and Commercial Areas Used for Residential Purposes

(a) Objective

To ensure that owners of rating units situated in commercial or industrial areas used for residential purposes are not duly penalised by the zoning restrictions of this Council and previous local authorities.

(b) Conditions and Criteria

To qualify for consideration for remission under this part of the policy the rating unit must:

- be situated within an area of land that has been zoned for commercial or industrial use. (Ratepayers can determine the zoning of their property by inspecting the District Plan, copies of which are available from the Levin office, Te Takere and the, Shannon and Foxton libraries. Alternatively the District Plan is available for viewing on the Council website www.horowhenua.govt.nz.)
- be rated the same as an equivalent urban rating unit;
- have an excessive rateable value in comparison to similar residential rating units in the vicinity; and
- not be the subject of any other form of rating relief.

Applications must be received prior to the commencement of the rating year.

Applications received during a rating year will be considered from the commencement of the following rating year commencing the next 1st July.

Applications will not be backdated.

Applications must be made in writing.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manger (or equivalent positions within the Finance Department) to a value of \$2,500. Any requested remissions above \$2,500 or if there is any doubt or dispute arising, the application is to be referred to the Chief Executive and a member of the Finance Subcommittee for a decision.

Each application will be considered on its merits, and if approved the value of the remission will be given effect by the determination by Council of a special rateable value.

The ratepayer will be informed of the outcome of the application in writing.

Part 7: Rates Remission on Land Used for Primary Industry and Rural Lifestyle purposes in areas that have been rezoned as Residential and Business Zones

(a) Objectives of the policy

The objectives of the policy are:

1. To provide rates relief in respect of land used for primary industry and rural lifestyle purposes where rating units greater than 659m² (or rating units, including residential use rating units, that are able to be subdivided under the operative District Plan) where the Council is satisfied that the rating valuation of the land is in some measure attributable to the potential use to which the land may be put for residential, commercial or industrial development.
2. To preserve uniformity and equitable relativity with comparable parcels of land used for primary production and rural lifestyle purpose land, that is able to be subdivided, in the district where the valuations do not contain any “potential value”.

(b) Conditions and criteria

The Council will remit value based rates on land used for primary industry and rural lifestyle rating units greater than 659m² and rating units, including residential use rating units, that are able to be subdivided creating saleable lots under the operative District Plan as a Controlled Activity in the Residential, Greenbelt Residential, Commercial and Industrial zones or in the case of the Greenbelt Residential (Foxton Beach North Overlay) Zone as a Limited Discretionary Activity, where it is satisfied that the rating valuation of the land is in some measure attributable to the potential use to which the land may be put for residential, commercial or industrial development.

1. For the purposes of this policy, “land used for primary industry” means land that is classified by the Office of the Valuer General as being used for primary industry under Clause C.3.4 primary Level use code 1 in Appendix C of the Rating Valuation Rules 2008, is used exclusively or principally for agricultural, horticultural, or other pastoral purposes or for the keeping of bees or poultry or other livestock; and “farming purposes” has a corresponding meaning. This may include land used for dairy farming, stock fattening, arable farming, storage of livestock, market gardens and orchards, specialist livestock, forestry, mineral extraction and vacant/idle land.

2. For the purposes of this policy, “land used for Rural Lifestyle purposes” means land that is classified by the Office of the Valuer General as being used for lifestyle use under Clause C.3.4 primary Level use code 2 in Appendix C of the Rating Valuation Rules 2008. This does not include residential properties in rural areas or rural lifestyle properties that are too small in area to be subdivided under the operative District Plan as a Controlled Activity.
3. For the purposes of this policy, “land used for Residential purposes” means land that is classified by the Office of the Valuer General as being used for residential use under Clause C.3.4 primary Level use code 9 in Appendix C of the Rating Valuation Rules 2008. This does not include residential properties formerly zoned as rural or lifestyle properties that are too small in area to be subdivided under the operative District Plan as a Controlled Activity.
4. Rating units for which a subdivision consent has been approved or lodged and under consideration by the Council shall not be eligible for rates remission under this policy.

(c) Process

The process for seeking rates remission is as follows:

1. On written application from the ratepayer of any rating unit that is:
 - a) located in a zone in the District Plan other than the Rural zone, and is
 - b) land used for primary industry, or
 - c) land used for rural lifestyle purposes, or
 - d) land used for residential purposes that are able to be subdivided.

The Council will request its Valuation Service Provider to issue a special “rates remission value” for that rating unit.

2. The rates remission value will be determined so as to:
 - a) exclude any potential value that, at the date of valuation, the land may have for residential purposes, or for commercial or industrial use; and
 - b) preserve uniformity and equitable relativity with comparable parcels of land used for primary industry, rural lifestyle and residential purposes the valuations of which do not contain any such potential value.
3. Rates remission special values allocated under this policy are final and there is no right of objection against the level of valuation. (The owner still has the right to object to the rating valuation of the property where those values have been determined under the Rating Valuations Act 1998).
4. Where a rates remission value has been determined, the payment of rates will be remitted to the extent specified in clause (5) of this policy.

5. The amount of rates remitted in any year shall be an amount equal to the difference between the amount of the rates for that period calculated according to the rateable value of the property and the amount of the rates that would be payable for that period if the rates remission value of the property were its rateable value.
6. Notice of the amount of rates remitted shall be expensed and entered as a credit to the rates owing in the rating records and will be notified with the rates assessment issued in respect of that rating unit.
7. Subject to the rates remission value remaining in force, rates will be remitted from the commencement of the rating period in respect of which they were made and levied.
8. Rates remission will apply from the beginning of the rating year following the period in which the rates remission application is approved and will not be backdated to prior years. However, in the event that an application is approved prior to 1 August, rates remission may apply from the beginning of the financial year in which the application is approved.

The following delegations apply in respect of:

- *Group Manager - Finance or Finance Manager, - to approve remissions which meet the requirements of this policy.*
- *Chief Executive and/or the Chairperson of the Finance Sub-committee, – to hear and make a final decision on any appeal on an application for remission that has been declined.*

Part 8: Remission of Small Rates Balances

(a) Objective

To save Council the costs of processing rates of uneconomic value.

(b) Conditions and Criteria

To qualify for remission under this part of the policy the rating unit must have a balance of less than \$5 owing on a general or targeted rate as at 30 June in any year.

Applications may be at the initiative of the Group Manager – Finance or Finance Manager, or Rates Officer or in writing from the ratepayer.

(c) Process

Applications will be determined by the Group Manager – Finance or Finance Manager acting under delegated authority.

Each application will be considered on its merits, and if approved the value of the remission will be the whole of any outstanding rate of \$5 or less at year end.

Part 9: Remission of Targeted Rates on Non-rateable Land

(a) Objective

To balance user-pays, equity and community interest in the assessment of targeted rates on non-rateable rating units.

(b) Conditions and Criteria

To qualify for consideration for remission under this part of the policy the rating unit must be:

- non-rateable
- otherwise liable for rates for services described in s.9 of the Local Government (Rating) Act 2002 (i.e. rates for water supply, sewage disposal or waste collection).

Determinations will not be backdated.

(c) Process

Decisions will be made by way of policy determinations by Council in respect of a type of ratepayer or rating unit. The value of the remission will be the whole or part of any or all of the applicable rates.

Under this policy targeted water rates are levied by way of the normal water rates in the case of non-rateable residences, libraries and halls, but by metered water consumption in all other cases.

Part 10: Properties Affected by Disasters

(a) Objective

To provide rating relief to ratepayers whose property has been affected by a disaster event.

(b) Conditions And Criteria

To qualify for remission under this part of the policy a rating unit or part thereof must be

- Affected by a disaster event such as a flood, storm, earthquake, subsidence; and
- Rendered incapable of normal use by the ratepayer for a certain period.

Other matters taken into account in determining whether or not the rating unit qualifies for remission, and the extent of such remission, will include

- The impact(s) of the disaster event on the property, and
- The duration of such impact(s)
- The extent to which the losses were insurable.

Applications must be in writing, either from the applicant or at the initiative of an officer of the Council.

(c) Process

Applications will be considered, and decision made, by Council.

No remission will be made before further guidelines specific to the disaster event are established.

Such guidelines will take into account the extent of funding available from which to make any remissions, and may cover such factors as:

- Special conditions and criteria, including any period for which a property may have been incapable of normal use
- Special application forms and information to be provided
- Deadlines for applications
- The extent of remissions to be made, whether on a fixed sum, percentage, sliding scale or other basis
- The appointment of an advisory committee to assist in the consideration of applications, if appropriate.

Each application will be considered on its merits, and in the context of guidelines established in response to the disaster event.

The ratepayer will be informed of the outcome of the application in writing.

