From:	Gill Chappell
To:	Lisa Madgwick
Cc:	brucefy@hellaby.co.nz; richard hellaby
Subject:	RE: Proposed District Plan
Date:	Tuesday, 21 October 2014 3:14:33 p.m.

Dear Lisa

My client has prepared a statement which he has asked me to forward to the hearings panel to be tabled at the hearings tomorrow or Thursday (set out in the text of this email). I would be grateful if you could confirm you are able to do so.

Many thanks,

Gill Chappell

21 October 2014

Dear Mr Chairman

SUBMISSIONS BY WILSON HELLABY GROUP OF COMPANIES

Regrettably I am unable to attend the hearing this week on behalf of the Wilson Hellaby Group of Companies. However, as General Manager – Commercial, and having reviewed the planner's report in relation to the Sections 21 and 47 of the above plan I would be grateful if the following comments could be tabled with the Hearings Panel.

In particular I would like to support the planner's recommendation in relation to Wilson Hellaby's submissions on chapter 47.

The company requested that the reference to the control of any activity based on the number of vehicle movements be deleted for the reasons set out below:

> *The light industrial zone is described as having the ability to cater for larger infrastructure and heavy vehicles. A feature of the zone is that it has good access to regional road corridors and lot sizes that allow the loading and manoeuvring of vehicles.*
> *Industrial activities are a permitted activity under Rule 6 provided certain activity standards are met. These include that the site does not involve more than 250 vehicle movements per day.*
> *It is inappropriate to control vehicle movements by way of an arbitrary threshold: traffic movements are an integral part of many industrial activities and a higher level of movement is one of the defining features of the light industrial zone. It is not clear what types of conditions the Council would impose on an application for consent that did not comply with the threshold.*
> *The Council has significant powers in relation to the use and management of roads pursuant to the Local Government Act 1974. The New Zealand Transport Agency has similar powers with respect to state highways under the provisions of the Government Roading Powers Act 1989. Chapter 39 of the PTCDP also already addresses matters such as access within the industrial area and anticipates a traffic impact assessment for major trip generating activities (refer 39.4 - Assessment Criteria - Table 7).*
> *The limits on vehicle movements in the Light Industrial zone are therefore unnecessary as they are duplicated elsewhere.*

The planner's report supports the deletion of this condition on the grounds that 250 car movements per day is not an accurate indicator of industrial activity. I endorse this position for those reasons and the reasons set out in the company's submission above.

Yours faithfully,

Bruce Fyfe.

Gill Chappell | **Barrister** | **P** 09 521 9113 | **M** 0273034757 |
E gkchappell@xtra.co.nz | **F** 09 521 9111
| PO Box 87 070 Meadowbank Auckland 1742

Disclaimer:
The information in this email is confidential and may be legally privileged. If you are not the intended recipient, any disclosure, copying, distribution or other action taken on it is prohibited. If you have received this email in error, please notify the sender immediately by telephone. Please also delete the message from your computer. Thank you.

From: lisa.madgwick@tcdc.govt.nz [mailto:lisa.madgwick@tcdc.govt.nz]
Sent: Tuesday, 14 October 2014 12:41 p.m.
To: gkchappell@xtra.co.nz
Subject: Proposed District Plan
Importance: High

Proposed District Plan 22-23 October 2014

The third hearing on the Proposed District Plan starts on Wednesday 22 October and finished Thursday 23 October. Both days are to be held in the Thames War Memorial Civic Centre Thames.

The topics to be covered at the hearing are:

Section 22 - Recreation Area,
Section 52 - Recreation Active Zone
Section 53 - Recreation Passive Zone
Section 12 and 36 - Contaminated Land and Hazardous Substances
Section 20 - Commercial Area
Section 42 - Commercial Zone
Section 45 - Gateway Zone
Section 51 - Pedestrian Corew Zone
Section 21 - Industrial Area
Section 46 - Industrial Zone
Section 47 - Light Industrial Zone
Section 49 - Marine Service Zone
Section 24 - Rural Area
Section 56 - Rural Zone
Section 57 - Rural Lifestyel Zone

The staff report on each of the above topics has now been prepared and is available on our Council website on the agenda section http://www.tcdc.govt.nz/Your-Council/Agendas-Reports-and-Minutes/Council-Standing-Committees-Agendas-Reports-and-Minutes/Proposed-District-Plan-Hearings-Panel/

Those who made submissions or further submissions and indicated that they 'wish to be heard', will have the opportunity to present their submission to the District Plan Hearings

Panel.

The hearing of submissions and further submissions on the Proposed District Plan run until March/April next year.

The Proposed District Plan Hearings Panel is made up of Two Commissioners, Mark Farnsworth and Ian Munro and Councillor Tony Fox.

If you would like to know more about the hearings process, and haven't been in contact, then please be in touch with our District Plan Coordinator Lisa Madgwick on 07 8680200.