

# FONTERRA LIMITED

## SUBMISSION ON PROPOSED KAIPARA DISTRICT PLAN

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## 1. INTRODUCTION

- 1.1. Fonterra Limited ("**Fonterra**") welcomes the opportunity to submit on the Proposed Kaipara District Plan ("**Proposed District Plan**").
- 1.2. Fonterra wishes to be heard in support of its submission.
- 1.3. This submission contains the following sections:

**Section 1:** Introduction.

**Section 2:** Provides background information on Fonterra's interests in Kaipara District.

**Section 3:** Outlines the specific submission points (n.b. refers to **Attachment A**).

**Section 4:** Is a concluding statement.

## 2. BACKGROUND

- 2.1. Fonterra is a global leader in dairy nutrition and is the preferred supplier of dairy ingredients to many of the world's leading food companies. Fonterra is New Zealand's largest company, and a significant employer, with more than 12,000 New Zealand-based staff and more than 5,800 employees based overseas.

- 2.2. Fonterra is a farmer-owned co-operative, and in 2024 was one of the top ten dairy companies in the world.<sup>1</sup> It is one of the world's largest investors in dairy research and innovation drawing on generations of dairy expertise to produce more than 2.5 million tonnes annually of dairy ingredients, value added dairy ingredients, specialty ingredients and consumer products. These products are exported to over 130 markets worldwide. Annually, Fonterra collects more than 16 billion litres of milk from its 9,000 shareholders, who are a mix of family-owned farms and corporate entities. Fonterra has 28 manufacturing sites, five brands site and three logistics/distribution sites in New Zealand. The operation of the existing dairy manufacturing facilities and associated distribution centres is an integral part of the Fonterra business and essential to maintain the success of the company internationally.
- 2.3. Within Kaipara District, Fonterra owns and operates the Maungatūroto Dairy Manufacturing Site (“**Maungatūroto Site**”) which is located immediately east of Maungatūroto township and has direct access to State Highway 12 (refer to **Figure 1**). The Maungatūroto Site was established in 1902 and produced cream and butter (with butter production ceasing in 1984). Since its establishment, several plants have been constructed on-site to meet changing consumer and customer demands and regional milk supply growth, including a casein plant (1962), milk powder dryer (1975), and whey powder plant (1984).



**Figure 1: Fonterra's Maungatūroto Site**

- 2.4. At peak, the Maungatūroto Site processes up to 2.0 million litres of milk per day (approximately 80 tanker loads), which is used to make the following products:
- casein (8,900 tonnes);
  - whey protein powder (12,500 tonnes);
  - whole milk powder (16,000 tonnes);
  - buttermilk (2,000 tonnes); and
  - cream (transported to other sites).

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<sup>1</sup> [https://www.rabobank.co.nz/content/dam/ranz/ranz-website-images/rbnz-files/pdf/RaboResearch\\_Global-Dairy-Top-20\\_2024.pdf](https://www.rabobank.co.nz/content/dam/ranz/ranz-website-images/rbnz-files/pdf/RaboResearch_Global-Dairy-Top-20_2024.pdf)

- 2.5. Today, the Maungatūroto Site employs approximately 120 staff, excluding milk tanker drivers, who are based at Fonterra's Kauri Dairy Manufacturing Site near Whangārei. Most staff who work on-site live in or near Maungatūroto or within the surrounding Kaipara District.
- 2.6. The Kaipara District Council ("**Council**") is required to "give effect" to the Northland Regional Policy Statement ("**RPS**"). The RPS includes policy direction to encourage economic growth and protect key economic activities from reverse sensitivity effects arising from new incompatible subdivision, use and development. Being a significant local industry within the Kaipara District (and Northland Region), the RPS policy direction is particularly relevant to the Maungatūroto Site.
- 2.7. The Maungatūroto Site is significant to the Kaipara District and Northland Region economically and supports a strong community through the employment opportunities it provides. This is reflected in the Operative Kaipara District Plan ("**Operative District Plan**") which recognises the Maungatūroto Site as an example of a "*regionally and nationally significant industry*".<sup>2</sup> Kaipara District is an important part of Northland Region, and existing industry such as Fonterra's operations at the Maungatūroto Site must be protected from future planning decisions that could constrain or hinder its ability to support economic growth and community wellbeing. The Operative District Plan clearly recognises the regional and national significance of the Maungatūroto Site and includes a clear policy direction that provides for the protection of the ongoing operation of the site. The ability of Fonterra to adapt to changing circumstances and to pursue economic development opportunities relies heavily on a supportive statutory planning framework. Therefore, it is important that the Proposed District Plan does not introduce regulation and associated consent requirements that unnecessarily restrict the continued operation and development of Fonterra's activities.

### 3. SPECIFIC SUBMISSION POINTS

- 3.1. Fonterra's specific submission points and relief sought are provided in **Attachment A**.

### 4. CONCLUSION

- 4.1. In relation to the provisions that Fonterra has raised concerns about, those provisions require amendment because without amendment, those provisions:
- Will impact the ability of Fonterra to enable social and economic wellbeing of the community;
  - Will not enable the efficient use and development of Fonterra's assets and operations, and of those resources; and
  - Do not represent the most appropriate way to achieve the purpose of the RMA or the objectives of the Proposed District Plan.

Dated: 30 June 2025



**Suzanne O'Rourke**  
**National Environmental Policy Manager**  
FONTERRA LIMITED

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<sup>2</sup> Kaipara District Plan, Section 2.1.2.

## ATTACHMENT A:

### FONTERRA'S SUBMISSIONS ON THE PROPOSED KAIPARA DISTRICT PLAN

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
<b>Part 1 – Introduction and general provisions / Interpretation / Definitions</b>				
1	Definition of “noise sensitive activities”	Support	<p>The Proposed District Plan includes rules and standards regarding the location and acoustic treatment of “noise sensitive activities” relative to other activities that generate higher levels of noise. Fonterra is seeking additional rules and standards regarding the location and acoustic of “noise sensitive activities” relative to the <i>Maungatūroto Dairy Factory Noise Sensitive Area</i>. The definition for “noise sensitive activities” is as follows (and supported by Fonterra):</p> <p><i>includes residential use, hospitals, homes for the aged, places of assembly for cultural, entertainment, recreation, or leisure, education facilities, conference centres, public halls, child care facility, theatres, motels, hotels, cinemas, display galleries and museums, and other similar uses and activities.</i></p>	Retain the definition for “ <i>noise sensitive activities</i> ”.
2	New definition for “Maungatūroto Dairy Factory”	NA	<p>Fonterra's Maungatūroto Site is zoned Heavy Industrial and General Rural, however a number of existing provisions in the Proposed District Plan (and changes sought by Fonterra) refer to the “<i>Maungatūroto Dairy Factory</i>”.</p> <p>To provide full certainty, Fonterra is seeking that the planning maps identify the extent of the “<i>Maungatūroto Dairy Factory</i>” located within the Heavy Industrial Zone and a new definition is introduced for the “<i>Maungatūroto Dairy Factory</i>”.</p>	<p>Add the following new definition for the “<i>Maungatūroto Dairy Factory</i>”:</p> <p><u><i>The Heavy Industrial Zone area within Maungatūroto shown as “Maungatūroto Dairy Factory” on the planning maps.</i></u></p> <p>On the planning maps, identify the extent of the “<i>Maungatūroto Dairy Factory</i>” site located within the Heavy Industrial Zone.</p>
<b>Part 2 – District-wide matters / Strategic Direction / VK - Vision for Kaipara</b>				
3	Objective SD-VK-O2 Enabling and driving economic growth and development	Support	<p>One of the most fundamental and well-established principles of good resource management planning practice is the separation of incompatible activities to avoid reverse sensitivity effects occurring. In this regard, with any future development, an important guiding principle is ensuring there is adequate separation between incompatible activities and zones (e.g. separating new residential areas from industrial areas). Accordingly, Fonterra considers that Objective SD-UFD-O2 should be amended to reflect this.</p>	<p>Amend Objective SD-VK-O2 as follows:</p> <p><i>The guiding principles to support development include:</i></p> <ol style="list-style-type: none"> <li><i>1. Facilitate growth by being flexible, accommodating and proactive when dealing with growth and business opportunities;</i></li> <li><i>2. Be innovative and bold; <del>and</del></i></li> <li><i>3. Focus on relationships to respond to growth and development opportunities; <del>and</del></i></li> </ol>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
				4. <u>Avoid reverse sensitivity effects between incompatible activities and zones.</u>
4	Objective SD-VK-O3 Primary production and protection of highly productive land	Support in part	Fonterra supports that Objective SD-VK-O3 recognises the value and importance of primary production activities within the Kaipara District. Fonterra seeks that Objective SD-VK-O3 is amended to also provide for the efficient and effective operation key manufacturing and processing activities (such as the Maungatūroto Site) that support primary production activities.	Amend Objective SD-VK-O3 as follows:  <i>Primary production activities (including associated manufacturing and processing activities) operate efficiently and effectively to contribute to economic and social wellbeing and prosperity of the Kaipara District, including food security; and...</i>
5	Objective SD-VK-O4 Rural lifestyle development	Support in part	Fonterra supports that Objective SD-VK-O4 recognises the importance of ensuring rural lifestyle development does not compromise primary production activities. Fonterra considers that Objective SD-VK-O4 should be amended to also protect key manufacturing and processing activities (such as the Maungatūroto Site) that support primary production activities from potential reverse sensitivity effects arising from rural lifestyle development.	Amend Objective SD-VK-O4 as follows:  <i>Rural lifestyle development is concentrated in appropriate locations to contribute to the distribution of population growth in the District without compromising primary production activities (including associated manufacturing and processing activities), loss of highly productive land whilst recognising the need for urban areas to grow.</i>
6	Objective SD-VK-O6 Reverse sensitivity	Support	Fonterra supports Objective SD-VK-O6 which states:  <i>Reverse sensitivity effects between incompatible activities and zones are avoided where practicable, or otherwise mitigated.</i>	Retain Objective SD-VK-O6
<b>Part 2 – District-wide matters / Strategic Direction / UFD - Urban Form &amp; Development</b>				
7	Objective SD-UFD-O1 Residential, commercial, and industrial land	Support	Fonterra supports Objective SD-UFD-O1 which states:  <i>Opportunities exist for the development of residential, commercial, and industrial land to meet current and predicted future demand.</i>	Retain Objective SD-UFD-O1
8	Objective SD-UFD-O2 Economic and business development	Support	Fonterra supports Objective SD-UFD-O2 which states:  <i>Economic and business development opportunities are enabled in Commercial and Industrial zones, and in other zones where the activity is compatible with the local environment, amenity, and the anticipated outcomes of the zone.</i>	Retain Objective SD-UFD-O2



REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
9	Objective SD-UFD-O5 Urban consolidation and integration	Support in part	One of the most fundamental and well-established principles of good resource management planning practice is the separation of incompatible activities to avoid reverse sensitivity effects occurring. In this regard, with any future urban growth, it is important there is adequate separation between incompatible activities and zones (e.g. separating new residential areas from industrial areas). Accordingly, Fonterra considers that Objective SD-UFD-O5 should be amended to reflect this.	Amend Objective SD-UFD-O5 as follows: <i>Urban form is consolidated and integrated to accommodate future growth and provide development capacity effectively and efficiently for residential, business and community activities, while avoiding reverse sensitivity effects between incompatible activities and zones.</i>
10	Policy SD-UFD-P1 Housing and business land development capacity	Support in part	One of the most fundamental and well-established principles of good resource management planning practice is the separation of incompatible activities to avoid reverse sensitivity effects occurring. In this regard, with any future urban growth, it is important there is adequate separation between incompatible activities and zones (e.g. separating new residential areas from industrial areas). Accordingly, Fonterra considers that Policy SD-UFD-P1 should be amended to reflect this.	Amend Policy SD-UFD-P1 as follows: <i>Ensure sufficient residential and business land development capacity is provided within or adjacent to existing urban areas, while avoiding reverse sensitivity effects between incompatible activities and zones.</i>
11	Policy SD-UFD-P5 Heavy Industrial Zone	Support	Fonterra supports Policy SD-UFD-P5 which states: <i>Use the Heavy industrial zone predominantly for large-scale industrial activities that may generate adverse effects on the environment.</i>	Retain Policy SD-UFD-P5.
<b>Part 2 – District-wide Matters / Energy, Infrastructure and Transport / Infrastructure</b>				
12	New Rule INF-R58 Buildings or structures within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor	NA	<p>Rules INF-R53 – INF-R57 restrict the following activities within the “gas or petroleum pipeline corridor”:</p> <ul style="list-style-type: none"> <li>• New structures or buildings (Rule INF-R53);</li> <li>• New sensitive activities (Rule INF-R54);</li> <li>• Earthworks (Rule INF-R55);</li> <li>• Hazardous substances (Rule INF-R56); and</li> <li>• Subdivision of land (Rule INF-R57).</li> </ul> <p>Fonterra seeks similar rules to protect the structural integrity of the Maungatūroto Dairy Factory wastewater pipeline. In order to effectively implement the proposed new rules, Fonterra is also seeking that the planning maps show a 40m</p>	<p>Introduce the following new rules to protect the Maungatūroto Dairy Factory wastewater pipeline:</p> <p><b><u>INF-R58 – Buildings or structures within the Maungatūroto Dairy Factory wastewater pipeline corridor</u></b></p> <p><b><u>1. Activity status: Restricted discretionary</u></b></p> <p><b><u>Matters over which discretion is restricted:</u></b></p> <p>a. <u>The extent to which the proposed building or structure is likely to compromise the stability, structural integrity, operation, maintenance and upgrading of the wastewater pipeline.</u></p> <p>b. <u>The risk of hazards affecting public or individual safety, and the risk of property damage.</u></p> <p>c. <u>Measures proposed to avoid or mitigate potential adverse effects on the wastewater pipeline.</u></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
			<p><i>“Maungatūroto Dairy Factory Wastewater Pipeline Corridor” (i.e. 20m either side of the pipeline).</i></p> <p>To ensure that the structural integrity of (and access to) the <i>Maungatūroto</i> Site wastewater pipeline is adequately protected from any future nearby development, Fonterra seeks a new rule requiring a restricted discretionary activity resource consent for any buildings or structures located within the <i>“Maungatūroto Dairy Factory wastewater pipeline corridor”</i>.</p>	<p>d. <u>The potential for reverse sensitivity effects.</u></p> <p>e. <u>The outcome of any consultation with the owner and operator of the wastewater pipeline.</u></p> <p>f. <u>Whether the building or structure could be located a greater distance from the wastewater pipeline.</u></p> <p><b><u>Notification</u></b>  <u>If a resource consent application is made under this rule, the owner and operator of the wastewater pipeline will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u></p>
13	New Rule INF-R59 Sensitive activities within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor	NA	<p>Rules INF-R53 – INF-R57 restrict the following activities within the <i>“gas or petroleum pipeline corridor”</i>:</p> <ul style="list-style-type: none"> <li>• New structures or buildings (Rule INF-R53);</li> <li>• New sensitive activities (Rule INF-R54);</li> <li>• Earthworks (Rule INF-R55);</li> <li>• Hazardous substances (Rule INF-R56); and</li> <li>• Subdivision of land (Rule INF-R57).</li> </ul> <p>Fonterra seeks similar rules to protect the structural integrity of the Maungatūroto Dairy Factory wastewater pipeline. In order to effectively implement the proposed new rules, Fonterra is also seeking that the planning maps show a 40m <i>“Maungatūroto Dairy Factory wastewater pipeline corridor”</i> (i.e. 20m either side of the pipeline).</p> <p>To ensure that the structural integrity of (and access to) the Maungatūroto Site wastewater pipeline is adequately protected from any future nearby development, Fonterra seeks a new rule requiring a restricted discretionary activity resource consent for any new sensitive activities located within the <i>“Maungatūroto Dairy Factory wastewater pipeline corridor”</i>.</p>	<p>Introduce the following new rule to protect the Maungatūroto Dairy Factory wastewater pipeline:</p> <p><b><u>INF-R59 – New sensitive activities within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor</u></b></p> <p>1. <b><u>Activity status:</u></b> <i>Restricted discretionary</i></p> <p>2. <b><u>Matters over which discretion is restricted:</u></b></p> <p>a. <u>The extent to which the proposed activities are likely to compromise the stability and structural integrity of the wastewater pipeline and the operation, maintenance and upgrading of the wastewater pipeline.</u></p> <p>b. <u>The risks of hazards affecting public or individual safety, and the risk of property damage.</u></p> <p>c. <u>Measures proposed to avoid or mitigate potential adverse effects on the wastewater pipeline.</u></p> <p>d. <u>Technical advice provided by the owner and operator of the wastewater pipeline, including on the assessment of risk.</u></p> <p>e. <u>The potential for reverse sensitivity effects.</u></p> <p>f. <u>The outcome of any consultation with the owner and operator of the wastewater pipeline.</u></p> <p>g. <u>Whether the sensitive activity could be located a greater distance from the wastewater pipeline.</u></p> <p><b><u>Notification</u></b>  <u>If a resource consent application is made under this rule, the owner and operator of the wastewater pipeline will be considered an affected person in accordance with section 95E</u></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
				<p><i>of the Act and notified of the application, where written approval is not provided.</i></p> <p><b>3. <u>Activity status when compliance not achieved: Not applicable.</u></b></p>
14	New Rule INF-R60 Earthworks and Tree Planting within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor	NA	<p>Rule INF-R53 restricts – INF-R57 restrict the following activities within the “<i>gas or petroleum pipeline corridor</i>”:</p> <ul style="list-style-type: none"> <li>• New structures or buildings (Rule INF-R53);</li> <li>• New sensitive activities (Rule INF-R54);</li> <li>• Earthworks (Rule INF-R55);</li> <li>• Hazardous substances (Rule INF-R56); and</li> <li>• Subdivision of land (Rule INF-R57).</li> </ul> <p>Fonterra seeks similar rules to protect the structural integrity of the Maungatūroto Dairy Factory wastewater pipeline. In order to effectively implement the proposed new rules, Fonterra is also seeking that the planning maps show a 40m “<i>Maungatūroto Dairy Factory wastewater pipeline corridor</i>” (i.e. 20m either side of the pipeline).</p> <p>To ensure that the structural integrity of (and access to) the Maungatūroto Site wastewater pipeline is adequately protected from any future nearby development, Fonterra seeks a new rule restricting earthworks and planting of trees within the “<i>Maungatūroto Dairy Factory wastewater pipeline corridor</i>”.</p>	<p>Introduce the following new rule to protect the Maungatūroto Dairy Factory wastewater pipeline from nearby earthworks:</p> <p><b><u>INF-R60 – Earthworks and Tree Planting within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor</u></b></p> <p><b>1. <u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p>a. <u>Earthworks within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor must comply with the following:</u></p> <ol style="list-style-type: none"> <li><u>The stability or integrity of the wastewater pipeline is not compromised; and</u></li> <li><u>The earthworks must not involve any permanent alteration to the profile, contour or height of the land within the corridor; and</u></li> <li><u>There must be no planting of trees within the Maungatūroto Dairy Factory Wastewater Pipeline Corridor.</u></li> </ol> <p>b. <u>The following earthworks activities are exempt from INF-R60.1.a:</u></p> <ol style="list-style-type: none"> <li><u>Earthworks that are undertaken by the owner and operator of the wastewater pipeline;</u></li> <li><u>Earthworks undertaken as part of normal agricultural, horticultural or domestic cultivation activities, or the maintenance and repair, including sealing, of a road, footpath, driveway or farm track; and</u></li> <li><u>Earthworks undertaken by a network utility operator within a road reserve.</u></li> </ol> <p><b>2. <u>Activity status when compliance not achieved: Restricted Discretionary</u></b></p> <p><b>3. <u>Matters over which discretion is restricted:</u></b></p>



REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
				<p>a. <u>The extent to which earthworks may compromise the operation, maintenance, upgrading and development of the wastewater pipeline;</u></p> <p>b. <u>The stability of land within and adjacent to the Maungatūroto Dairy Factory Wastewater Pipeline Corridor;</u></p> <p>c. <u>Risks relating to health or public safety, including the risk of property damage; and</u></p> <p>d. <u>Technical advice provided by the owner and operator of the wastewater pipeline.</u></p> <p><b><u>Notification</u></b>  <u>If a resource consent application is made under this rule, the owner and operator of the wastewater pipeline will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u></p>
<b>Part 2 – District-wide Matters / Energy, Infrastructure and Transport / Transport</b>				
15	Standard TRAN-S1 Traffic Generation	Support in part	<p>TRAN-S1.1(c) requires that the total traffic generated from any Commercial Zone, Light Industrial Zone or Heavy Industrial Zone (i.e. the Maungatūroto Site) must not exceed 200 daily one way movements. TRAN-S1.2 is a site specific traffic generation standard for the Maungatūroto Site. Therefore, for full certainty, Fonterra seeks that TRAN-S1.1(c) be amended to exclude the Maungatūroto Site.</p> <p>As part of the review of the Exposure Draft Kaipara District Plan, Fonterra commissioned Abley to undertake an assessment of the operational efficiency and safety performance of the Maungatūroto Site's SH12 access, and the extent to which the access can safely accommodate increased levels of traffic without requiring a right turn bay. The Abley Report concluded that the access can safely accommodate existing traffic movements from the Maungatūroto Site but proposed the following specific limits for the number of vehicles turning right into the site from SH12 during peak hours if the SH12 speed limit remains at 100km/h:</p> <p>AM peak (7.00-8.00am) – 15 per hour  PM peak (4.00-5.00pm) – 10/hour</p> <p>The Abley Report also recommended the following specific limits for the number of vehicles turning right into the site from</p>	<p>Amend Standard TRANS-S1.1 as follows:</p> <p>1. <u>The total traffic generated from each site must not exceed <del>with</del> the following limits (excluding traffic generated by single dwellings, temporary military activities and construction traffic):...</u></p> <p>c. 200 daily one way movements for:</p> <p>i. Commercial zone;</p> <p>ii. Light industrial zone;</p> <p>iii. Heavy industrial zone <u>(excluding the Maungatūroto Dairy Factory, refer to Standard TRAN-S1.2 below).</u></p> <p>2. <u>For the Maungatūroto Dairy Factory, the total number of SH12 right turn vehicles must not exceed the following limits (excluding construction traffic):</u></p> <p>a. AM peak (7.00-8.00am) – <u>435</u> per hour</p> <p>b. PM peak (4.00-5.00pm) – 20/hour</p>

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			<p>SH12 during peak hours if the speed limit was ever reduced to 80km/h:</p> <p>AM peak (7.00-8.00am) – 35 per hour</p> <p>PM peak (4.00-5.00pm) – 20/hour</p> <p>TRANS-S1.2 includes traffic generation limits for the Maungatūroto Site based on those recommended in the Abley Report if the adjacent SH12 speed limit remains at 100km/h, however the “PM peak” limit for SH12 right turn vehicles should be 10/hour (not 20/hour).</p> <p>However, Abley has since undertaken further assessment to determine the current SH12 operating speed adjacent to the Maungatūroto Site through analysis of NZTA's Mega Maps tool and TomTom analytics data. The assessment confirmed the median speed outside the site is currently 70-75 kph depending on the time of day with 85th percentile speeds in the range of 75-85 km/h, which is well below the 100 km/h posted speed limit. As a result, Abley has concluded that as the observed vehicle speeds along the current SH12 corridor are consistent with an 80 km/h environment, the previously recommended right turning limits during peak hours for an 80 km/h posted speed limit are appropriate.</p>	
16	Standard TRAN-S4 Car parking	Oppose in part	<p>Under Subpart 8 (Carparking) of the National Policy Statement on Urban Development 2020, clause 3.38(1) requires all Tier 1, 2 or 3 territorial authorities to remove all objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity (excluding accessible car parks). Notwithstanding this, a minimum carparking requirement based on the gfa of industrial buildings is excessive and inappropriate for the Maungatūroto Site because the fixed formula typically overstates the number of carparks required (and does not correlate to the number of employees). Accordingly, TRAN-S4.1.a should be deleted.</p> <p>In terms of TRAN-S4.1.i requiring commercial or industrial parking to be screened from residential sites, this should only apply to adjacent residential zoned sites.</p>	<p>Amend Standard TRAN-S4.1 as follows:</p> <p><i>On-site carparking must comply with the following standards:</i></p> <p><del>a. All activities must provide the minimum carparks on-site as set out in TRAN Table 2;...</del></p> <p>i. <i>Parking associated with a commercial or industrial activity shall be screened from <u>adjacent</u> residential <u>zoned</u> sites by landscaping, fencing or other suitable screening at least 2m in height to create and preserve a good standard of visual amenity;</i></p>

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17	TRAN-Table 1 Traffic Intensity Factor	Support in part	Standard TRANS-S1.1.2 is a site specific traffic generation standard for the Maungatūroto Site. Therefore, Fonterra supports that TRAN Table 1 specifically excludes the <i>“Maungatūroto Dairy Manufacturing Site”</i> from the specified traffic intensity factors for <i>“Industry”</i> . However, for consistency with the remainder of the Proposed District Plan, reference should be made to the <i>“Maungatūroto Dairy Factory”</i> .  Fonterra notes that the second column in TRAN Table 1 is headed <i>“Car Parking Spaces Required”</i> , this should be changed to <i>“Traffic Intensity Factor”</i> .	Retain Table TRAN Table 1, but change the “Industry” land use activity sub-heading as follows:  <i><u>Industry (excluding the Maungatūroto Dairy Factory Manufacturing Site)</u></i>  Change heading of second column in TRAN Table 1 from “Car Parking Spaces Required” to “Traffic Intensity Factor”.
18	TRAN-Table 2 Car parking spaces required	Oppose	Under Subpart 8 (Carparking) of the National Policy Statement on Urban Development 2020, clause 3.38(1) requires all Tier 1, 2 or 3 territorial authorities to remove all objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided for a particular development, land use, or activity (excluding accessible car parks). Notwithstanding this, a minimum carparking requirement based on the gfa of industrial buildings is excessive and inappropriate for the Maungatūroto Site because the fixed formula typically overstates the number of carparks required (and does not correlate to the number of employees). Accordingly, TRAN-Table 2 Carparking should be deleted.	Delete TRAN-Table 2
19	TRAN-Table 3 Loading spaces required	Oppose	TRAN-Table 3 requires specific arbitrary requirements for the minimum number of loading spaces for commercial or industrial activities based on gfa. In terms of the Maungatūroto Site, the number of minimum loading spaces should not be dictated by the gfa of industrial buildings, but instead the operational requirements. Accordingly, TRAN-Table 3 should be amended to exclude the Maungatūroto Site.	In TRAN-Table 3 under the Land Use Activity column, amend the “Commercial or Industrial Activities” heading as follows:  <i><u>Commercial or Industrial Activities (excluding the Maungatūroto Dairy Factory):</u></i>
<b>Part 2 – District-wide Matters / Hazards and Risks / Hazardous Substances</b>				
20	HS-S1 Hazardous substances permitted activity thresholds	Oppose in part	A range of hazardous substances are stored and used at the Maungatūroto Site, in compliance with the Hazardous Substances and New Organisms Act 1996, Health and Safety at Work Act 2015, and Health and Safety at Work (Hazardous Substances) Regulations 2017. The Maungatūroto Site (located within the Heavy Industrial Zone) is entirely suitable for the storage and the storage and use of hazardous	Following HS-S1, add the following new “Exemption” section:  <b><u>Exemptions to HS-S1 Hazardous substances permitted activity thresholds:</u></b>  1. <i><u>The storage and use of hazardous substances associated with the operation of the Maungatūroto Dairy Factory.</u></i>

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			<p>substances. It is a long established industrial site with no sensitive activities or receiving environments in close proximity. Fonterra considers that continued compliance with the other legislative controls outlined above is sufficient for the storage and use of hazardous substances at the Maungatūroto Site and that additional controls in the Kaipara District Plan are not required. Accordingly, Fonterra seeks that the Maungatūroto Site is exempt from compliance with the Hazardous Substances Activity Status Table.</p> <p>This approach would be consistent with Operative District Plan where in terms of the storage and use of hazardous substances, Rule 14.10.21(e) exempts the following from compliance with Table 2 (permitted Conditions) in Appendix 25D : Hazardous Substances:</p> <p><i>It is an activity operating as part of a Dairy Factory that has a third party certified environmental management system in respect of environmental management of hazardous substances for the Activity on the site (for example ISO 14001: 2004 accreditation);</i></p>	
<b>Part 2 – District-wide Matters / Hazards and Risks / Natural Hazards</b>				
21	<p>Rule NH-R1</p> <p>New structures (not including buildings or infrastructure) and additions and alterations to existing structures (not including buildings or infrastructure) in a river flood hazard</p>	Support	<p>The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.</p>	<p>Amend Rule NH-R1 as follows:</p> <p><b>1. Activity status: Permitted</b></p> <p><b><u>Where:</u></b></p> <p>a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></p> <p>b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></p> <p><b><u>Explanatory Note:</u></b></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely</u></p>

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				<p><i>to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</i></p> <p><i>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</i></p> <p><b><u>Alternatively, the activity status is permitted <del>Where:</del></u></b></p> <p><del>a</del> <i>c. the structure is not a Hazard Protection Structure;</i></p> <p><del>b</del> <i>d. the structure has a footprint of no more than 30m2 in a High-Risk River Flood Hazard Area; and</i></p> <p><del>c</del> <i>e. The structure does not result in the diversion or transfer of flood water to, or increase ponding or flooding on other property....</i></p>
22	Rule NH-R2 Additions and alterations to an existing building within a river flood hazard area	Support in part	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p><b>1. Activity status: Permitted</b></p> <p><b><u>Where:</u></b></p> <p>a. <i><u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></i></p> <p>b. <i><u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></i></p> <p><b><u>Explanatory Note:</u></b></p> <p><i><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></i></p> <p><i><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2</u></i></p>