Part 11: Rates Remission for Subdivisions which are in Common Ownership but do not meet the criteria of a Contiguous Property

(a) Background

Developers face significant costs in the early stages of subdivision development, including the payment of development contributions to Council. Once titles are issued, all properties are rated individually and the holding costs can be quite high until properties are sold.

(b) Objectives

To provide a positive development incentive by supporting the development and holding of subdivision land for residential and rural lots by remitting all rates levied using fixed (uniform) charges on unsold development land where each separate lot or title is treated as a separate Rating Unit.

(c) Conditions and Criteria

This remission applies to unsold subdivided land, where each separate lot or title is treated as a separate Rating Unit, and such land is implied to be not used as a single rating unit under s20 of the Local Government (Rating) Act 2002.

1. The rating units must have been created in accordance with Council's subdivision development requirements and have been granted a subdivision consent.
2. The rating units must be vacant land i.e. the rating unit does not contain any habitable dwelling.
3. The rating units on which remission is applied must be owned by the same ratepayer who must be the original developer
4. Rate remission to the extent of fixed (uniform) charges for unsold subdivided land.
5. Remission shall cease for any allotment if any interest in the land is passed by the developer to another party. Remission ceases from the end of the year in which the change in title occurs.
6. Application must be submitted in writing and submitted to Council prior to the commencement of the rating year (i.e. before 30 June).
7. The ratepayer will remain liable for at least one "set" of fixed (uniform) general and/or targeted rates.
8. Remissions will not apply to Water, Stormwater and Sewerage targeted rates.
9. Each application will be considered in line with the general guidelines, however, individual circumstances may vary and could influence the final decision.
10. From 1 July 2015 any remissions will only apply for a period of five years and then be reviewed. Remissions will not be granted in retrospect for previous years.
11. Decisions on remission under this policy will be delegated to the Group Manager –Finance, Finance Manager (or equivalent positions).

Part 12: Remission of Rates on Bare Land

(a) Objectives:

To reduce the rates burden on bare, uninhabited land, where the owner of the rating unit is not able to use the services funded from targeted rates.

Council may remit any rate set using a fixed (uniform) charge in respect of one or more rating units owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database) if it considers it reasonable in the circumstances to do so.

(b) Conditions and Criteria

1. Rating units must be owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database).

2. Council may remit any rate set using a fixed (uniform) charge on rating units considered to be bare land, provided that the ratepayer pays at least one “set” of the rates set using a fixed (uniform) charges within the District.
3. Bare land is defined as rating units with no habitable improvements. For the purposes of this policy forestry blocks (without habitable buildings) are deemed to be bare land.
4. Decisions on remission under this policy will be delegated to the Group Manager –Finance, Finance Manager (or equivalent positions).

Part 13: Remission Rates for Council Owned Utilities

(a) Objectives

To avoid incurring the rating costs to Council that would be indirectly recovered from other ratepayers.

(b) Conditions and Criteria

Utilities (i.e. water, stormwater and wastewater) owned by the Horowhenua District Council will receive 100% remission of all rates that have been set, which includes any rate set using a fixed (uniform) charge.

Part 14: Remission of any rate set using a fixed (uniform) charge on contiguous properties

(a) Objectives

To enable Council to act fairly and equitably with respect to the imposition of any rate set using a fixed (uniform) charge on two or more separate rating units that are contiguous, but separately owned and used jointly for a single residential, business or farming use.

(b) Background

This policy has been developed to provide for the remission of rates in situations where two or more rates set using a fixed (uniform) charge, are assessed on contiguous, but separately owned rating units which are being used jointly as a single property or business.

The circumstances where an application for a remission of charges will be considered are:

- residential dwelling and associated garden and ancillary buildings where the property occupies a maximum of two rating units and those rating units are used jointly as a single property.
- A farm that consists of a number of separate rating units that are contiguous.
- A commercial, retail or industrial business that operates from more than one rating unit where those rating units are contiguous and are used jointly

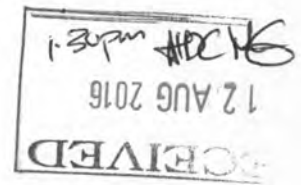
- as a single property.
- However, Council's "Separately Used or Inhabited" (SUIP) definition will still be applied.

(c) Conditions and Criteria

Applications under this policy must be in writing, signed by the ratepayer and must comply with the conditions and criteria set out below.

1. The rating units must be contiguous.
2. The rating units must:
 - a) In the case of a residential property, be owned by the same ratepayer (as recorded on the certificate of title and recorded in the Rating Information Database) who uses the rating units jointly as a single residential property.
 - (i) A vacant section adjoining a residential lot does not comply.
 - (ii) The individual areas of the rating units concerned must not exceed the size of a typical residential lot.
 - b) In the case of a farm, be owned by the same owner (as recorded on the certificate of title and recorded in the Rating Information Database). or be leased, from other owners, for a term of not less than five (5) years, to the same ratepayer who uses the rating units jointly as a single farm. The owners of each of the individual rating units must confirm in writing that their unit/s is being jointly used as a single farming operation.
3. The Council may on written application from a rate payer of such rating units remit any rate set using a fixed (uniform) charge levied on the rating units if it considers it to be reasonable in the circumstances to do so.
4. The applicant must provide sufficient evidence as is necessary to prove that the properties are being jointly used as a single property and Council's decision on the matter is final.
5. The Council reserves the right to determine that any specific targeted charge will be excluded from this policy
- 6 Remissions will not apply to Water, Stormwater and Sewerage targeted rates
- 7 Each application will be considered in line with the general guidelines, however, individual circumstances may vary and could influence the final decision
- 8 Decisions on remission under this policy will be delegated to the Group Manager –Finance or Finance Manager (or equivalent positions).

#02



FORM 5
SUBMISSION ON PUBLICLY NOTIFIED VARIATION 2 (IRONGATE INDUSTRIAL REZONING) TO THE
PROPOSED HASTINGS DISTRICT PLAN 2015
(Notified 16 July 2016)

Clause 6 of Schedule 1, Resource Management Act 1991

To: The Environmental Policy Manager
Hastings District Council
Private Bag 9002
HASTINGS 4156

Submission on: Proposed Variation 2 to the Proposed Hastings District Plan

Name: HW Richardson Group ("HWRG")

Address: HW Richardson Group
C/- Mitchell Partnerships Ltd
PO Box 489
Dunedin 9054

1. This is a submission on Variation 2 (Irongate Industrial Rezoning) to the Proposed Hastings District Plan 2015 ("Proposed Plan").
2. HWRG could not gain an advantage in trade competition through this submission.
3. **Background to HWRG's submission:**
 - 3.1 HWRG is a group of businesses with interests which include ready mix concrete, fuel and lubricant distribution, aggregates, contracting, property and other investments throughout New Zealand. HWRG's business has the following main divisions:
 - Transport
 - Concrete
 - Petroleum
 - Contracting
 - Quarrying.
 - 3.2 In relation to Variation 2 to the Proposed Hastings District Plan 2015 ("**Variation 2**"), HWRG currently owns the Farmers Transport business and lease the underlying land located at 1174 - 1192 Maraekakaho Road, Hastings. The subject site is 1.3073 hectares in area. It is legally described as Lot 1 Deposited Plan 19426, HBL3/428. HWRG also has interest in land adjoining the Farmers Transport business, which is subject to this Variation.

3.3 The site is shown on proposed Planning Map no. 33 as being rezoned from a 'scheduled site' in the Plains Zone to General Industrial Zone¹. The site is wholly within the Irongate Industrial Area shown on the Irongate Industrial Area Structure Plan, 16 July 2016.

4. Submissions on Variation 2 to the Proposed Hastings District Plan 2015

4.1 HWRG supports Variation 2 in part. The reasons for this submission are detailed below.

4.2 Variation 2 proposes to increase the extent of the General Industrial Zone by approximately 47 hectares. This extension will incorporate HWRG's site into the General Industrial Zone. The variation will also apply the General Industrial Zone across the entire Irongate Industrial Area identified on the Irongate Structure Plan, meaning the staged approach to development within the Irongate Industrial Area adopted under Plan Change 50 will no longer apply.

4.3 Variation 2 maintains requirements for reticulated provision of water and wastewater services to the precinct. However, it introduces provisions to enable stormwater discharges to be disposed of on-site rather than via a reticulated system².

4.4 The Hastings Proposed District Plan envisages that a reticulated stormwater disposal approach will be implemented for the Irongate Industrial Area³ in combination with reticulated water and wastewater systems. The Section 32 report for Variation 2 states that this approach has proven to be uneconomic and has constrained the development of industrial activities in the precinct.

4.5 HWRG supports the extension of the General Industrial Zone to its site at Lot 1 Deposited Plan 19426. In this regard, HWRG agrees with the Section 32 report which states:

The inclusion of existing industrial land on neighbouring 'scheduled sites' provides for the clustering of like activities, being an already established location for various dry industries. Such clustering of industrial activities into a zone also reduces the potential for reverse sensitivity effects by reducing the interface with sensitive activities (as compared to stand alone industrial activities)⁴.

