

This is a submission on an application from (name, address & activity)

Industre Property Rua Limited

16A Wickham Street, Hamilton

Construct a storage and distribution facility and three warehouses and ancillary offices in the Rural zone.

I am/am not* a trade competitor for the purposes of section 308B of the Resource Management Act 1991.

I am/~~am not~~ directly affected by an effect of the subject matter of the submission that—

- (a) adversely affects the environment; and
- (b) does not relate to trade competition or the effects of trade competition.

The specific parts of the application that my submission relates to are:

1. Traffic safety at the end of Wickham Street.
2. Reverse sensitivity effects
3. Proposed building setbacks do not comply and are contrary to assessment criteria.

My submission is:

Support parts or all of **Oppose** parts or all of **are neutral** parts or all of
include—

- *the reasons for your views.*

___ Please see attached submission.

I seek the following decision from the consent authority:

give precise details, including the parts of the application you wish to have amended and the general nature of any conditions sought

___ To decline the application.

I wish (or do not wish) to be heard in support of my submission.

- I do wish to be heard in support of my submission
(this means that you will speak at the hearing)
- I do not wish to be heard in support of my submission
(this means that you will not be advised of the date of the hearing and will not speak at the hearing)
- If others make a similar submission I will consider presenting a joint case with them at the hearing.

You must tick one of the boxes above, otherwise it will be deemed that you do not wish to be heard and we will not advise you of the date of the hearing.

- I have served a copy of my submission on the applicant.
(this is required by section 96(6) (b) of the Resource Management Act 1991)

I request/do not request*, pursuant to section 100A of the Act, that you delegate your functions, powers, and duties to hear and decide the application to one or more hearings commissioners who are not members of the local authority.

Signature of submitter: _____
(or person authorised to sign on behalf of submitter) (A signature is not required if you make your submission by electronic means.)

Date: 3 August 2023 Contact person: **Kaaren Rosser, Environmental Planner, Enviro NZ**

(name and designation, if applicant)

Postal address: **Private Bag 92810, Penrose, Auckland 1642**

(or alternative method of service under section 352 of the Act):

Notes to submitter

If you are making a submission to the Environmental Protection Authority, you should use form 16B.

The closing date for serving submissions on the consent authority is the 20th working day after the date on which public or limited notification is given. If the application is subject to limited notification, the consent authority may adopt an earlier closing date for submissions once the consent authority receives responses from all affected persons.

If you are a trade competitor, your right to make a submission may be limited by the trade competition provisions in Part 11A of the Resource Management Act 1991.

You must serve a copy of your submission on the applicant as soon as reasonably practicable after you have served your submission on the consent authority.

If you make your submission in hard copy please deliver to Waipa District Council, 101 Bank Street, Te Awamutu or 23 Wilson Street, Cambridge or post to Private Bag 2402, Te Awamutu 3840

If you make your submission by electronic means, a signature is not required. Electronic submissions on resource consent applications must be directed to submissions@waipadc.govt.nz.

If you make a request under section 100A of the Resource Management Act 1991, you must do so in writing no later than 5 working days after the close of submissions and you may be liable to meet or contribute to the costs of the hearings commissioner or commissioners. You may not make a request under section 100A of the Resource Management Act 1991 in relation to an application for a coastal permit to carry out an activity that a regional coastal plan describes as a restricted coastal activity.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Privacy information

The information you have provided on this form is required so that your submission can be processed under the RMA. The information will be stored on a public register and held by the Council, and may also be made available to the public on the Council's website. In addition, any on-going communications between you and Council will be held at Council's offices and may also be accessed upon request by a third party. Access to this information is administered in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. If you have any concerns about this, please discuss with a Council Planner prior to lodging your submission.

4 August 2023

Submission on a Notified Resource Consent Application LU/0038/23

Introduction

1. This submission is from:

Enviro NZ Services Limited

Private Bag 92810,

Penrose

Auckland

2. We do wish to be heard in support of this submission. If **others** make a similar submission, the submitter will consider presenting a **joint case** at the hearing.