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				<p><i>which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</i></p> <p><b><u>Alternatively, the activity status is permitted <del>W</del>where:</u></b></p> <p><b><i>For all additions and alterations:</i></b></p> <p><i>a.c. The addition/alteration does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event.</i></p> <p><b><i>and</i></b></p> <p><i>For accessory buildings:</i></p> <p><i>b.d. The addition/alteration does not result in the gross floor area of the accessory building exceeding the following in a High-Risk River Flood Hazard Area:</i></p> <ul style="list-style-type: none"> <li><i>i. 110 m<sup>2</sup> in in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</i></li> <li><i>ii. 10m<sup>2</sup> in all other zones.</i></li> </ul> <p><b><i>For buildings not containing sensitive activities:</i></b></p> <p><i>e.g. The addition/alteration has a minimum finished floor level of 300mm above the maximum water level in a 1 in 100-year flood event; and</i></p> <p><i>f.f. The addition/alteration is not in a High-Risk River Flood Hazard Area if it is in a zone other than the General rural zone, Rural lifestyle zone, and Māori purpose zone.</i></p> <p><b><i>For buildings containing sensitive activities:</i></b></p> <p><i>eg. The addition/alteration is not in a High-Risk River Flood Hazard Area; and</i></p> <p><i>h.h. The addition/alteration has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</i></p>
23	Rule NH-R3 New accessory buildings in a river flood hazard area	Oppose in part	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new	<p><b>1. Activity status: Permitted</b></p> <p><b><u>Where:</u></b></p> <p>a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></p>

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			permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p><i>b. A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</i></p> <p><u>Explanatory Note:</u></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p> <p><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u></p> <p><b><u>Alternatively, the activity status is permitted <del>where</del>:</u></b></p> <p><i>ac. The accessory building does not result in the diversion or transfer of flood water onto, or increase the potential impact of a flood event on any adjoining site in a 1 in 100-year ARI flood event; and</i></p> <p><i>bd. The gross floor area of the accessory building does not exceed the following in a High-Risk River Flood Hazard Area:</i></p> <ul style="list-style-type: none"> <li><i>i. 110 m<sup>2</sup> in the General rural zone, Rural lifestyle zone, or Māori purpose zone; and</i></li> <li><i>ii. 10m<sup>2</sup> in all other zones.</i></li> </ul>
24	Rule NH-R4 New buildings (other than accessory buildings) in a river flood hazard area	Oppose in part	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in	<p>Amend NH-R4 as follows:</p> <p><b><u>1. Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <p><i>a. A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</i></p>

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			Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p>b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></p> <p><b><u>Explanatory Note:</u></b></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p> <p><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u></p> <p><b><u>42 Activity status when compliance not achieved with NH-R.4.1.1: Restricted Discretionary</u></b></p> <p><b><u>Where:</u></b></p> <p><b><u>For new buildings not containing sensitive activities:</u></b></p> <p>a. The building has a minimum finished floor level of 300mm above the maximum water level in 1 in 100-year flood event.</p> <p><b><u>For new buildings containing sensitive activities:</u></b></p> <p>b. The building is not in a High-Risk River Flood Hazard Area; and</p> <p>c. The building has a minimum finished floor level of 500mm above the maximum water level in 1 in 100-year flood event.</p> <p><b><u>23 Activity status when compliance not achieved with NH-R.4.12.a: Discretionary</u></b></p> <p><b><u>34 Activity status when compliance not achieved with NH-R4.12.b or NH-R4.12.c: Non-Complying</u></b></p>

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				<p><b>45 Matters over which discretion is restricted:</b></p> <ul style="list-style-type: none"> <li>a. The effects of flood hazards on the building;</li> <li>b. The purpose of the building and its vulnerability or resilience to the flood hazard;</li> <li>c. The hazard risks to people or property;</li> <li>d. Cumulative effects and the potential to create, transfer or intensify hazard risks on adjoining sites including on overland flow paths and flood depths, velocity or frequency within the site or on surrounding sites;</li> <li>e. The effectiveness of any mitigation proposed;</li> <li>f. The storage and use of hazardous substances and any management/ mitigation requirements; and</li> <li>g. Methods to manage activities and uses within the site, including safe egress from buildings and structures on the site and the management of people and property during a flood event.</li> </ul>
25	NH-R11 Earthworks within a coastal erosion hazard area, coastal flood hazard area or river flood hazard area	Support in part	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p>Amend NH-R4 as follows:</p> <p><b>1. <u>Activity status: Permitted</u></b></p> <p><b><u>Where:</u></b></p> <ul style="list-style-type: none"> <li>a. <u>A report has been prepared in accordance with NH-S1 and provided to Council at least 20 working days prior to commencement of any applicable works; or</u></li> <li>b. <u>A report has been prepared in accordance with NH-S2 and provided to Council at least 20 working days prior to commencement of any applicable works.</u></li> </ul> <p><b><u>Explanatory Note:</u></b></p> <p><u>The purpose of the assessment required by NH-S1 is to assess if the proposed activity that is within an area that is identified as susceptible to flooding will acceptably avoid or mitigate the risks associated with the flood hazard. A building / activity is permitted if a report is prepared in accordance with NH-S1 which concludes the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p>

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				<p><u>The purpose of the assessment required by NH-S2 is to confirm whether or not the area of land where the building / activity is to be located is correctly mapped as susceptible to flooding. If a report is prepared in accordance with NH-S2 which concludes that it is not susceptible to flooding as defined in the information requirements of that standard, then the activity is permitted.</u></p> <p><b><u>Alternatively, the activity status is permitted <del>W</del>where:</u></b></p> <p><b><u>a.c.</u></b> The area of earthworks does not exceed:</p> <ul style="list-style-type: none"> <li>i. 50m<sup>2</sup> or volume of 50m<sup>3</sup> in a High-Risk Hazard Area; or</li> <li>ii. 100m<sup>2</sup> in the Coastal Flood or River Flood Hazard Area in any 12 month period;</li> </ul> <p><b><u>b.d.</u></b> The earthworks do not:</p> <ul style="list-style-type: none"> <li>i. raise the level of the land in a High-Risk Hazard Area in a way that results in the loss of any flood storage volume; and</li> <li>ii. divert flood flow, coastal inundation or overland flow path onto another property....</li> </ul>
26	Introduce the following new Standard NH-S1	NA	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p><b><u>NH-S1 Site Specific Flood Hazard Mapping Assessment</u></b></p> <p><b><u>All Zones</u></b></p> <p><u>For permitted activities under NH-R1.1.a, NH-R2.1.a, NH-R3.1.a, NH-R4.1.a and NH-R11.1.a, a site-specific flood hazard mapping assessment must be prepared within the last 2 years and must:</u></p> <ol style="list-style-type: none"> <li>1. <u>Be prepared by a Chartered Professional Engineer in the practice field of Civil Engineering, Environmental Engineering, or Water Engineering or scientist with recognised qualifications and experience in environmental science, physical geography, or flood modelling.</u></li> <li>2. <u>Include an assessment of the flood hazard on the area of land where the proposed activity is to occur, including:</u> <ol style="list-style-type: none"> <li>a. <u>A desktop review of flood hazard data available (e.g. the most recent and relevant flood hazard model results from Council(s), survey data, LiDAR data, and landowners) detailing the study objectives, scenarios,</u></li> </ol> </li> </ol>



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				<p><u>data sources technical methodology, limitations, and assumptions.</u></p> <p>b. <u>Identification and assessment of flood hazards within the area of land including:</u></p> <p>i. <u>A determination of the flood extents, depths, and velocity on the area of land during a 1% AEP flood event, allowing for impacts of a high emission climate change scenario over a 100-year timeframe based on the most recent data and projections including increased rainfall intensity, sea level rise, and vertical land movement where relevant.</u></p> <p>ii. <u>Identification and assessment of overland flow paths.</u></p> <p>3. <u>Include a clear statement confirming that:</u></p> <p>a. <u>The report has been prepared in accordance with NH-S1.1-3.</u></p> <p>b. <u>The author is qualified in accordance with NH-S1.1.</u></p> <p>c. <u>The proposed activity is entirely within the area of land assessed under NH-S1.2.</u></p> <p>d. <u>The 1% AEP flood level on the area of land where the activity is proposed will not be to a depth equal to or greater than 100mm, accounting for impacts of climate change in accordance with NH-S1.B.I.</u></p>
27	Introduce the following new Standard NH-S2	NA	The flood hazard maps have been developed at a regional scale so do not address every site specific circumstance. In addition, requiring a resource consent for most activities when a site is susceptible to a flood hazard is inefficient, unnecessary and results in an unreasonable burden when undertaking works. Accordingly, Fonterra is seeking new permitted activity rules and associated standards based on site specific characteristics consistent with the approach taken in Plan Change 1 (Natural Hazards) to the Whangārei District Plan.	<p><b><u>NH-S2 Site Specific Flood Hazard Risk Assessment</u></b></p> <p><b><u>All Zones</u></b></p> <p><u>For permitted activities under NH-R1.1.b, NH-R2.1.b, NH-R3.1.b, NH-R4.1.b and NH-R11.1.b, a site specific assessment of the flood hazard and risk associated with the proposed development prepared within the last 12 months by a suitably qualified and experienced person (e.g., Chartered Professional Engineer) which includes (but is not limited to) the following:</u></p> <p>1. <u>Desktop review of flood hazard data available (e.g., from Council(s) (including the most recent relevant flood hazard model results), survey data, LiDAR data, and owners or witnesses).</u></p>