4.6 Variation 2 claims to resolve servicing constraints and enable industrial development to proceed in an efficient and effective manner. HWRG expects that provision for on-site stormwater management will assist this outcome, as will the provisions on reticulated water supply and waste water disposal. However HWRG questions whether the servicing proposed as part of Variation 2 is the most efficient and effective means to provide this infrastructure in this location.

4.7 HWRG opposes proposed Rule 14.1.6A.5(b). This rule requires the planting of shelterbelts on land in the Irongate Industrial Area along common boundaries with land in the Plains Zone. The outcome identified for this rule is that "*The visual amenities of adjacent Plains Production zoned sites will be maintained*". HWRG's site will (if rezoned in accordance with Variation 2) have a boundary

¹ Compare the extent of zoning shown on revised Planning Map no. 33 contained in Variation 2 with that shown on Appendix 15.1-7 Irongate Structure Plan, which is proposed to be deleted.

² E.g. Rule 14.1.6A.6(a)(ii).

³ Refer to the discussion of this matter set out in the O'Callaghan Design Limited report "*Irongate Industrial Area - Report on Services for District Plan Variation*" dated 9 June 2016 and section 7 of the "*Proposed Hastings District Plan. Proposed Variation 2: Irongate Industrial Area Section 32 Summary Evaluation Report*" by Sage Planning, dated June 2016.

⁴ Section 8, paragraph 4, Section 32 Summary Evaluation Report.

with the Plains Zone. It therefore would be subject to this rule (as it is a general performance standard for permitted activities⁵). HWRG consider this outcome to be overly onerous as uses permitted in the Plains Zone will generate some similar visual effects to those permitted in the General Industrial Zone.

- 4.8 Further, HWRG does not consider this to be the most appropriate manner to achieve the stated outcome. In HWRG's opinion, visual amenity outcomes associated with the Plains Zone are best achieved by rules in the Plains Zone provisions to control the design and location of development. In HWRG's view, Rule 14.1.6A.5(b) requires landowners in adjoining zones to assume responsibility for visual amenity outcomes on Plains Zone land over which they have no control. HWRG therefore submits that Rule 14.1.6A.5(b) should be deleted.
5. **HWRG seeks the following decision from the Hastings District Council:**
- a) That the amendments (or similar relief in order to address HWRG's submission points) outlined above are accepted;
 - b) Such further, consequential or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission.
6. HWRG wishes to be heard in support of its submission.
7. If others make a similar submission, HWRG would be prepared to consider presenting a joint case with them at any hearing.

Signed:



On behalf of the HW Richardson Group
(By its duly authorised agent Megan Justice)

Dated at Dunedin this 12th day of August 2016

Address for Service:

H W Richardson Group
C/- Mitchell Partnerships Limited
PO Box 489
Dunedin 9054

⁵ See Rule 14.1.6.

Contact Details:

Attention: Megan Justice

Telephone: 03 477 7884

E-mail: megan.justice@mitchellpartnerships.co.nz



12 August 2016

Hastings District Council
Private Bag 9002
Hastings 4156

Attention: Megan Gaffaney

Dear Megan,

NOTIFICATION OF VARIATION TWO – IRONGATE INDUSTRIAL REZONING

1. Thank you for the opportunity to submit on Variation Two – Irongate Industrial Rezoning. The Regional Council supports in-part the intent of the Variation to provide an appropriate Greenfield dry industrial growth zone within the Hastings District.
2. The Regional Council makes several points in this submission. In particular:
 - a. The relationship between Variation Two and the Regional Policy Statement parts of the Hawke's Bay Regional Resource Management Plan; and
 - b. The proposed servicing of the new zone, in particular the discharge of stormwater from individual onsite systems; and
 - c. The necessity of upfront structure planning to ensure that development does not occur in an adhoc manner.
3. Section 75(3)(c) of the Resource Management Act states that a district plan must give effect to a regional policy statement. On balance the Regional Council is not satisfied that Variation Two as proposed, gives effect to Chapter 3.1B of the Regional Policy Statement (RPS) for the reasons addressed in paragraphs 5-10.
4. The Regional Council is not entirely satisfied that the stormwater servicing proposal underpinning Variation Two, gives effect to other policies in the RPS, particularly Objectives 21 and 22. This is discussed further in paragraphs 15- 18 of this submission.

Managing the Built Environment

5. As you will be aware, historically Hastings and Napier have planned for growth independently. However in recognizing the interrelationship of key urban zones and the pressures on shared resourced and infrastructure, The Regional Council, Napier City Council and Hastings District Council embarked on a collaborative approach to urban development on the Heretaunga Plains for the planning period 2015-2045. This cumulated in the three partner Councils adopting the Heretaunga Plains Urban Development Strategy (HPUDS) in 2010.
6. The purpose of HPUDS is to assist in a collaborative approach to planning and managing urban development on the Heretaunga Plains. HPUDS takes a long term approach to addressing the key issues facing the Heretaunga Plains in an integrated way, and focuses on a preferred settlement pattern that will in time, lead to more compact development

Hawke's Bay Regional Council

159 Dalton St, Private Bag 6006, Napier 4142, New Zealand Tel 06 835 9200 Fax 06 835 3601 Freephone 0800 108 838

www.hbrc.govt.nz

through gradual restrictions on urban boundaries to allow for improved planning and design.

7. The land at Irongate rezoned for Industrial as a result of the Hastings Industrial Demand Study undertaken by Logan Stone, has been developed. HPUDS considered that further expansion could be undertaken at Irongate close to the southern expansion of the expressway which provides a logical boundary and as such the Irongate area is identified as an appropriate location for industrial development.
8. Chapter 3.1B of the RPS sets out objectives and policies for managing urban development and the strategic integration of infrastructure at a regional level. Managing urban growth and development is a regionally significant issue because what occurs in one area will inevitably have an effect on other locations. The RPS embeds HPUDS general principles and settlement pattern into the statutory regional planning document. In this way, the outcomes of the HPUDS process align with the statutory functions of the Regional Council and subsequently the RPS's policy framework drives territorial authorities to ensure decisions on development proposals also align with the common policy direction adopted in HPUDS 2010.
9. The provision of land for the appropriate expansion of industrial activities is provided for in Objective UD3, as long as the development is in line with the settlement pattern specified in Objective UD1. Policy UD2 makes provision for business activities in the Heretaunga Plains sub-region in a manner which avoids or mitigates locational constraints including stormwater infrastructure that is unable to mitigate identified flooding risk, and protection of nearby sensitive waterbodies that are susceptible to potential contamination from runoff and stormwater discharges, including the Heretaunga Plains unconfined aquifer.
10. Policy UD4.5(a) of the RPS names the Irongate industrial area as an appropriate industrial greenfield growth location subject to the further assessment referred to in Policy UD10.1, Policy UD10.3, Policy UD10.4 and Policy UD12. Regional Council notes that the Irongate area has previously been identified by the Hastings Industrial Development Strategy 2003, for industrial rezoning and development.

Structure Planning – Stormwater Infrastructure

11. Policy UD10.1 directs that the development of urban activities within Greenfield growth areas shall occur in accordance with comprehensive structure planning and avoid inappropriate ad hoc development (Policy UD10.2). Policies UD10.3 and UD10.4 require structure planning and supporting documentation to be completed prior to rezoning taking place. Of particular relevance to Variation Two is that Structure Plans should include indicative land uses (including land required for stormwater treatment, retention and drainage paths) and provide supporting documentation on how effective management of stormwater discharges are to be achieved.
12. The Regional Council is concerned that the appropriate structure planning for stormwater servicing at a catchment scale cannot be undertaken due to the adhoc nature of the proposed onsite servicing and that the proposed method does not provide for the desired integrated catchment management solution that is advocated by the Regional Council.
13. The Regional Council has previously engaged with the HDC regarding the preferred stormwater solution for the Irongate industrial rezoning. The original stormwater solution supported by the Regional Council proposed the development of a communal swale network similar to that proposed for the Omahu Industrial Zone – Variation One and associated Notice of Requirement. Due to pressure from landowners the HDC abandoned this integrated method of stormwater management in favor of adhoc individual on-site systems.

14. The Regional Council considers multiple individual on-site disposal systems to be less desirable than a communal system, as there is a greater risk of multiple system's failure, the potential for adverse effects on the environment, increased cost of monitoring and compliance and potentially greater costs to be incurred by the combined councils and developers due to the potential for the issue of multiple resource consents and compliance monitoring.

