

Return your signed further submission to Hamilton City Council by 4:30pm on 22 July 2016.


Further submissions may be:

- posted to Hamilton City Council, Private Bag 3010, Hamilton 3240
- delivered direct to Hamilton City Council offices at Garden Place, Hamilton
- or emailed to districtplan@hcc.govt.nz

1. Submitter Details (all fields required)
Full name: AgResearch Ltd
Contact name if different from above: Dave Burton
Organisation or Company (if relevant): AECOM
Postal address for service of the submitter: c/- AECOM, P O Box 434, Waikato Mail Centre, Hamilton Post code: 3204
Phone number(s): 07 834 8980 021 220 3805
Email: dave.burton@aecom.com
Preferred method of contact: <input checked="" type="checkbox"/> Email <input type="checkbox"/> Post

2. Further Submitter Relevance
I am: (select one)
<input type="checkbox"/> A person representing a relevant aspect of the public interest; or <input checked="" type="checkbox"/> A person who has an interest in the proposal that is greater than the interest the general public has; or <input type="checkbox"/> The local authority for the relevant area.

3. Public Hearing
<input checked="" type="checkbox"/> I <u>do</u> OR <input type="checkbox"/> I <u>do not</u> wish to attend and speak at the Council hearing in support of my further submission
If others make a similar submission, I will consider presenting a joint case with them at the hearing <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

4. Signature of Further Submitter (note a signature is not required if sending your submission by electronic means, but please type your name below)
Signature of further submitter:  (or person authorised to sign on behalf of further submitter)
Date: 20 July 2016

AgResearch Ltd are concerned that the changes proposed in the HCC late submission have not been adequately assessed in terms of RMA section 32 requirements, are not efficient and effective, and do not achieve the purpose of the Resource Management Act.

Without limiting the generality of the above, AgResearch Ltd's further submission points are set out on the attached pages.

Ref	Section	HCC Late Submission Relief Sought	Support Oppose	Reasons	Decision Sought
1	New Policy 8.2.1g	Include the following new Policy 8.2.1g: <i>Development within Precincts A, B and D of the Knowledge Zone is integrated with activities authorised through a Concept Plan Consent.</i>	Support in part	The rules provide for development within Precincts A, B or D without being in accordance with Concept Plan Consents. Accordingly, development in accordance with Concept Plan Consents should not be a "requirement" but instead "encouraged". This would then be consistent with the proposed amendments to Policy 8.2.7a.	Amend proposed new Policy 8.2.1g as follows: <i>Development within Precincts A, B and D of the Knowledge Zone is <u>encouraged to be integrated with activities authorised through a Concept Plan Consent.</u></i>
2	Explanation for Objective 8.2.3 and associated Policies	Amend the Explanation for Objective 8.2.3 and associated Policies as follows: <i>The spatial and landscape character of the existing development is a defining quality of the zone. New development should be provided for through a <u>Concept Plan Consent</u> or Land Development Plan (for Precinct C) process that will build upon such qualities, for example, the character of the existing development pattern and the maintenance of open space areas. However, the range and configuration of activities is recognised as an important factor in maximising the efficiency of the zone, and to draw activities from the nearby university campus into the zone. The incorporation of a 'main street', public plaza and future passenger transport interchange introduces the opportunity to create high-quality precincts that complement other development within the zone and creates a focal point for workers and visitors.</i>	Support in part	The rules provide for development within Precincts A, B or D without being in accordance with Concept Plan Consents. Accordingly, development in accordance with Concept Plan Consents should not be a "requirement" but instead "encouraged". This would then be consistent with the proposed amendments to Policy 8.2.7a.	Amend the proposed amended Explanation for Objective 8.2.3 and associated Policies as follows: <i>The spatial and landscape character of the existing development is a defining quality of the zone. New development should <u>is encouraged to be provided for through a Concept Plan Consent or Land Development Plan (for Precinct C)</u> process that will build upon such qualities, for example, the character of the existing development pattern and the maintenance of open space areas. However, the range and configuration of activities is recognised as an important factor in maximising the efficiency of the zone, and to draw activities from the nearby university campus into the zone. The incorporation of a 'main street', public plaza and future passenger transport interchange introduces the opportunity to create high-quality precincts that complement other development within the zone and creates a focal point for workers and visitors.</i>