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				<p>2. <u>Identification and assessment of flood hazards within the area including:</u></p> <ul style="list-style-type: none"> <li>a. <u>Determination of pre- and post-development flood extent and level in a 1% AEP event (+20%).</u></li> <li>b. <u>Use of an appropriate flood modelling technique or methodology.</u></li> <li>c. <u>Consideration of climate change impacts based on the most recent data and projections including:</u> <ul style="list-style-type: none"> <li>i. <u>Increased rainfall intensity over a 100-year timeframe.</u></li> <li>ii. <u>Where receiving waters are tidally influenced relative sea level rise including vertical land movement over a 100-year timeframe.</u></li> </ul> </li> </ul> <p>3. <u>Assessment of the post-development flood hazard, considering (where applicable):</u></p> <ul style="list-style-type: none"> <li>a. <u>Upstream and downstream flooding.</u></li> <li>b. <u>The proportion of floodplain volume that is displaced, the direct impact on flood hazard in the vicinity, and the potential for cumulative reduction in floodplain volume.</u></li> <li>c. <u>Peak flow and velocities.</u></li> <li>d. <u>Flood extents, depths, frequency, and elevations.</u></li> <li>e. <u>Accessibility/escape during inundation.</u></li> </ul> <p>4. <u>Assessment of the risks and potential effects of post-development flood hazards considering (where applicable):</u></p> <ul style="list-style-type: none"> <li>a. <u>The nature of the activity being undertaken and its vulnerability to flood hazards.</u></li> <li>b. <u>The potential consequences of a flood hazard on people, property, communities, infrastructure, and the environment.</u></li> <li>c. <u>The potential for hazardous substances to be impacted by flooding.</u></li> <li>d. <u>Whether the proposal exacerbates existing flood hazards and/or risks, including on neighbouring properties and the wider area.</u></li> </ul>

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				<p>5. <u>Identification and assessment of overland flow paths and whether and how development will alter or divert surface stormwater flows, and any increase in risk associated with changes in overland flow paths.</u></p> <p>6. <u>Description and assessment of any proposed mitigation measures in clear and measurable terms, including how buildings and structures are designed to mitigate the effects of the hazards, e.g., minimum floor levels.</u></p> <p>7. <u>Assessment of any residual risks and effects.</u></p> <p>8. <u>Taking into account the overall recommendations, the report must conclude that the proposed activity is highly unlikely to result in increased flooding risk or material damage on the subject site or immediately adjoining sites.</u></p>
<b>Part 2 – District-wide matters / Subdivision / Subdivision Standards</b>				
28	SUB-O3 Rural subdivision	Support in part	Consistent with the Operative District Plan, Fonterra is seeking a site specific rule requiring a discretionary activity subdivision consent for any subdivision within the Maungatūroto Dairy Factory Noise Sensitive Area to avoid potential reverse sensitivity effects, so seeks some appropriate amendments to Objective SUB-O3 to reflect this.	<p>Amend Objective SUB-O3 as follows:</p> <p><i>Subdivision in rural zones:</i></p> <ol style="list-style-type: none"> <li><i>Enables primary production activities to both establish and continue to operate;</i></li> <li><i>Protects highly productive land from fragmentation-and reverse sensitivity effects; and</i></li> <li><i>Provides flexibility to enable people to work and live in a rural environment; and</i></li> <li><i><u>Protects primary production activities (including associated manufacturing and processing activities) from reverse sensitivity effects.</u></i></li> </ol>
29	SUB-P8 Subdivision in the General Rural Zone outside the Mangawhai/Hakaru Managed growth Area	Support in part	Consistent with the Operative District Plan, Fonterra is seeking a site specific rule requiring a discretionary activity subdivision consent for any subdivision within the Maungatūroto Dairy Factory Noise Sensitive Area to avoid potential reverse sensitivity effects, so seeks some appropriate amendments to Policy SUB-P8 to reflect this.	<p>Amend Policy SUB-P8 as follows:</p> <p><i>Ensure subdivision in the General rural zone outside the Mangawhai/Hakaru Managed Growth Area:</i></p> <ol style="list-style-type: none"> <li><i>Avoids the fragmentation of highly productive land unless the productive capacity of that land is maintained or enhanced;</i></li> <li><i>Avoids reverse sensitivity effects on primary production activities (including associated manufacturing and processing activities);</i></li> <li><i>Supports a range of primary production activities and other activities that have a functional or operational need for a rural location;</i></li> </ol>

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				<p>4. <i>Maintains rural character and amenity values;</i></p> <p>5. <i>Enables smaller rural lifestyle lots where appropriate and consistent with the requirements for different types of subdivisions in this chapter;</i></p> <p>6. <i>Avoids subdivision of minor residential unit; and</i></p> <p>7. <i>Is well integrated with the existing transport network infrastructure.</i></p>
30	SUB-S1 Minimum allotment sizes (excluding access legs)	Oppose in part	<p>There is a General Residential Zone on both sides of Doctors Hill Road located almost entirely within the Maungatūroto Dairy Factory Noise Sensitive Area. The Doctors Hill Road residential land is currently zoned Residential under the Operative District Plan which provides for subdivision as a controlled activity down to 600m<sup>2</sup>. Rezoning the area to General Residential Zone under the Proposed District Plan would result in a significant increase in subdivision potential (as a result of the 400m<sup>2</sup> minimum lot size).</p> <p>Fonterra is generally supportive of urban development and enabling intensification in appropriate locations. However, it is critical to properly manage the relationship between new residential development near the Maungatūroto Site to ensure the site is not compromised as a result of reverse sensitivity effects.</p> <p>Accordingly, Fonterra seeks an amendment to the minimum allotment sizes for the General Residential Zone under Standard SUB-S1 to ensure there is no increase in subdivision potential for any lots located within the Maungatūroto Dairy Factory Noise Sensitive Area (compared to the Operative District Plan).</p>	<p>Under SUB-S1: Amend the minimum allotment size limits for the General Residential Zone as follows:</p> <p><b>General residential zone</b></p> <p>5. <i>Allotments must have a minimum net site area of:</i></p> <p>a. <i>600m<sup>2</sup>, or</i></p> <p>b. <i>400m<sup>2</sup> if reticulated water supply and wastewater services are available outside of Mangawhai, and the allotments are located outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</i></p> <p>And amend SUB-S1.10 as follows:</p> <p>10. <b>Activity status when compliance not achieved:</b> <i>Discretionary</i></p> <p><b>Note:</b> <u><i>If a resource consent application is made under this standard, the owner and operator of the Maungatūroto Dairy Factory will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</i></u></p>
31	New subdivision standard SUB-S17 Subdivision of land within the Maungatūroto Dairy Factory Noise Sensitive Area	NA	<p>Standard SUB-S3 requires a discretionary activity subdivision consent for subdivision of land where an identified building platform is located less than 300m from any intensive indoor primary production activity or less than 500m from the site boundary of any mining or quarrying activity. Similarly, Standard GRUZ-S4 of the Proposed District Plan requires all buildings used for sensitive activities to be setback at least 300m from any buildings housing animals associated with an intensive primary production activity or 500m from the site boundary of any existing mining or quarrying activity (and also requires that buildings used for sensitive activities are located</p>	<p><b><u>SUB-S17 Subdivision of land within the Maungatūroto Dairy Factory Noise Sensitive Area</u></b></p> <p><b>All zones</b></p> <p>1. <u><i>Where subdivision of land is proposed within the Maungatūroto Dairy Factory Noise Sensitive Area, any proposed building platform must be located entirely outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</i></u></p> <p>2. <b>Activity status when compliance not achieved:</b> <u><i>Discretionary.</i></u></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
			<p>outside of the Maungatūroto Dairy Factory Noise Sensitive Area).</p> <p>In Chapter 12 (Rural) of the Operative District Plan, Rule 12.15.14 requires a restricted discretionary activity subdivision consent for any subdivision in the Rural Zone that is located within the Noise Control Boundary for the Maungatūroto Site (where “<i>The operators of the Maungatūroto Dairy Factory will be considered an affected party in relation to any resource consent applications</i>”). This rule provides the Maungatūroto Site with protection from potential reverse sensitivity effects occurring as a result of nearby subdivision, but there is no such rule or standard in the Proposed District Plan.</p> <p>Further, there is a proposed General Residential Zone on both sides of Doctors Hill Road located almost entirely within the Maungatūroto Dairy Factory Noise Sensitive Area. The Doctors Hill Road residential land is currently zoned Residential under the Operative District Plan which provides for subdivision as a controlled activity down to 600m<sup>2</sup>. Rezoning the area to General Residential Zone as per the Proposed District Plan would result in a significant increase in subdivision potential (as a result of the 400m<sup>2</sup> minimum lot size). In addition, under Rule GRZ-R12 of the Proposed District Plan, there’s provision for “multi-unit development” as a restricted discretionary activity within the General Residential Zone (and there is no definition for “multi-unit development”). Fonterra is generally supportive of urban development and enabling intensification in appropriate locations. However, it is critical to properly manage the relationship between new residential development near the Maungatūroto Site to ensure the facility is not compromised by increasing residential density resulting in reverse sensitivity effects.</p> <p>As there are no subdivision rules or standards within the Proposed District Plan that protect the Maungatūroto Site from potential reverse sensitivity effects, Fonterra seeks a new subdivision standard that triggers a discretionary activity consent for subdivision of land within the Maungatūroto Dairy Factory Noise Sensitive Area.</p>	<p><b>Note:</b>  <u>If a resource consent application is made under this standard, the owner and operator of the Maungatūroto Dairy Factory will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u></p>
32	New subdivision standard SUBS-S?	NA	Standard SUB-S9 requires a restricted discretionary subdivision consent for any proposed building platform located within the National Grid Yard.	<p><b><u>SUBS-S? Subdivision of land within the Maungatūroto Dairy Factory wastewater pipeline corridor</u></b></p> <p><b><u>All Zones</u></b></p>



REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
	Subdivision of land within the Maungatūroto Dairy Factory wastewater pipeline corridor		<p>Similarly, in terms of subdivision of land within the Gas Transmission Pipeline Corridor, Standard SUB-S10 requires a restricted discretionary subdivision consent for any proposed building platform within 20m of the gas pipeline or any above ground station.</p> <p>In terms of Rule 12.15.15 of the Operative District Plan, Rule 12.15.15 requires a restricted discretionary activity consent for any subdivision within the “<i>Maungatūroto Dairy Factory Pipeline Corridor Assessment Area</i>” (with the “<i>owners of the Maungatūroto Site</i>” identified as an affected party). This rule protects Fonterra’s wastewater pipeline from potential reverse sensitivity effects occurring as a result of nearby subdivision.</p> <p>There are no such subdivision rules or standards within the Proposed District Plan that protect Fonterra’s wastewater pipeline in this regard. Accordingly, Fonterra seeks a subdivision standard to avoid potential reverse sensitivity effects and protect the structural integrity of the Maungatūroto Site wastewater pipeline by requiring a restricted discretionary activity subdivision consent for subdivision of land where a proposed building platform is located within the “<i>Maungatūroto Dairy Factory wastewater pipeline corridor</i>”.</p> <p>In order to effectively implement the proposed new subdivision standard, Fonterra is also seeking that the planning maps show a 40m “<i>Maungatūroto Dairy Factory wastewater pipeline corridor</i>” (i.e. 20m either side of the pipeline).</p>	<ol style="list-style-type: none"> <li><u><i>Any proposed building platform must be located entirely outside of the Maungatūroto Dairy Factory wastewater pipeline corridor.</i></u></li> <li><u><b>Activity status when compliance is not achieved: Restricted Discretionary</b></u></li> <li><u><b>Matters over which discretion is restricted:</b></u> <ol style="list-style-type: none"> <li><u><i>The subdivision layout and design in regard to how this may impact on the operation, maintenance, upgrading and development of, including access to, the wastewater pipeline;</i></u></li> <li><u><i>The risk to public or individual safety, or property damage;</i></u></li> <li><u><i>The nature and location of any earthworks and how such earthworks will impact on the operation, maintenance, upgrade and development (including access) of the wastewater pipeline;</i></u></li> <li><u><i>The risk to the structural integrity of the wastewater pipeline;</i></u></li> <li><u><i>The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity effects on the wastewater pipeline.</i></u></li> <li><u><i>The outcome of any consultation with the owner and operator of the wastewater pipeline.</i></u></li> </ol> </li> </ol> <p><b><u>Notification</u></b>  <u><i>If a resource consent application is made under this standard, the owner and operator of the wastewater pipeline will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</i></u></p>
<b>Part 2 – District-wide matters/General district-wide matters / Noise</b>				
33	Objective NOISE-02 Noise generating activities	Support	<p>Objective NOISE-02 states the following:  <i>Existing and authorised activities that generate higher levels of noise are protected from reverse sensitivity effects.</i></p> <p>Fonterra supports Objective NOISE-02 on the basis that the Proposed District Plan appropriately recognises, provides for and protects lawfully established activities such as the Maungatūroto Site (consistent with the approach in the Operative District Plan).</p>	Retain Objective NOISE-02

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
34	Policy NOISE-P2 Manage ongoing land use compatibility	Support	<p>Policy NOISE-P2 states: <i>Manage the potential for land use incompatibility and conflict by:</i></p> <ol style="list-style-type: none"> <li><i>Restricting noise sensitive activities within zones that enable high noise levels.</i></li> <li><i>Requiring the acoustic treatment of buildings containing a noise sensitive activity in high noise locations.</i></li> </ol> <p>Fonterra supports Policy Noise-P2 on the basis that:</p> <ul style="list-style-type: none"> <li>the Proposed District Plan retains a site specific noise rule for the Maungatūroto Site that appropriately manages associated noise (consistent with the approach in the Operative District Plan); and</li> <li>Fonterra is proposing a new noise rule requiring acoustic treatment of buildings containing noise sensitive activities located within the Maungatūroto Dairy Factory Noise Sensitive Area.</li> </ul>	Retain Policy NOISE-P2.
35	Policy NOISE-P3 Managing noise levels between zoning interfaces	Support in part	Fonterra considers that Policy NOISE-P3 should be amended to recognise that the Proposed District Plan continues to provide for the existing use rights noise environment of the Maungatūroto Site via site specific noise rules (and associated Noise Sensitive Area overlay).	<p>Amend Policy NOISE-P3 as follows:</p> <p><i>Enable higher noise levels within the Commercial zone and Industrial zones, while requiring industrial and commercial activities to comply with lower noise limits at the interface with any adjacent General residential zone, Rural lifestyle zone, Open space zone, and Natural open space zone <u>(unless provided for by site specific noise rules (and associated Noise Sensitive Area overlay).</u></i></p>
36	Rule NOISE-R1	Support	Fonterra supports the permitted activity status of Rule NOISE-R1 (where the activity complies with the relevant specified noise standards).	Retain NOISE-R1
37	New Rule NOISE-R15 Noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area All zones	NA	NOISE-R5 permits noise sensitive activities within the Commercial Zone and Estuary Estates Special Purpose Business and Service Sub-zones subject to compliance with standards in relation to internal design noise levels and mechanical ventilation and cooling. This clause <i>may</i> provide an acceptable outcome for these zones (and for Fonterra), however the clause is prescriptive and it is not clear if it has had a review from a suitably qualified HVAC design professional. There are aspects of the noise rule that are somewhat unusual, such as the directive that mechanical	<p>Introduce the following new noise rule:</p> <p><b><u>NOISE-R15</u></b>  <b><u>Noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area</u></b>  <b><u>All zones</u></b>  <b><u>1. Activity status: Permitted</u></b>  <b><u>Where:</u></b></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
			<p>ventilation and cooling does not need to be provided to bedrooms.</p> <p>A similar approach is taken in NOISE-R13 and NOISE-S15 where dwellings within the State Highway and Rail Corridor Noise Control Boundary are permitted subject to achieving compliance with certain internal noise limits and the provision of mechanical ventilation and air-conditioning. The rules differ however – the State Highway and Rail Corridor Noise Control Boundary requires 6 air changes per hour (as opposed to the Building Code G4 requirements which may be 17 times lower).</p> <p>Fonterra seeks a similar noise rule for new buildings containing noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area (to ensure appropriate internal noise levels within any such buildings and to protect the Maungatūroto Site from reverse sensitivity effects). Fonterra suggest a ventilation and thermal cooling noise rule that is different to NOISE -R5 and NOISE-R13. Fonterra recommend an “outcome focussed” rule, that seeks the advice of a suitably qualified HVAC design professional.</p> <p>Fonterra notes that with the advice of a suitably qualified mechanical design professional it may be possible for the <b>ventilation/cooling rules</b> associated with NOISE-R5, NOISE-R13 and Fonterra’s NOISE-R15 to be consistent in their wording.</p>	<p>a. <u>Buildings containing noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area are designed, constructed and maintained to ensure that the internal noise level (based on external noise from the dairy factory) does not exceed the following noise limit:</u> <u>30 dB L<sub>Aeq</sub> at all times.</u></p> <p>b. <u>Where the building façade is required to be fully closed to meet an internal noise limit, the building shall be mechanically ventilated and cooled to ensure that the thermal comfort of the occupants can be maintained at all times of the year without any requirement to open windows, doors or other façade openings. To satisfy this clause, a design producer statement from a suitably qualified HVAC design professional shall be provided that addresses the following in accordance with all relevant New Zealand HVAC codes and standards:</u></p> <p>i. <u>Provides mechanical ventilation to all habitable areas of the noise sensitive activity that ensures human ventilation needs and comfort are met with the façade closed</u></p> <p>ii. <u>Provides mechanical thermal cooling to ensure that all habitable areas of the noise sensitive activity can remain at a comfortable temperature at all times of the year with the façade closed</u></p> <p>iii. <u>Where i) or ii) above are to be provided by a ducted air-conditioning and/or ventilation system, that the noise level does not exceed 35 dB L<sub>Aeq</sub> when measured at 1 metre from any diffuser at the minimum airflows required to maintain the design temperatures and ventilation once the room temperature has been achieved.</u></p> <p>iv. <u>Where ii) above is to be provided by high-wall heat pumps, cassette units or other similar non-ducted air-conditioning units, that the unit is from a recognised manufacturer and includes a “quiet” or “low” noise mode with a claimed noise level of less than 35 dBA.</u></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT				
				<p>c. <u>Compliance shall be demonstrated at the time of application for building consent. The application shall be accompanied by a statement prepared by a suitably qualified acoustic consultant that demonstrates the internal design levels will be achieved.</u></p> <p>2. <u><b>Activity status when compliance not achieved:</b></u> <u>Discretionary</u></p> <p><u><b>Notification:</b></u></p> <p><u>If a resource consent application is made under NOISE-R15, the owner and operator of the Maungatūroto Dairy Factory will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u></p>				
38	Standard NOISE-S5  Noise levels in Industrial Zones	Support in part	Standard NOISE-S5 specifies noise limits for any activity in an industrial zone when measured at or within the boundary of any other site in the zone. Standard NOISE-S6 is a site-specific noise standard for the Maungatūroto Dairy Manufacturing Site that appropriately recognises and provides for the site's lawfully established activities in terms of noise (consistent with the approach in the Operative District Plan). For full certainty, Fonterra seeks that Standard NOISE-S5 exempts the Maungatūroto Site in recognition of Standard NOISE-S6.	Amend Standard NOISE-S5 as follows:  1. <u>With the exception of the Maungatūroto Dairy Factory, the noise rating level from any activity in an Industrial zone must not exceed the following noise limits, when measured at or within the boundary of any other site in the zone:...</u>				
39	Standard NOISE-S6  Noise levels in the Heavy Industrial Zone	Support in part	Fonterra supports that Standard NOISE-S6 recognises and provides for noise associated with the Maungatūroto Site's lawfully established activities (consistent with the approach in the Operative District Plan) and supports the restricted discretionary activity status where compliance is not achieved. However, the heading should reflect that Standard NOISE-S6 is specific to the Maungatūroto Site, and reference should be made to “noise rating limits” (instead of just “limits”) consistent with other noise rules.	Amend Standard NOISE-S5 as follows:  <u><b>NOISE-S6 Noise levels in the Heavy Industrial Zone Maungatūroto Dairy Factory site:</b></u>  2. <u>The noise rating level from any activity within the Maungatūroto Dairy Factory site, including infrastructure, wastewater treatment, and other ancillary activities, is a permitted activity if noise from the site as measured at the boundary of Maungatūroto Dairy Factory Noise Sensitive Area shown on the planning maps and does not exceed the following noise rating limits:</u>  <table><tr><td><b>Time</b></td><td><b>Noise Level</b></td></tr><tr><td>All times</td><td>45 dB LAeq(15 min)</td></tr></table>	<b>Time</b>	<b>Noise Level</b>	All times	45 dB LAeq(15 min)
<b>Time</b>	<b>Noise Level</b>							
All times	45 dB LAeq(15 min)							