Heretaunga Plains Unconfined Aquifer

15. Chapter 3.8 of the RPS sets out objectives and policies for Groundwater Quality. Objective 21 states:

“No degradation of existing groundwater quality in the Heretaunga Plains and Ruataniwha Plains aquifer systems”¹

Objective 22 states:

“The maintenance or enhancement of groundwater quality in unconfined or semi-confined productive aquifers in order that it is suitable for human consumption and irrigation without treatment, or after treatment where this is necessary because of the natural water quality.”²

16. Both Objectives 21 and 22 were the focus of a recent Environment Court decision (refer *Ngati Kahungunu Iwi Incorporated v Hawke's Bay Regional Council* [2015] NZEnvC 50).
17. The most significant groundwater resource in Hawke's Bay is the Heretaunga Plains aquifer system. Overall present groundwater quality is high. For instance, high enough that Napier and Hastings councils use this groundwater for municipal water supply with very little treatment. However there remains a relatively high risk of groundwater contamination from infiltration of contaminants such as bacteria, nutrients and chemicals into the unconfined aquifer.
18. The proposed Irongate industrial zone is not directly situated over the Heretaunga Plains unconfined aquifer however overland flow may transport contaminants to unconfined areas. High risk activities that can lead to contamination include the use, transportation and storage of hazardous substances, industrial discharges and stormwater discharges. It is the Regional Council's policy to regulate discharges into the aquifer or onto land that may enter the Heretaunga Plains unconfined aquifer system. Provided that appropriate pre-treatment, storage and discharge practices are adhered to risk of contamination to the unconfined aquifer is low.

Other Matters

19. We do wish to be heard in support of our submission.
20. We would not consider presenting a joint case with other submitters.

¹ Change 5 to the HB RRMP proposes an amendment to Objective 21, but that amendment is not material in relation to the Heretaunga Plains aquifer system. Change 5 is not yet fully operative, but provisions regarding Objective 21 are beyond challenge.

² Change 5 to the HB RRMP proposes an amendment to Objective 22. Change 5 is not yet fully operative, but provisions regarding Objective 22 are beyond challenge and so it would read: *“The maintenance or enhancement of groundwater quality in aquifers in order that it is suitable for human consumption and irrigation without treatment, or after treatment where this is necessary because of the natural water quality.”*

21. Regional Council representatives are willing to have further discussions with Hastings District Council planning staff about matters raised in this submission over the coming weeks.

22. The Regional Council's address for service in relation to this submission is:

Hawke's Bay Regional Council,
159 Dalton Street,
Private Bag 6006,
NAPIER 4110
Attn: Esther-Amy Powell
p: 06 833-8026
e: esther-amy@hbrc.govt.nz

23. Thank you for the opportunity to make this submission. If you have any queries on this submission, in the first instance please contact Esther-Amy Powell using the details above.

Yours sincerely

James Palmer
Group Manager Strategic Development



CUSTOMER SERVICES
12 AUG 2013
RECEIVED

#04
4:45pm

HASTINGS DISTRICT COUNCIL
207 Lyndon Road East
Hastings 4122
Private Bag 9002
Hastings 4156
Phone 06 871 5000
Fax 06 871 5100
www.hastingsdc.govt.nz
TE KAUNIHERA O HERETAUNGA

**Form 5: Submission on variation to the
Proposed Hastings District Plan
Variation 2 - Irongate Industrial**

Resource Management (Forms, Fees and Procedure) Regulations 2003

Office use

Date Received: (by authority) Submission Number:

To

Environmental Policy Manager
Planning & Regulatory Group
Hastings District Council
Private Bag 9002
Hastings 4156
Email: districtplanreview@hdc.govt.nz

Name of Submitter(s)

First Name	Middle Name(s)	Last Name
Mike	Walmsley	Ltd.

Trade Competition

Submissions cannot be made to gain an advantage through trade competition as per Clause 6 of the First Schedule of the Resource Management Act 1991.

Local Government Official Information and Meetings Act 1987

The information contained in your submission will become publicly available official information held by the Council under the above Act. By taking part in this public submission process, submitters will be deemed to have waived any privacy interests in respect of that information.

1. Specific Provisions of Variation 2 – Irongate Industrial that my submission relates to are:

The whole of Variation 2.

2. My submission is: (include whether you support or oppose the specific parts of the notice of requirement or wish to have them amended; and reasons for your views)

As per attached page

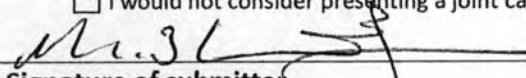
3. I seek the following decision from the territorial authority:

(Give precise details, this section must be completed to ensure a valid submission)

As per attached.

4. I wish to be heard in support of my submission.
 I do not wish to be heard in support of my submission

5. If others make a similar submission, I will consider presenting a joint case with them at a hearing
 I would not consider presenting a joint case

 12/8/16
Signature of submitter Date
(or person authorised to sign on behalf of submitter)
(A signature is not required if you make your submission by electronic means)

6. Submitter Contact Details

Contact Person: Matthew Lawson
Postal address for service of submitter: P.O Box 45
Napier 4140
Daytime Phone Number: 833 5012
Fax Number: 833 5014
Mobile Phone Number: 029 205 1699
Email Address: mlawson@lawsonrobinson.co.nz.

2. My Submission is:

The submitter supports the rezoning of the land at Irongate in the Irongate Industrial Area subject to the following amendments being made:

1. As a general submission, the submitter seeks that the rules and other provisions of the Irongate Industrial area reflect and allow for the existing industrial and other development that already exists in the Irongate Industrial area as permitted activities.
2. The Submitter does not support the amendment to Rule PP35. This amendment would see a restriction on residential activities and visitor accommodation within 50 metres of the Irongate Industrial area. This will render existing activities that had been established by way of consent and existing permitted activities non-complying and is inappropriate.
3. The submitter does not support the limitation of Rule GI5 to Omaha Road sites. Variation 2 should allow for the sale or hire of machinery, equipment and supplies used for Industrial, horticultural, viticultural, building or landscaping purposes and for the sale or hire of buildings within the Irongate Industrial area as permitted activities.
4. In Policy IZP14 there is reference to a minimum site size of 1 hectare. The Submitter seeks a minimum Lot size of 5,000 m². This will require amendment to the explanation to Policy IZP14 and the provisions in section 30.1 of the District Plan in Table 30.1.6A(7)(b). All necessary changes to provide for a 5,000 m² minimum Lot size should be made that are consequential upon this Submission.
5. The Submitter seeks an amendment to the proposed Rule 14.1.6A.1 by the amendment of the maximum building height in the Irongate area from 15 metres to 30 metres. There is no apparent rational for the differentiation between the Irongate area and any other industrial location within the general Industrial Zone. This would remove the need for an exception to the height requirement as anticipated by Variation 2.

6. The Submitter seeks an amendment to the set backs in Rule 14.1.6A.3 by the removal of the 10 metre front yard requirement within the Irongate area. There is no apparent rationale for this set back which makes the utilisation of the land resource within the Irongate area inefficient. There should be no set back required by way of front yard.

However, the Submitter supports the provision of Rule 14.1.6A.4 which provides for appropriate landscaping on front boundaries.

7. The Submitter does not support the minimum separation distances between vehicle accesses on Maraekakaho Road of 100 metres as required by Rule 26.1.6A. This requirement will be unworkable, and is unreasonable. It will make most of the existing entrance ways or vehicle accesses on to Maraekakaho Road non-complying. The Plan should provide for protection of the existing entrance ways and accesses and provide for a limit of 15 metres separation distances between vehicle accesses. This change to Rule 26.1.6A should be reflected in Rule 30.1.7E(2) where the same separation distances are specified.

3. The Submitter seeks the following decision from the Territorial Authority:

- (a) That the Council accept the amendments sought by the Submitter and make all necessary amendments and consequential amendments in order to give effect to this Submission.
- (b) That in all other respects the proposed variation to be accepted by Council.



#05
 CUSTOMER SERVICES
 12 AUG 2013
 RECEIVED

HASTINGS DISTRICT COUNCIL
 207 Lyndon Road East
 Hastings 4122
 Private Bag 9002
 Hastings 4156
 Phone 06 871 5000
 Fax 06 871 5100
 www.hastingsdc.govt.nz
 TE KAUNIHERA O HERETAUNGA

**Form 5: Submission on variation to the
 Proposed Hastings District Plan**

Variation 2 - Irongate Industrial

Resource Management (Forms, Fees and Procedure) Regulations 2003

Office use

Date Received: (by authority) Submission Number:

To

Environmental Policy Manager
 Planning & Regulatory Group
 Hastings District Council
 Private Bag 9002
 Hastings 4156
 Email: districtplanreview@hdc.govt.nz

Name of Submitter(s)

First Name	Middle Name(s)	Last Name
John		Roul
Rose		Roul

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The information contained in your submission will become publicly available official information held by the Council under the above Act. By taking part in this public submission process, submitters will be deemed to have waived any privacy interests in respect of that information.