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4	Policy 8.2.7a	Amend Policy 8.2.7a as follows: <i>Encourage the continued development of the Waikato Innovation Park and AgResearch Campus to be in general accordance with separate approved Concept Plans to occur in a manner which is consistent with individual Concept Plans to be submitted with an application for a Concept Plan Development Consent for each precinct.</i>	Support	The rules provide for development within Precincts A, B or D without being in accordance with Concept Plan Consents. Accordingly, development in accordance with Concept Plan Consents should not be a "requirement" but instead "encouraged".	Allow
5	Rule 8.3.1(a)	Amend Rule 8.3.1(a) as follows: <i>A Concept Plan Consent for the following activities: or an update to a Concept Plan</i> <ul style="list-style-type: none"> • <i><u>New buildings, including relocated buildings, alterations or additions to buildings;</u></i> • <i><u>Preparation of land for development purposes including earthworks and vegetation removal</u></i> • <i><u>Construction of roads, pedestrian paths and cycle routes</u></i> • <i><u>Installation of Three Waters infrastructure (including linear wetlands and storage basins)</u></i> • <i><u>Works related to the establishment of open space networks</u></i> <i>An application for resource consent for a Concept Plan Consent must be for the whole site; however development of the site may proceed in stages.</i>	Oppose	<p>The proposed changes result in Rule 8.3.1(a) being too prescriptive and inflexible. Both AgResearch and IWL lease to a range of compatible tenants and this will continue going forward. Coupled with the ever changing and evolving nature of research, innovation and development, the task of developing a Concept Plan (within the confines of a resource consent regime governed by the rules proposed in the HCC late submission) which provides the details of future buildings on the respective sites would be very challenging. Neither AgResearch nor IWL can predict the detail of what future buildings may look like on their sites, but they can direct where building can/should occur.</p> <p>The recommended changes to Rule 8.3.1(a) make this task even more challenging because of:</p> <ul style="list-style-type: none"> • the level of detail and information required for Concept Plans in the amended Rule 8.3.1(a) as well as General Standard 8.4.1 (see separate 	<p>Retain Rule 8.3.1(a) as notified, or in the alternative:</p> <p>(i) amend Rule 8.3.1(a) to clearly require only generic building areas and any associated bulk and location controls to be identified, rather than the details of new buildings, relocated buildings, and alterations and additions; and</p> <p>(ii) any consequential amendments arising from the above relief</p>

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				<p>point later in this further submission);</p> <ul style="list-style-type: none"> the requirement for a Concept Plan Consent to cover the entire site; and the inability to apply for an update to a Concept Plan (e.g. in response to any future activities not anticipated in the original consent application). 	
6	Rule 8.3.1(b)	Delete Rule 8.3.1(b).	Oppose	<p>Rule 8.3.1(b) provides for “<i>New buildings, relocated buildings, alterations or additions to buildings in accordance with an approved Concept Plan</i>” as a permitted activity. The HCC late submission seeks to delete this rule but has not replaced it with a corresponding rule. Rule 8.3.1(g) provides for any new buildings not in accordance with an approved Concept Plan as a restricted discretionary activity. The HCC late submission seeks to amend Rule 8.3.1(g) so that it requires that <u>any</u> new buildings require a restricted discretionary activity resource consent. The end result is a duplication of rules where a restricted discretionary activity resource consent would be required for a Concept Plan <u>and</u> any new buildings in accordance with any such Concept Plan. Further, changes are being sought to Rule 8.3.1(e) so that “<i>alterations and additions to existing buildings</i>” are a permitted activity, so these activities do not need to be covered in Rule 8.3.1(b).</p>	<p>Amend Rule 8.3.1(b) as follows: “<i>New buildings, <u>and</u> relocated buildings, alterations or additions to buildings in accordance with an approved authorised by a Concept Plan Consent granted pursuant to Rule 8.3.1(a)</i>”</p> <p>and</p> <p>any consequential amendments arising from the above relief</p>
7	Rule 8.3.1(e)	Amend Rule 8.3.1(e) as follows: <i>Alterations and additions to existing buildings (no greater than 250m² gross floor area)</i>	Oppose	<p>The Development area of Waikato Innovation Park (WIP) is some 10ha in area (excluding the Open Space Zone area in the</p>	<p>Amend permitted activity Rule 8.3.1(e) as follows: “<i>Alterations and additions to existing</i></p>