3. The contact person for this submission is:

Kaaren Rosser

Environmental Planner

Ph 0275541065

Kaaren.rosser@environz.co.nz

4. Enviro NZ Services Limited ("Enviro NZ") is the second-largest waste company in New Zealand. In conjunction with joint ventures, it owns and/or operates landfills, recycling, waste transfer and hazardous and liquid waste treatment facilities throughout the country. Enviro NZ also provides kerbside refuse and recycling collection services for a number of district and city councils as well as small and large business and industry clients throughout New Zealand.
5. Enviro NZ operates the Hamilton Organic Centre ("HOC") at 18 Wickham Street, on behalf of Hamilton City Council. The site receives green waste materials from business operators and members of the public. The material is shredded and either stockpiled for transport and composting offsite or formed into compost windrows onsite.
6. The operation of the facility must comply with conditions of resource consents for discharge to air and discharge to stormwater granted by the Waikato Regional Council, and a land use consent from Waipa District Council.

Submission

7. The submitter opposes the application to construct a storage and distribution facility and three warehouses and ancillary offices in the Rural zone by Industrie Property Rua Ltd at 16A Wickham Street. The proposed use effectively changes the activity from rural to urban with an intensification of the existing contractor yard to light industrial businesses.
8. The specific parts of the submission relate to the following issues:
 - a) Traffic safety at the end of Wickham Street
 - b) Reverse sensitivity effects

- c) Building setbacks that do not comply and are contrary to the Waipa District Plan.

Traffic Safety

- 9. The increase in vehicle movements will have a detrimental effect on the safety of traffic exiting the Hamilton Organics Centre site at the end of Wickham Street.
- 10. The end of Wickham Street is an uncontrolled roading environment with three driveways/Right of Ways leading into the street with minimal distance between driveways. The end of Wickham Street has no cul-de-sac head, footpaths or change in width to define the entrance of these driveways. It is also noted that Google Maps shows the end of Wickham Street continuing into the ROW for the proposed application which encourages drivers to ignore the split into driveways and travel without stopping into the central ROW.
- 11. There are current safety issues exiting the Hamilton Organic Centre given the lack of control on the road end, with no give ways or management for each driveway user. The proposal will exacerbate these issues leading to accidents at the road end. Safety improvements to the road end need to be undertaken, with improvements agreed with the other road end owners and tenants.



Figure 1: The end of Wickham Street with central ROW leading to 16A Wickham Street

Reverse Sensitivity

- 12. Enviro NZ is concerned with the possibility for reverse sensitivity effects whereby new owners or tenants of the warehouse buildings complain about potential discharges of odour, dust and noise from the lawfully established green waste operations. These complaints can constrain the HOC from operating and, in particular, gain consents to operate under the Waikato Regional Plan.
- 13. The proposal allows for the construction of three warehouses with no control on the type of business that can utilise or lease the warehouses once they are built. This may lead to activities establishing with potential for retail activity and trade sales, considering the definition for warehouse includes wholesale shops. This may increase the number of receivers on site sensitive to potential discharges from the HOC site. Dwellings are also permitted activities in the rural zone and therefore no conversion of the warehouse units to residential activities needs to be an enduring condition of the application if approved.
- 14. The location of the offices for the three warehouses is oriented to the north and east of the site, which combined with the reduction in setbacks (see below) serves to bring the offices in closer proximity to

the HOC site, potentially leading to reverse sensitivity effects. This can be partially mitigated by internalising the office areas into the body of the warehouses or facing an internal parking area between warehouses.

Building Setbacks

15. The notification report states: *'The proposed development results in the Watty/ Ltd warehouse, Warehouse 1 and Office 1 being located within 3.0m from the southern property boundary. These buildings encroach the boundary setback and the daylight control requirements of the District Plan which typically ensure reverse sensitivity effects are mitigated to an acceptable level'.*
16. We agree that larger setbacks in the rural zone help to mitigate reverse sensitivity. In this instance we do not consider that the setbacks are sufficient, particularly with respect to the offices. Sufficient mitigation is not achieved, nor is the character of the immediate area maintained. The proposal does not meet assessment criteria 21.1.4.6 (f) and (g).
17. The proposed warehouses 1 to 3 should have greater setbacks for their offices, in particular. This would aid in reducing any potential reverse sensitivity effects to the waste management activities on adjoining sites.

Conclusion

18. We seek the following decision from the Waipa District Council:

Decline the application, or alternatively:

- a) Comply with the building setbacks, and re-orientate the offices away from the boundary with 18 Wickham Street; and
- b) Require that the activity be confined to warehousing only, with no retail or residential activities; and
- c) Provide for road safety upgrades to the end of Wickham Street with improvements agreed with the other road end owners and tenants; and
- d) Implement no complaints covenants on the application site with respect to 18 Wickham Street to mitigate reverse sensitivity issues.