1. Specific Provisions of Variation 2 – Irongate Industrial that my submission relates to are:

The whole of Variation 2

2. My submission is: (include whether you support or oppose the specific parts of the notice of requirement or wish to have them amended; and reasons for your views)

As per attached

3. I seek the following decision from the territorial authority:

(Give precise details, this section must be completed to ensure a valid submission)

As per attached.

4. I wish to be heard in support of my submission.
 I do not wish to be heard in support of my submission

5. If others make a similar submission, I will consider presenting a joint case with them at a hearing
 I would not consider presenting a joint case

M. J. [Signature] Solicitor for the submitter. 12/8/16.
Signature of submitter (or person authorised to sign on behalf of submitter) Date
(A signature is not required if you make your submission by electronic means)

6. Submitter Contact Details

Contact Person: Matthew Lawson
Postal address for service of submitter: P.O Box 45
Napier 4140
Daytime Phone Number: 833 5012
Fax Number: 833 5014
Mobile Phone Number: 029 205 1699
Email Address: mlawson@lawsonrobinson.co.nz

2. My Submission is:

The submitter supports the rezoning of the land at Irongate in the Irongate Industrial Area subject to the following amendments being made:

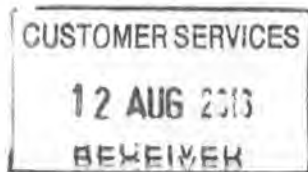
1. As a general submission, the submitter seeks that the rules and other provisions of the Irongate Industrial area reflect and allow for the existing industrial and other development that already exists in the Irongate Industrial area as permitted activities.
2. The Submitter does not support the amendment to Rule PP35. This amendment would see a restriction on residential activities and visitor accommodation within 50 metres of the Irongate Industrial area. This will render existing activities that had been established by way of consent and existing permitted activities non-complying and is inappropriate.
3. The submitter does not support the limitation of Rule GI5 to Omaha Road sites. Variation 2 should allow for the sale or hire of machinery, equipment and supplies used for Industrial, horticultural, viticultural, building or landscaping purposes and for the sale or hire of buildings within the Irongate Industrial area as permitted activities.
4. In Policy IZP14 there is reference to a minimum site size of 1 hectare. The Submitter seeks a minimum Lot size of 5,000 m². This will require amendment to the explanation to Policy IZP14 and the provisions in section 30.1 of the District Plan in Table 30.1.6A(7)(b). All necessary changes to provide for a 5,000 m² minimum Lot size should be made that are consequential upon this Submission.
5. The Submitter seeks an amendment to the proposed Rule 14.1.6A.1 by the amendment of the maximum building height in the Irongate area from 15 metres to 30 metres. There is no apparent rationale for the differentiation between the Irongate area and any other industrial location within the general Industrial Zone. This would remove the need for an exception to the height requirement as anticipated by Variation 2.
6. The Submitter seeks an amendment to the set backs in Rule 14.1.6A.3 by the removal of the 10 metre front yard requirement within the Irongate area. There is no apparent rationale for this set back which makes the utilisation of the land resource within the Irongate area inefficient. There should be no set back required by way of front yard.

However, the Submitter supports the provision of Rule 14.1.6A.4 which provides for appropriate landscaping on front boundaries.

7. The Submitter does not support the minimum separation distances between vehicle accesses on Maraekakaho Road of 100 metres as required by Rule 26.1.6A. This requirement will be unworkable, and is unreasonable. It will make most of the existing entrance ways or vehicle accesses on to Maraekakaho Road non-complying. The Plan should provide for protection of the existing entrance ways and accesses and provide for a limit of 15 metres separation distances between vehicle accesses. This change to Rule 26.1.6A should be reflected in Rule 30.1.7E(2) where the same separation distances are specified.
8. The submitter seeks that development within the Irongate area be allowed to develop and that services be provided on an efficient, equitable, cost effective and transparent basis whether by Financial Contributions or Development Contributions.

3. The Submitter seeks the following decision from the Territorial Authority:

- (a) That the Council accept the amendments sought by the Submitter and make all necessary amendments and consequential amendments in order to give effect to this Submission.
- (b) That in all other respects the proposed variation to be accepted by Council.



M
4 45 pm

#06

Form 5

Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Environmental Planning (Policy)
Hastings District Council
Private Bag 9002
Hastings 4156

Name of submitter: Carrfields Investments Limited
C/- Development Nous Ltd
PO Box 385
Hastings
Attention: Matthew Holder

This is a submission on the following proposed change to the following plan:

- Proposed District Plan variation- Irongate Industrial Area Amendments to Proposed Hastings District Plan.

The specific provisions of the proposal that our submission relates to are:

- The proposed amendments to revised planning Map 33
- The proposed amendments to Structure Plan (Appendix 16) as it relates to our land
- The Section 32 analysis accompanying the proposed changes (with respect to the points raised in our submission).
- Sections 2.9, 6.2, 14.1, 26.1, 28.1, Section 30.1 and Appendix 16.

Our submission is:

- Any Industrial rezoning of our land should recognise its established infrastructure (services and buildings) and lawfully established activities.
- In its current format the proposed variation does not sufficiently do this, for example Proposed Rule GI5 is specific to Omaha Road only and therefore excludes the Irongate area. We seek that the proposed Rule framework be amended to ensure that we are able to undertake our current and future activities onsite as permitted activities, subject to performance standard compliance.
- A minimum subdivision lot size of 5000m² is sought. The proposed 1-hectare minimum (Rule 30.1.6A) is not conducive to efficient and effective development. It is understood that all service infrastructure is based on intensive site coverage and therefore it should follow- lot size should not be employed as a limiting factor without good resource management reasoning. All necessary and consequential changes to provide for a 5000m² minimum lot size shall be made.
- Amend the wording in the explanation accompanying Objective IZP 14 to reflect the smaller lot sizes sought above.
- Amend rule 14.1.6A.1 by increasing maximum permitted height in the Irongate area to 30 metres from the proposed 15 metres to reflect consistency across industrial zones.
- Amend Rule 14.1.6A by removing the 10 metre front yard setback requirement. Instead a 2.5 metre landscape strip along the boundary is supported as proposed by Rule 14.1.6A.4.
- The Section 32 evaluation does not demonstrate an adequate consideration or reasoning as to why a 1-hectare minimum lot size should apply and why there needs to be differences in the Industrial performance standards that apply to the Irongate area and the Omaha area.

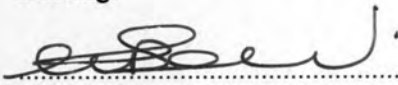
- Amend Rule 26.1.6A and 30.1.6C to provide an exemption from required separation with respect to existing established crossings on Maraekakaho Road.

We seek the following decision from the local authority:

- Amend the proposed variation to give effect to our submission points. In all other respects the acceptance of the Variation.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.



.....

Matthew Holder for Development Nous Ltd

Consultant to and duly authorised to sign on behalf of-

Carrfields Investments Ltd

12 August 2016

Address for service of applicant:	C/- Development Nous Ltd PO Box 385 Hastings
Telephone:	06 876 2159 027 288 8762
Email:	matthew.holder@developmentnous.nz
Contact person:	Matthew Holder



Form 5

Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Environmental Planning (Policy)
Hastings District Council
Private Bag 9002
Hastings 4156

Name of submitter: Tumu Timbers Ltd

C/- Development Nous Ltd
PO Box 385
Hastings
Attention: Matthew Holder

This is a submission on the following proposed change to the following plan:

- Proposed District Plan variation 2 Irongate Industrial Area Amendments

The specific provisions of the proposal that our submission relates to are:

Variation 2 in its entirety and in particular: -

- The proposed amendments to revised planning Map 33
- The proposed amendments to Structure Plan (Appendix 16) as it relates to our site.
- The Section 32 analysis accompanying the proposed changes (with respect to the points raised in our submission).
- Sections 2.9, 6.2, 14.1, 26.1, 28.1, 30.1 and Appendix 16

Our submission is:

- In terms of Planning Map 33 an existing designation is shown. We understand this was established/needed under the previous plan changes – as evidenced in Appendix 15.1-7 (also referenced as Appendix 16 in the present Variation 2 document). This is not shown on the proposed Structure Plan (Appendix 16). Accordingly, we seek further clarification on this point and reserve the right to be heard in relation to this aspect post any clarification should it be required.
- Any Industrial rezoning of the land occupied by Tumu Timbers Ltd should recognise its established infrastructure (services and buildings) under its previous Industrial 6 zoning. In its current format the proposed variation does not sufficiently do this, for example Proposed Rule GI5 is specific to Omahu Road only and therefore excludes the Irongate area. We seek that the proposed Rule framework be amended to ensure that we are able to undertake our current and future activities onsite as permitted activities, subject to performance standard compliance.
- A minimum subdivision lot size of 5000m² is sought. The proposed 1-hectare minimum (Rule 30.1.6A) is not conducive to efficient and effective development. It is understood that all service infrastructure is based on intensive site coverage and therefore it should follow- lot size should not be employed as a limiting factor without good resource management reasoning. All necessary and consequential changes to provide for a 5000m² minimum lot size shall be made.