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
				<p>10.00pm to 7.00am 70 dB L<sub>AF(max)</sub></p> <p><b>3. Activity status where compliance is not achieved:</b> <i>Restricted Discretionary</i></p> <p><b>4. Matters over which discretion is restricted:</b> a. <i>The matters in NOISE-MAT1.</i></p>
40	Standard NOISE-S7 Noise levels from the Commercial zone, Estuary Estates special purpose business and service sub-zones, Light industrial zone and Heavy industrial zone	Support in part	<p>Standard NOISE-S7 specifies noise limits for any activity in the Commercial zone, Estuary Estates special purpose business and service sub-zones, Light industrial zone and Heavy industrial zone when measured at or within:</p> <ol style="list-style-type: none"> <li>The boundary of any site in the Residential zones and Rural lifestyle zone;</li> <li>Any notional boundary in the Rural zones; and</li> <li>The boundary of any site in the Open space zone, Natural open space zone, and Sport and active recreation zone.</li> </ol> <p>Standard NOISE-S6 is a site-specific noise standard for the Maungatūroto Dairy Manufacturing Site that appropriately recognises and provides for the site's lawfully established activities in terms of noise (consistent with the approach in the Operative District Plan). For full certainty, Fonterra seeks that Standard NOISE-S7 exempts the Maungatūroto Site in recognition of Standard NOISE-S6.</p>	<p>Amend Standard NOISE-S7 as follows:</p> <ol style="list-style-type: none"> <li><i>The noise rating level from any activity in the Commercial zone, Estuary Estates special purpose business and service sub-zones, Light industrial zone and Heavy industrial zone (with the exception of the Maungatūroto Dairy Factory) must not exceed the following noise limits when measured at or within:</i> <ol style="list-style-type: none"> <li><i>The boundary of any site in the Residential zones and Rural lifestyle zone;</i></li> <li><i>Any notional boundary in the Rural zones; and</i></li> <li><i>The boundary of any site in the Open space zone, Natural open space zone, and Sport and active recreation zone....</i></li> </ol> </li> </ol>
41	NOISE-MAT1 General All zones	Support	<p>NOISE-MAT1 details the following "General" matters of discretion for a restricted discretionary activity resource consent when compliance cannot be achieved with the relevant permitted activity standards:</p> <ol style="list-style-type: none"> <li><i>The extent to which the character, timing, duration and level of noise from the activity is:</i> <ol style="list-style-type: none"> <li><i>Compatible with existing and permitted land use activities on adjacent sites, including effects on health and amenity of people and protection from sleep disturbance effects; and</i></li> <li><i>Compatible with the development and outcomes that are anticipated and provided for by the Plan in the zone(s) where the noise will be received:</i></li> </ol> </li> </ol>	Retain NOISE-MAT1



REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
			<p>2. <i>The existing ambient sound levels and level of intrusiveness of the noise from the activity.</i></p> <p>3. <i>The effectiveness and practicability of any proposed mitigation and management measures to avoid, manage and minimise noise and/or vibration effects, including but not limited to:</i></p> <ul style="list-style-type: none"> <li>a. <i>Hours of operation;</i></li> <li>b. <i>Timing and duration of noise sources;</i></li> <li>c. <i>Reduction of noise at source;</i></li> <li>d. <i>Location and management of noise sources, including effectiveness of management based measures to manage people noise; and</i></li> <li>e. <i>Enclosure of machinery or use of low noise generating plant or equipment.</i></li> </ul>	
<b>Part 3 – Area Specific Matters / Zones / Residential Zones / General Residential Zone</b>				
43	Rule GRZ-R12 Multi-unit development		<p>There is a General Residential Zone on both sides of Doctors Hill Road located almost entirely within the Maungatūroto Dairy Factory Noise Sensitive Area. The Doctors Hill Road residential land is currently zoned Residential under the Operative District Plan. Under Rule GRZ-R12 of the Proposed District Plan, there's provision for “multi-unit development” as a restricted discretionary activity within the General Residential Zone (and there is no definition for “multi-unit development”), whereas under the Operative District Plan there's no provision for “multi-unit development”.</p> <p>Fonterra is generally supportive of urban development and enabling residential intensification and recognises the desirability of such development from an integrated planning perspective. However, it is critical to properly separate incompatible land uses to ensure the Maungatūroto Site is not compromised by reverse sensitivity effects.</p> <p>Accordingly, Fonterra seeks an amendment to Rule GRZ-R12 to discourage “multi-unit development” from occurring within the Maungatūroto Dairy Factory Noise Sensitive Area to avoid potential reverse sensitivity effects.</p>	<p>Amend GRZ-12 as follows:</p> <ol style="list-style-type: none"> <li>1. <b>Activity status:</b> <i>Restricted Discretionary</i> <u>Where:</u> <ol style="list-style-type: none"> <li>a. <u>The multi-unit development is located outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</u></li> </ol> </li> <li><del>2. Activity status when compliance not achieved: Not Applicable</del></li> <li><del>3. Matters over which discretion is restricted:</del> <ol style="list-style-type: none"> <li>a. <i>The matters in GRZ-MAT1 and GRZ-MAT2.</i></li> </ol> </li> <li>3. <b>Activity status when compliance not achieved:</b> <u>Non Complying</u></li> </ol>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
44	New Standard GRZ-S12  Noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area	NA	<p>There is a General Residential Zone on both sides of Doctors Hill Road located almost entirely within the Maungatūroto Dairy Factory Noise Sensitive Area. The Doctors Hill Road residential land is currently zoned Residential under the Operative District Plan which provides for subdivision as a controlled activity down to 600m<sup>2</sup>. Rezoning the area to General Residential Zone under the Proposed District Plan would result in a significant increase in subdivision potential (as a result of the 400m<sup>2</sup> minimum lot size). In addition, under Rule GRZ-R12 of the Proposed District Plan, there's provision for "multi-unit development" as a restricted discretionary activity within the General Residential Zone (and there is no definition for "multi-unit development").</p> <p>Fonterra is generally supportive of urban development and enabling intensification and recognises the desirability of such development from an integrated planning perspective. However, it is critical to properly separate incompatible land uses to ensure the Maungatūroto Site is not compromised by reverse sensitivity effects.</p> <p>Accordingly, consistent with Rule 13.10.8 of the Operative District Plan, Fonterra seeks a new Standard requiring a discretionary activity resource consent for any new buildings used for noise sensitive activities that are located within the Maungatūroto Dairy Factory Noise Sensitive Area.</p>	<p>Introduce a new Standard GRZ-S12 as follows:</p> <p><b><u>Noise sensitive activities within the Maungatūroto Dairy Factory Noise Sensitive Area</u></b></p> <ol style="list-style-type: none"> <li><u>All new buildings used for noise sensitive activities are located outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</u></li> <li><b><u>Activity status when compliance not achieved:</u></b> <u>Discretionary</u></li> </ol> <p><b><u>Notification</u></b> <u>If a resource consent application is made under GRZ-S11.2, the owner and operator of the Maungatūroto Dairy Factory will be considered an affected person in accordance with section 95E of the Act and notified of the application, where written approval is not provided.</u></p>
<b>Part 3 – Area Specific Matters / Zones / Rural Zones / General Rural Zone</b>				
44	Policy GRUZ-P3  Reverse sensitivity effects	Support in part	<p>Fonterra supports that Standard GRUZ-S4.3 requires that:</p> <p><i>All buildings used for sensitive activities are located outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</i></p> <p>This approach is consistent with the Operative District Plan and is required to protect Fonterra's lawfully established activities at the Maungatūroto Site from reverse sensitivity effects, so needs to be reflected appropriately within the policy framework (e.g. RPROZ-P3).</p>	<p>Amend Policy GRUZ-P3 as follows:</p> <p><i>Manage the establishment, design and location of new sensitive activities and other non-productive activities in the Rural Production Zone to avoid where practicable, or otherwise mitigate, reverse sensitivity effects on primary production activities (including associated manufacturing and processing activities), including through methods such as no-complaints covenants, landscaping, screening or siting buildings.</i></p>
45	Standard GRUZ-S3  Setbacks from a coastal marine area	Support in part	<p>Standard GRUZ-S3 requires a 25m setback from the edge of a coastal marine area for buildings, accessory buildings and structures. The Maungatūroto Site has infrastructure located within the setback requirements for the coastal marine area (e.g. the wastewater pipeline). Such infrastructure should be</p>	<p>Amend GRUZ-S3.2 as follows:</p> <p><i>The setbacks in GRUZ-S3.1 do not apply to:</i></p> <ol style="list-style-type: none"> <li><i>Buildings and structures that are permitted under the Natural Character chapter;</i></li> <li><i>Where there is a legally formed and maintained road;</i></li> </ol>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
			exempt from the setback requirements (consistent with infrastructure provided by a network utility operator under GRUZ-S3.2.a, and Rule 14.10.7(4)(a) of the Operative Kaipara District Plan).	<p>c. <i>Fences;</i></p> <p>d. <i>Infrastructure provided by a network utility operator <u>(or other essential infrastructure)</u>; and</i></p> <p>e. <i>Structures associated with vehicle or pedestrian access.</i></p>
46	Standard GRUZ-S4 Setbacks for reverse sensitivity	Support	<p>Fonterra supports that Standard GRUZ-S4.3 requires that:</p> <p><i>All buildings used for sensitive activities are located outside of the Maungatūroto Dairy Factory Noise Sensitive Area.</i></p> <p>Otherwise, non-compliance triggers a discretionary activity resource consent under Standard GRUZ-S4.4.</p> <p>This approach is consistent with the Operative District Plan and is required to protect Fonterra's lawfully established activities at the Maungatūroto Site from potential reverse sensitivity effects.</p>	Retain Standard GRUZ-S4.3 and GRUZ-S4.4.
<b>Part 3 – Area Specific Matters / Zones / Industrial Zones / Heavy Industrial Zone</b>				
47	Overview	Support in part	Fonterra supports that the second sentence of the Overview recognises that the Heavy Industrial Zone is used predominantly for activities that generate potentially significant adverse effects. However, Fonterra seeks amendments that recognise the long established and regionally significant nature of the Maungatūroto Site (with reference to the associated Noise Sensitive Area surrounding the site which has been retained from the Operative District Plan).	<p>Amend second sentence as follows:</p> <p><i>The Heavy industrial zone is used predominantly for industrial activities that generate potentially significant adverse effects, including the long established and regionally significant <u>Maungatūroto Dairy Factory (which includes a defined Noise Sensitive Area surrounding the site)</u>. This zone may be used for light industrial activities and industry-associated activities that are compatible with the potentially significant adverse effects generated from heavy industrial activities.</i></p>
48	Objective HIZ-O3 Managing effects at the zone boundaries	Support in part	Fonterra considers that Objective HIZ-O3 should be amended to recognise that the Maungatūroto Dairy Factory is an existing and authorised activity that generates higher levels of noise beyond the zone boundary as defined by the associated Noise Sensitive Area (which has been retained from the Operative District Plan).	<p>Amend Objective HIZ-O3 as follows:</p> <p><b><i>Managing effects at the zone boundaries</i></b></p> <p><del>Managing effects at the zone boundaries</del> The adverse effects of activities are contained within the zone boundary <u>(or in terms of noise from the Maungatūroto Dairy Factory within the boundary of the associated Noise Sensitive Area)</u> to avoid significant adverse effects on amenity within other zones, recognising:</p> <p>1. <i>The economic and employment benefits of industrial activities; and</i></p>

