

IN THE MATTER

of the Resource Management Act 1991

AND

IN THE MATTER

of the hearing of submissions by the Whangarei District Council on Plan Changes 85, 85A, 85B, 85D, 86A and Consequential Amendments to the Whangarei District Plan

EVIDENCE 09
TOPIC PC85A-D, 86A-B, 87/02, 114
SUB# Rural Plan changes
DATE 04-07-2017

SUMMARY OF EVIDENCE OF DEAN MICHAEL CHRYS TAL FOR FON TERRA LIMITED

PLANNING

4 July 2017

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1. SUMMARY

1.1 My full name is Dean Michael Chrystal. I am a Director of Planz Consultants Limited, a planning consultancy based in Christchurch and Auckland.

1.2 A key issue for Fonterra has been ensuring that the proposed Plan Changes appropriately manage the potential for reverse sensitivity effects on its assets in the Whangarei District. In this regard I endorse the Council's proposal to include a noise control boundary (NCB) around Fonterra's Kauri site, to address potential reverse sensitivity effects in respect of noise.

1.3 The NCB technique is now commonly used throughout district (and unitary) plans in New Zealand including on a number of Fonterra sites. In my opinion this technique provides a greater degree of certainty for both the activity itself and the general public with respect to the extent of noise permitted from a site and any other future development. Compliance and monitoring is also much more straight-forward to assess with NCBs than with say a notional boundary regime. The technique essentially requires a noise sensitive activity locating inside the NCB to meet a design insulation standard and in a quid pro quo situation requires the noise creator to meet the noise standard set at the NCB boundary.

1.4 I have also support a number of other recommendations proposed by the reporting officers in my evidence in chief, however, I have gone on to address points relating to Fonterra's submissions where I am in disagreement with the recommendations or where I consider further amendments are necessary. I have summarised these points as follows:

- (a) The proposed amendment to Objective RA 1.2.2 does not address the submission point made by Fonterra and I considered a further amendment is necessary to reference "rural industries" as being affected by reverse sensitivity impacts;
- (b) I consider further additions should be made to the definition of sensitive activity to ensure that all those activities considered sensitive to effects such as noise are captured;
- (c) An amendment to Rule 2.1.5 is necessary to make it clear that water storage and/or treatment ponds and irrigators are not captured by the rule;
- (d) I consider the additional wording proposed in the Fonterra submission to Policy SRIE 1.3.2 is necessary to provide the link and reasoning

between Objective 1.2.3 and the limited number of rules that now apply to SRIE;

- (e) I consider it is appropriate to enable driers, silos and boilers, including associated stacks, to be developed between 20m and 65m in Rule SRIE 2.3.1.a given the exemptions that are already provided for in the rule and background information I have provided;
- (f) That in relation to the proposed rezoning on the immediate south side of Main Road, maintaining a buffer of 250m from the Fonterra irrigation farm would be consistent with what has been sought elsewhere through this plan change process, however I believe the Commissioners should enquire as to the reasoning why a separate Panel considered a 500m buffer was necessary;
- (g) I believe a note should be added to Appendix 6A (minimum parking requirements) to make it abundantly clear that there are no parking requirements for the Kauri site, otherwise in my view there will inevitably be confusion;
- (i) There is no reason for Fonterra to oppose zoning on the Aylward property beyond the 250m threshold in proximity to Fonterra's irrigation farm; and
- (j) Imposing a straight traffic generation threshold, as sought by NZTA, for consent at 200vpd in a situation such as the Kauri Site is inefficient in terms of s32 and will impose unnecessary costs. It would result in every new development regardless of scale requiring consent for this purpose. Given the standard of intersection already provided at the Kauri site I considered that this is unnecessary.

I am happy to answer any questions.