- Amend the wording in the explanation accompanying Objective IZP 14 to reflect the smaller lot sizes sought above.
- Amend rule 14.1.6A.1 by increasing maximum permitted height in the Irongate area to 30 metres from the proposed 15 metres to reflect consistency across industrial zones.
- Amend Rule 14.1.6A by removing the 10 metre front yard setback requirement. Instead a 2.5 metre landscape strip along the boundary is supported as proposed by Rule 14.1.6A.4.
- The Section 32 evaluation does not demonstrate an adequate consideration or reasoning as to why a 1-hectare minimum lot size should apply and why there needs to be differences in the Industrial performance standards that apply to the Irongate area and the Omaha area.
- Amend Rule 26.1.6A and 30.1.6C to provide an exemption from required separation with respect to existing established crossings on Maraekakaho Road.

We seek the following decision from the local authority:

- Amend the proposed variation to give effect to our submission points. In all other respects the acceptance of the Variation.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.



.....

Matthew Holder for Development Nous Ltd

Consultant to and duly authorised to sign on behalf of-

Tumu Timbers Ltd

12 August 2016

Address for service of applicant:	C/- Development Nous Ltd PO Box 385 Hastings
Telephone:	06 876 2159 027 288 8762
Email:	matthew.holder@developmentnous.nz
Contact person:	Matthew Holder

#08



Form 5

Submission on publicly notified proposal for policy statement or plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Environmental Planning (Policy)
Hastings District Council
Private Bag 9002
Hastings 4156

Name of submitter: Navillus Holdings Ltd

C/- Development Nous Ltd
PO Box 385
Hastings
Attention: Matthew Holder

This is a submission on the following proposed change to the following plan:

- Proposed District Plan variation 2 Irongate Industrial Area Amendments

The specific provisions of the proposal that our submission relates to are:

Variation 2 in its entirety and in particular: -

- The proposed amendments to revised planning Map 33
- The proposed amendments to Structure Plan (Appendix 16) as it relates to our land.
- The Section 32 analysis accompanying the proposed changes (with respect to the points raised in our submission).
- Sections 2.9, 6.2, 14.1, 26.1, 28.1, 30.1 and Appendix 16

Our submission is:

- In terms of Planning Map 33 an existing designation is shown. We understand this was established/needed under the previous plan changes – as evidenced in Appendix 15.1-7 (also referenced as Appendix 16 in the present Variation 2 document). This is not shown on the proposed Structure Plan (Appendix 16). Accordingly, we seek further clarification on this point and reserve the right to be heard in relation to this aspect post any clarification should it be required.
- Any Industrial rezoning of our land should recognise its established infrastructure (servicing and buildings) under its previous Industrial 6 zoning. In its current format the proposed variation does not sufficiently do this, for example Proposed Rule GI5 is specific to Omahu Road only and therefore excludes the Irongate area. We seek that the proposed Rule framework be amended to ensure that we are able to undertake our current activities onsite as permitted activities, subject to performance standard compliance.
- A minimum subdivision lot size of 5000m² is sought for the zone. The proposed 1-hectare minimum (Rule 30.1.6A) is not conducive to efficient and effective development. It is understood that all service infrastructure is based on intensive site coverage and therefore it should follow- lot size should not be employed as a limiting factor without good resource management reasoning. All necessary and consequential changes to provide for a 5000m² minimum lot size shall be made.
- Amend the wording in the explanation accompanying Objective IZP 14 to reflect the smaller lot sizes sought above.

- Amend rule 14.1.6A.1 by increasing maximum permitted height in the Irongate area to 30 metres from the proposed 15 metres to reflect consistency across industrial zones.
- Amend Rule 14.1.6A by removing the 10 metre front yard setback requirement. Instead a 2.5 metre landscape strip along the boundary is supported as proposed by Rule 14.1.6A.4.
- Amend Rule 26.1.6A and 30.1.6C to provide an exemption from required separation with respect to existing established crossings on Maraekakaho Road.
- The Section 32 evaluation does not demonstrate an adequate consideration or reasoning as to why a 1-hectare minimum lot size should apply and why there needs to be differences in the Industrial performance standards that apply to the Irongate area and the Omaha area.

We seek the following decision from the local authority:

- Amend the proposed variation to give effect to our submission points.
- In all other respects the acceptance of the Variation as proposed.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.



Matthew Holder for Development Nous Ltd

Consultant to and duly authorised to sign on behalf of-

Navillus Holdings Ltd

12 August 2016

Address for service of applicant:	C/- Development Nous Ltd PO Box 385 Hastings
Telephone:	06 876 2159 027 288 8762
Email:	matthew.holder@developmentnous.nz
Contact person:	Matthew Holder



4.45 pm
VM

#09



Form 5

Submission on variation to the Proposed Hastings District Plan Variation 2 - Irongate Industrial

Clause 6 of First Schedule, Resource Management Act 1991

To: Environmental Planning (Policy)
Hastings District Council
Private Bag 9002
Hastings 4156

Name of submitter: Development Nous Ltd
PO Box 385
Hastings

This is a submission on the following proposed change to the following plan:

- Proposed District Plan Variation 2 - Irongate Industrial Area Amendments to proposed Hastings District Plan.

The specific provisions of the proposal that our submission relates to are:

- Map No. 33 (Irongate Industrial Area – Zoning)
- Rule PP35 – Non Complying Activity Rule
- Policy IZP5 (Deferred Zoning Staging Policy) and related planning instruments, Rules (Table 14.1.5.3), Standards, Outcomes and Assessment Criteria
- Rule GI5 – Permitting 'Sale and Hire' on specific sites
- Standard 14.1.6A.1 – Building Height
- Standard 26.1.6A – Vehicle Access
- Rule SLD11 – Subdivision Rule in Deferred Zone
- Standard 30.1.6A – Minimum Site Sizes
- Standard 30.1.6C – Exception Minimum Site Provisions
- Standard 30.1.7E – Property Access

Our submission is:

- We (Development Nous Ltd) support Council *Variation 2 – Irongate Industrial Zone*, and inclusion of addition land, subject to the following amendments and/or clarification:
 - The removal of the Designation for Stormwater shown in the Planning maps (No. 33) on conclusion of the Variation Process (i.e. confirmation that the removal of the designation will be completed under s.182 of the RMA 1991) as soon as reasonably possible)
 - Rule PP35 should apply the same 30m setback for residential and visitor accommodation activities adjoining the Irongate Industrial Area rather than having two different setback requirements in different areas that are supposed to achieve the same purpose (protect reverse sensitivity).
 - Policy IZP5 (and any other relevant rules, standards, outcomes or assessment criteria) relate to the lifting of the deferred zoning in the Irongate Industrial area and Omaha Industrial area. However, both these zones will no longer have any deferred areas and

neither variation addresses the fact that this policy (and related rules, standards, assessment criteria and outcomes) will no longer be relevant and shall be completely removed (with exception to those that relate to the deferred industrial area in Whakatu [262 Rauhapia Road]¹). We appreciate that both plan changes are subject to the submissions and hearing to gain decisions, however providing that the Omaha Industrial variation is accepted and the Irongate variation is accepted there will be no function (with the exception of 262 Rauhapia Road) of having any reference to industrial deferrals in the District Plan (including all policy's, rules, standards, outcomes and assessment criteria)

- o Rule GI5 permits the *Sale and Hire* of the following items in a specific area of Omaha Industrial Zone:
 - *Machinery, equipment and supplies used for industrial, agricultural, horticultural, building or landscaping purposes*¹;
 - *Buildings*

These activities and other specific non-industrial uses are currently permitted or consented on a number of sites fronting Maraekakaho Road, and should be included as permitted uses in the new plan under this rule (Rule GI5). These uses include but are not limited to:

- Tumu Timbers - Sale of building supplies and associated offices
- Carr Group – Sale of machinery, equipment and supplies used for agricultural, including grain, feed, wool and associated offices
- Greenways – Sale of landscaping supplies and office
- Phoenix Contractors – building material recycling (resale) and office
- Balance Fertilizer – sale fertilizer site and associated office
- JARA Family Trust (1139 Marakakaho Road) – the sale of relocatable buildings and office
- Stock Yard Site (Lot 2 DP440120 and Lot 3 DP372375) – provide for stock yards and sales facility as per consented use
- Other sites fronting Maraekakaho Road with Commercial or Commercial Service activities and associated offices.