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
				2. That amenity levels immediately adjacent to the Heavy Industrial Zone will not be the same as in the balance of the adjacent zone.
49	Objective HIZ-O4 Reverse sensitivity effects	Support in part	Fonterra seeks an amendment to Objective HIZ-O4 to recognise that the Maungatūroto Dairy Factory Noise Sensitive Area has been retained as a mechanism to manage potential reverse sensitivity effects arising from incompatible subdivision, land use and development in the vicinity of the Maungatūroto Site.	Amend Objective HIZ-O4 as follows: <b>Reverse sensitivity effects</b> <del>Reverse sensitivity effects</del> Industrial activities are protected from potential reverse sensitivity effects arising from by avoiding incompatible subdivision, land use and development within or near the zone.
50	Policy HIZ-P2 Existing heavy industrial activities	Support in part	Fonterra supports that Policy HIZ-P2 appropriately recognises the importance of existing heavy industrial activities and managing adverse effects of these operations on the surrounding environment. However, Fonterra considers it is equally important to provide a policy direction that such activities are adequately protected from potential reverse sensitivity effects arising from incompatible subdivision, land use and development within or near the zone (n.b. in this regard, a defined Noise Sensitive Area surrounds the Maungatūroto Site which recognises and provides for noise associated with existing lawfully established activities).	Retain Policy HIZ-P2. <i>Recognise the importance of existing heavy industrial activities and manage adverse effects of these operations on the surrounding environment to ensure acceptable amenity, while ensuring such activities are protected from potential reverse sensitivity effects arising by avoiding incompatible subdivision, land use and development within or near the zone (e.g. within the boundary of any surrounding Noise Sensitive Area).</i>
51	Policy HIZ-P6 Managing effects of activities at zone boundaries	Support in part	Fonterra supports Policy HIZ-P7 but considers that it should be amended to more clearly recognise the economic importance of existing heavy industrial activities, and that existing lawfully established activities and associated environmental effects (e.g. noise) are appropriately recognised, provided for and protected.	Amend Policy HIZ-P6 as follows: <i>Manage adverse effects including noise, dust, smoke, odours, fumes, light spill, glare, or waste at the Heavy industrial zone boundary (or in terms of noise from the Maungatūroto Dairy Factory, at the boundary of the surrounding Noise Sensitive Area) to maintain reasonable amenity values in other zones.</i>
52	Rule HIZ-R1 Buildings and structures	Support	Fonterra supports the permitted activity status of the construction, additions or alterations of buildings or structures under Rule HIZ-R1.1, and the restricted discretionary activity status if compliance is not achieved with the relevant standards under HIZ-S1-S9.	Retain Rule HIZ-R1.
53	Rule HIZ-R2 Demolition of a building	Support	Fonterra supports the permitted activity status of the demolition of a building under Rule HIZ-R2.	Retain Rule HIZ-R2.

REF	PROVISION	SUPPORT / OPPOSE	FONTERRA SUBMISSION	RELIEF SOUGHT
54	Rule HIZ-R3 Industrial activity	Support	Fonterra supports the permitted activity status of “ <i>industrial activities</i> ”. The Proposed District Plan appropriately uses the National Planning Standards definition for “ <i>industrial activity</i> ” <sup>3</sup> which is sufficiently broad enough to cover Fonterra’s existing and future activities at the Maungatūroto Site.	Retain Rule HIZ-R3.
55	Standard HIZ-S1 Maximum Height	Support	Fonterra supports that Standard HIZ-S1.1 specifies that buildings and structures shall be contained within a building envelope defined by a 45-degree recession plane measured from 3m above existing ground level at the side or rear boundaries of the site adjoining the General residential zone, Rural lifestyle zone, Open space zone, or Sport and active recreation zone. A key requirement of the Maungatūroto Site is the ability to construct tall buildings (e.g. milk powder driers) and Standard HIZ-S1 achieves this outcome.	Retain HIZ-S1.
56	Standard HIZ-S7 Landscaping	Oppose in part	<p>Standard HIZ-S7 requires the following:</p> <ol style="list-style-type: none"> <li>1. A landscape strip shall be provided: <ol style="list-style-type: none"> <li>a. Along the full length of the road boundary except for vehicle crossings; and</li> <li>b. Along the full length of any boundary where the Heavy industrial zone abuts a General residential zone, Open Space, or Sport and active recreation zone;</li> </ol> </li> <li>2. The landscape strip shall be a minimum of 2m deep and shall include a minimum of one tree for every 10m of shared boundary or part thereof, with the trees to be a minimum of 1.8m in height at time of planting; and</li> <li>3. The landscaping shall be sufficient to effectively screen the site from view from the General residential zone, Open Space, or Sport and active recreation zone.</li> </ol> <p>The frontage of the Maungatūroto Site adjoins State Highway 12 and consists primarily of a mown grassed strip of land. However, the majority of this grassed strip is located within the State Highway 12 designation (with the remainder of the frontage primarily occupied by existing internal access roads, or the natural gas pipeline substation in the south-eastern corner of the site). Accordingly, it would be impractical and</p>	<p>Amend Standard HIZ-S7.1 as follows:</p> <ol style="list-style-type: none"> <li>1. A landscape strip shall be provided: <ol style="list-style-type: none"> <li>a. Along the full length of the road boundary except for vehicle crossings <u>(and the road frontage of the Maungatūroto Dairy Factory)</u>; and...</li> </ol> </li> </ol>

<sup>3</sup> “Industrial activity” is defined as “means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity”.

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			unreasonable for Fonterra to landscape the full length of the frontage with plants or trees (notwithstanding any such landscaping would have limited visual mitigation given the size, bulk and proximity of existing buildings).	
<b>Planning Maps</b>				
57	Planning Maps Maungatūroto Dairy Factory Wastewater Pipeline Corridor	Support in part	Fonterra is seeking a number of new provisions restricting subdivision, earthworks and new buildings within the <i>“Maungatūroto Dairy Factory Wastewater Pipeline Corridor”</i> to protect the structural integrity of the pipeline and avoid potential reverse sensitivity effects. The planning maps currently only show the location of the wastewater pipeline as a line. In order to effectively implement the proposed new provisions, Fonterra seeks that the planning maps show a 40m <i>“Maungatūroto Dairy Factory Wastewater Pipeline Corridor”</i> (i.e. 20m either side of the pipeline).	On the planning maps, identify a 40m <i>“Maungatūroto Dairy Factory wastewater pipeline corridor”</i> (i.e. 20m either side of the wastewater pipeline).
58	Planning Maps Maungatūroto Dairy Factory Noise Sensitive Area	Support	Fonterra supports retention of the <i>“Maungatūroto Dairy Factory Noise Sensitive Area”</i> on the planning maps as this provides the basis for site specific noise rules and also protecting the Maungatūroto Site from potential reverse sensitivity effects (arising from subdivision and the establishment of new noise sensitive activities within the Noise Sensitive Area).	Retain the <i>“Maungatūroto Dairy Factory Noise Sensitive Area”</i> on the planning maps.
59	Planning Maps Identification of Maungatūroto Dairy Factory Site	NA	Fonterra's Maungatūroto Site is zoned Heavy Industrial, however a number of existing provisions in the Proposed District Plan (and changes sought by Fonterra) refer to the <i>“Maungatūroto Dairy Factory”</i> . To provide full certainty, Fonterra seeks that the planning maps identify the extent of the <i>“Maungatūroto Dairy Factory”</i> located within the Heavy Industrial Zone and a new definition is introduced for the <i>“Maungatūroto Dairy Factory”</i> .	On the planning maps, identify the extent of the <i>“Maungatūroto Dairy Factory”</i> site located within the Heavy Industrial Zone.