Therefore, our submission seeks that those existing land uses, being those that could be viewed as commercial or commercial service (including their offices), be included as permitted uses in this zone under rule GI5. This would be provided consistency with the approach taken in the Omaha Industrial variation. The preferred means of achieving this would be for the inclusion of a map similar to the Omaha Road Map including all sites fronting Marakakaho road and in the proposed industrial zone, including the Balance Fertilizer and adjacent consented Stock Sales Yards site.

- o Rule Standard 14.1.6A.1 – Building Height standard differs between the Irongate zone and all other industrial locations. We submit that it should be the same (i.e. 30m) across all industrial zones including Irongate and see no reason for Irongate have to have a lower maximum height, especially given that buildings such as grain solos and fertilizer sheds, which are currently existing and/or likely to be developed in this zone will potentially not be permitted due to this height restriction.
- o Rule Standard 26.1.6A – Vehicle Access, requires a 100m between access points on Maraekakaho Road and no closer than 100m to the intersection with Maraekakaho Road.

¹ It would also be our recommendation that this site is removed from deferral in a means to streamline and simplify the Proposed District Plan, however we accept that this is likely to be outside the scope of this specific Plan Change process.

Although we agree with the traffic safety outcome; we consider that the current Limited Access restrictions in place along this stretch of road and the Councils Engineering Code of Practice (ECoP) are sufficient mechanisms to address any issues anticipated by this proposed rule. This will avoid the need to obtain resource consent for an unavoidable breach of the standard.

- Rule SLD11 – Subdivision Rule in Deferred Zone. As per my above comments there is no reason to retain a deferred industrial zone subdivision rule for Irongate and Omaha north areas.
- Rule Standard 30.1.6A – Minimum Site Sizes, refers to a minimum site area of 1 Hectare. Further flexibility should be provided allowing subdivision down to 5,000m² to encourage industrial development whether they require large or smaller sites. The proposed site size is still considered large enough to provide for onsite stormwater disposal but small enough to provide flexibility for developments and industries that do not require a full hectare of land. This also provided for the more efficient use of the industrial zone resource. Particularly if a comparison is drawn between the proposed rule provisions for Irongate and those applying to the Omaha area.
- *Standard 30.1.6C – Exception Minimum Site Provisions* (Irongate Industrial Area) should only be required to remain in the plan if there any site/s that have split zoning under this proposed Variation. From our initial observations we do not believe this is the case.
- Standard 30.1.7E – Property Access; this standard reads the same as the transportation standards and should be removed in that the subdivision rules should require compliance with the transportation section regardless. In addition, as identified above, we also consider these standards are unnecessary and these matters can be address under the ECoP and the Limited Access Road controls. Furthermore at the very least an exemption should be applied to those crossings and activities already in existence.

We seek the following decision from the local authority:

- Amend the proposed variation to affect to our submission.

We wish to be heard in support of our submission.

If others make a similar submission, we will consider presenting a joint case with them at a hearing.



Jason Tickner
Senior Planner
Development N.O.U.S. Ltd

12 August 2016



Address for service of applicant:	Development Nous Ltd PO Box 385 Hastings
Telephone:	06 876 2159 022 043 3541
Email:	jason.tickner@developmentnous.nz
Contact person:	Jason Tickner

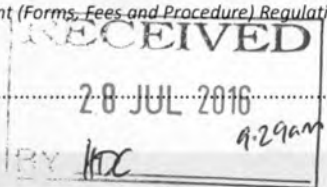
**Form 5: Submission on variation to the
Proposed Hastings District Plan**

Variation 2 - Irongate Industrial

Resource Management (Forms, Fees and Procedure) Regulations 2003

Office use

Date Received: 2-8 JUL 2016 (by authority) Submission Number: #10



To

Environmental Policy Manager
Planning & Regulatory Group
Hastings District Council
Private Bag 9002
Hastings 4156
Email: districtplanreview@hdc.govt.nz

Name of Submitter(s)

First Name	Middle Name(s)	Last Name
Hawke's Bay Fruitgrowers Assn Inc		

Trade Competition

Submissions cannot be made to gain an advantage through trade competition as per Clause 6 of the First Schedule of the Resource Management Act 1991.

Local Government Official Information and Meetings Act 1987

The information contained in you submission will become publicly available official information held by the Council under the above Act. By taking part in this public submission process, submitters will be deemed to have waived any privacy interests in respect of that information.

1. Specific Provisions of Variation 2 – Irongate Industrial that my submission relates to are:

See Attached

2. My submission is: (include whether you support or oppose the specific parts of the notice of requirement or wish to have them amended; and reasons for your views)

See Attached

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

Proposed Variation 2 - Irongate Industrial Area to the Proposed Hastings District Plan

Further Submission from:

Hawkes Bay Fruitgrowers Association Inc

To:

Hastings District Council

Date:

26th July 2016

1. Introduction

Hawkes' Bay Fruitgrowers Association Inc (HBFA) is not opposed to the intent of Variation 2 in that it assists to ensure that there is adequate land available for Industrial activities in the district to reduce the pressure off the use of Plains Production Zone or Rural Zone land for industrial activities.

While the area to be re-zoned is greater than in the HPUD Strategy (71.6 ha to 118.58 ha) HBFA in general is not opposed to the larger area because in this instance it provides the opportunity for infrastructure necessary for industrial activities at a workable scale well in to the future.

The HBFA does have some serious concerns outlined below;

- The interface between the land to be rezoned and the Plains Production Zone includes new rules that restrict some Plains Zone permitted activities currently able to be carried out as of right.
- The absence of any controls to prevent land banking in the new development
- The absence of tools to manage increased pressures for new land arising as a result of land banking.

2. Submission

Rule PP35

Any new development associated with the variation should include adequate internal buffer zones, shelter belts or other methods to enable any activity taking place or likely to be carried out as a permitted activity in the Plains Zone.

The right to develop accommodation units is normally a permitted activity within the plains zone.

Rule PP35 proposes to exclude new residential activities and visitor accommodation from being built within 50 metres of the new Industrial Zone and this is a new addition to the variation which has not been discussed in previous consultation rounds.

Plan Change 50 which was considered in 2010 did not include any proposed changes to the Plains Zone section of the plan.

The removal of the right to develop residential activities and visitor accommodation within 50 metres of the boundary is an erosion of existing rights. It penalises legitimate Plains Zone operations and reduces their options to make the best decision for their land and businesses, purely to enable the establishment of an activity which has a direct conflict with the existing permitted activities of the Plains Zone.

In 2012 when Plan change 57 - Omaha Industrial Proposed Plan change was consulted on a new rule had been consulted on and agreed to be included in the Plan Change and was therefore included in the Proposed Hastings District Plan. Omaha Road is unique because it is a strip development, with little room for buffer zones after providing land for drainage swales and most for the landowners accepted the limitation as they would be required to adjust their boundaries to accommodate the new development.

Following the Omaha Road Consultation the New non complying activity was added to the Proposed Hastings District Plan. It was only ever intended to apply to the Omaha Strip and this is referenced in appendix 36, Fig 2.

This was a special case and only ever discussed in relation to the proposed Omaha Road development it was not meant to become a blanket approach to apply to all further industrial developments.

This limitation is an unfair penalty to legitimate Plains zone operations and should be removed.

We seek the following decision

That rule PP35 does not apply to this variation and the addition to the wording:

“and within 50 metres of the General Industrial Zone (Irongate) as on land identified within Appendix 16.” be completely removed.

Absence of Controls to Prevent Land Banking

&

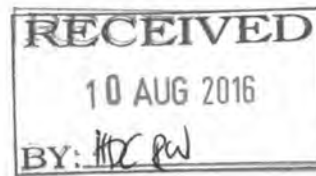
The absence of tools to manage increased pressures for new land arising as a result of land banking.

There is no shortage of Industrial Land in Hastings. There is just a shortage of available land. Locally there are issues with industrial land laying undeveloped. The reason being there is a lack of will to develop by the current land owner. Unless controls are put in place we are setting the District up to fail. It would be entirely negligent to ignore this issue.

We seek the following decision

In the absence of any strategy to manage these issues, the entire plan change should be put on hold until an acceptable strategy is agreed and implemented.

Ends



11

HAWKE'S BAY PROJECT management

1st August, 2016.

To Hastings District Council.

References;

- A. Previous meeting between HDC and landowners/ stakeholders.
- B. Response by Manager of Planning and Regulatory dated 19th July and 22 July 2016.
- C. Notification of Variation No 2- Irongate Industrial Rezoning Proposal dated 13th July, 2016.

NOTIFICATION OF VARIATION NO 2- IRONGATE INDUSTRIAL REZONING PROPOSAL

Some selected Irongate landowners and stakeholders have previously met with HDC staff to consider the financial costs of the infrastructure, timing and potential ring fencing of costs associated with the development of Irongate. (Ref A).

However a response from the Planning and Regulatory Manager indicated that a submission is required on the variation as Council is bound by Policy and for any change to occur, this will require wider consultation and decision with Council. (Ref B).

The Irongate landowners and stakeholders generally support the rezoning proposal as laid out in the Notification, however wish to challenge some ideas that Council have communicated during the process. (Ref C).

General

Finance Costs

It is understood that \$9,000,000.00 has been allocated to fund the Irongate infrastructure and roading. The landowners and stakeholders consider there are 2 parts to the development of Irongate;

- Part 1 is the Infrastructure such as Water and Sewer. (\$4,000,000)
 - \$2,400,000.00 water.
 - \$1,600,000.00 sewer.
- Part 2 is the roading component.
 - \$5,000,000.00

The Development Contribution set by HDC from the \$9,000,000 at this stage is set at \$140,000 ha (\$14m²)

However the landowners and stakeholders support is conditional to several considerations in the details from which the actual costs of the infrastructure are claimed and also the wider roading requirements for Irongate.

Water and Sewer

The infrastructure component for the DC's from which the water and sewer is currently set at \$40,000 \$40,000 ha (100ha x \$40,000= \$4m) is not confirmed. This will be confirmed once tenders and actual work is carried out. It is however planned to have this infrastructure in by early 2017.

We are advised that current Council Policy restricts the ability for some landowners to prepay actual costs of the infrastructure unless all landowners contribute. (Refer to Ref B) This seems contrary to the aim of reducing the ratepayers contribution to the development, especially when Council finance costs have the repayments spread between 20-30 years out.

However further clarity is required based on the following;

Clarification Required;

- What has not been made clear by Council is the manner in which the water reticulation has been established. In one hand we are advised that the upgrading of the Wilson Road pumping station is for the fire fighting requirements of the Irongate Industrial zone to meet the WS4 requirement of 100L/ sec.
 - The bore size is to be increased followed by an increase of pipe sizing. Irongate will pay a proportion of this upgrade in the vicinity of \$120,000?
 - We are then advised that the Portsmouth Rd pumping station will remain in place for the fire fighting requirement of Irongate.
 - We are then advised that the water mains along Maraekakaho Rd (From Frimley Bore) will be linked into the Irongate infrastructure at no cost to the Irongate landowners/ stakeholders?
 - There has been a lack of clarity around the feasibility for the previously requested information on the installation of a booster pump and separate well at Irongate. The previous request was whether a higher grade of engineering for fire protection could be established using a centralized booster pump and suitably sized bores, than the current proposed WS 4 supply. (More information from Strata required)

Question;

1. Would it be feasible to develop a pumping station and bores at Irongate to provide Irongate a higher level of protection than WS4 be considered more appropriate than developing individual bores and holding tanks for those requiring a higher level of protection, given that the aquifer provides a natural storage of water?
2. If not then provide at the actual volumes and pressure attained by the following;
 - a. Wilson Road upgrade. (Indicating this will provide WS4 to Irongate) Plus
 - b. Portsmouth Road is to remain in place for fire fighting. (What will this increase the volume and pressure for Irongate)plus
 - c. Hastings ring maining Flaxmere and Irongate through Irongate infrastructure. (What will this increase the volume and pressure for Irongate)

(Note; We have been advised that this is to benefit Irongate water supply, but the notification of this variation does not carry through to actual benefits, apart from ring main the supply between Hastings and Flaxmere? Which is of no benefit to the Irongate stakeholders, but in effect is a clear benefit to the wider community.

Assumptions

1. This request has not been adequately responded to other than individual bores on multiple properties as detailed in the Officers report to Council indicating that Council provided water is of a similar cost to individual bores when you consider back up power supply and regular monitoring is required. Higher requirements are then transferred

back to individual property developers based on designs from Building Code? **(More detail required from Strata group)**

2. Is the ring main strengthening via Irongate for fire fighting or is Irongate been used to ring main and strengthen the water between Hastings and Flaxmere with the aim of reducing the water supply from Havelock North?

Question: Irongate is providing a link and the associated costs to the ring main the Hastings Water Supply and Flaxmere water which is clearly a Community Benefit.

It has been established that Irongate is providing at least \$2,000,000.00 with underground infrastructure to support this Council initiative.

Roading

What is also unclear is whether the roading contributions are fair and reasonable to be charged against the landowners/ stakeholders rather than the actual end users.

When you consider that those that submit a Resource Consent or a Plan Change pay significantly less in roading calculations, yet are developing land on a similar basis? **The example given is the recent Water bottling plant at Tomoana and Delegates winery? Both of these DC's cumulatively added up to \$50,000 in total?**

In addition to this claim, it appears that Council is requiring payment upfront on roading that may or may not be required in the future.

Again it seems more appropriate to split the costs of roading against the actual user when confirmed through the building application and rates which are paid by the land owner. *(As explained in the previous paragraph.)*

There is also other avenues for roading contributions which have not been assessed by Council. I refer to the recent application by Councils on Roads of National Significance (RNS).

Over the last few years, Whakatu arterial route was identified as moving export goods from an industrial area (Whakatu) through to the Port of Napier.

A recent Resource Consent approval for a 20,000m² packhouse and coolstore was approved in Irongate which is exactly the same type of industrial activity in Whakatu.

Given the long term planning and future costs of the proposed roading upgrade it would seem viable that negotiations occur with NZTA for some kind of roading subsidy.

The large areas of Irongate provide for more of this type of activity especially when the New District Plan directs these large industrial activities into Industrial zones, such as Irongate.

Closing Comments

We seek the Council to consider/ provide the following further consultation and information on the following.

1. The issues identified with water reticulation, especially when it appears that individuals have the ability to make a claim on Development Contributions where it is clear that Public Benefit is clearly identifiable with Irongate providing infrastructure to a ring main water system between Hastings and Flaxmere, or
 - a. Provide actual volume and pressure available from the inclusion of the other water sources.
2. To review the ability of Landowners to prepay actual costs of infrastructure for water and sewer, prior to any finance costs been attributed to the project. Such as;
 - a. Interest costs over the life of the project.
 - b. Internal costs from Council against the Development.
3. To remove Roothing from the early development and to calculate costs for roading in a similar manner to those that submit on Resource Consents and Plan Changes?
4. To provide the calculations of Rate take on the Irongate development on the following basis;
 - a. 40ha fully developed with land value of \$50m² and hooking into Council services. .i.e. 33% uptake.

- b. 80ha fully developed with land value of \$50m2 and hooking into Council services. i.e. 66% uptake.
- c. 118ha fully developed with land value of \$50m2 and hooking into Council services. i.e. 100% uptake.

Land area	Land \$m2	Land value area. \$ Rateable land	Commercial Rates collected	Sewer	Water < 365m3 yr	UAGC	Comm Res Rate	Total
1 ha	\$50m2	\$500,000.0	\$7,715.00	\$500.80	\$228	\$228	\$299	\$8,470
40ha	\$50m2	\$20,000,000	\$ 308,600.00	\$20,032	\$9,120	\$9,120	\$11,960	\$358,832
80ha	\$50m2	\$40,000,000	\$618,000.00	\$40,064	\$18,240	\$18,240	\$23,920	\$717,664
120ha	\$50ha	\$60,000,000	\$927,000.00	\$60,096	\$27,360	\$27,360	\$35,880	\$1,076,496

Note;

- ; For every \$100,000 of land value = \$447.60 in General rates based on Hort/ Farm rates= 0.68.
 Commercial rates = 2.35 times General rates;
 \$100,000 Industrial land value will pay \$1,537.00 in General rates.
 \$100,000 Horticultural land value, will pay \$446.50

The above table is a quick synopsis of proposed rates from Irongate based on a land value of \$50m2. It does not take into account the following;

- The various land parcels which have been contributing to the Industrial rates from Irongate for a number of years. *Remembering that Industrial properties have been contributing higher rates for a number of years. Even dating back to the 1960's.*
- Nor does it take into account the increase in land value over time.
- Nor does it take into account the extra rates collected in Irongate from the increased land value associated with the proposed zoning. *(Even on Plains zone/ horticultural sites.*
- I think the other main item not included is the jobs and economic benefit that Industrial development provides to the Economy and region.

The following is a collection of rates collected from Irongate, based on 40h uptake followed by 80ha and then 120ha fully developed. It is based on a land value of \$50m2. Well below Tomaona and Whakatu.

It should be the aim of the Council to get as much activity into the zone in order to support the recent Central Government support for the Regional Economic Development Strategy (REDS) announced last week from which 5000 jobs will be provided for in the coming years on a Regional basis in HB.

Interesting to note that Government want to include 1000 jobs from the current unemployed.

The location of Irongate to Flaxmere is a clear link to potential job opportunities close to residential land and Industrial land. Which is much closer than the existing Whakatu and Tomaona zonings.

Regards John