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		<i>without an approved Concept Plan</i>		power transmission line corridor). The AgResearch Campus (developed area) is about twice this size. Farmed areas under the same long term lease arrangement ("in perpetuity") surround the Ruakura AgResearch developed Campus Area. There is thus plenty of scope to expand the developed area of the Campus. These are large integrated campuses. The built areas are located a considerable distance from publicly accessible areas. There are no public roads through AgResearch Ruakura or the Waikato Innovation Park. Given this situation, there seems no reason to require a resource consent for additions/alterations to existing buildings greater than 250m ² .	<i>buildings (no greater than 250m² gross floor area) without an approved Concept Plan</i>
8	Rule 8.3.1(f)	Amend Rule 8.3.1(f) as follows: <i>Alterations and additions to existing buildings (greater than 250m² gross floor area) without an approved Concept Plan</i>	Oppose		Delete Rule 8.3.1(f)
9	Rule 8.3.1(g)	Amend Rule 8.3.1(g) as follows: <i>Any new buildings without or not in accordance with an approved Concept Plan</i>	Oppose	Rule 8.3.1(b) provides for " <i>New buildings, relocated buildings, alterations or additions to buildings in accordance with an approved Concept Plan</i> " as a permitted activity. The HCC late submission seeks to delete this rule but has not replaced it with a corresponding rule. Rule 8.3.1(g) provides for <u>any</u> new buildings not in accordance with an approved Concept Plan as a restricted discretionary activity. The HCC late submission seeks to amend Rule 8.3.1(g) so that it requires that <u>any</u> new buildings require a restricted discretionary activity resource consent. The end result is a duplication of rules where a restricted discretionary activity resource consent would be required for a Concept Plan <u>and</u>	Amend Rule 8.3.1(g) as follows: <i>Any new buildings greater than 250m² gross floor area without or not in accordance with an approved <u>not authorised by a Concept Plan Consent granted pursuant to Rule 8.3.1(a).</u></i> and Add a new Rule 8.3.1(ga) providing for the following as a permitted activity: <i><u>Any new building up to 250m² gross floor area not authorised by a Concept Plan Consent granted by Rule 8.3.1(a).</u></i> And any consequential amendments arising from the above relief.

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				any new buildings whether they are in accordance with any such Concept Plan or not. Amendments are proposed in relation to Rule 8.3.1(b) so that new buildings are permitted if they are in accordance with a Concept Plan. While it is accepted that a resource consent be required for new large buildings not in accordance with a Concept Plan, the need to secure resource consent for smaller buildings such as a garage, greenhouse/shadehouse, etc is considered unnecessary and unduly onerous. Accordingly, a 250 m ² gfa permitted threshold is proposed.	
10	Rule 8.3.1(h)	Amend Rule 8.3.1(h) as follows: <i>Existing research and innovation activities within the Waikato Innovation Park which were established in accordance with the concept plan set out in Schedule 25B of the previous Waikato District Plan and new activities where those are part of a previously approved Concept Plan administered by the Waikato District Plan and in existence at the time of notification of this District Plan.</i>	Oppose	The changes sought by the HCC late submission would result in there being no permitted activity status for new activities at WIP established in accordance with the existing Concept Plan for the site. The existing Concept Plan does not cover all of the site and is considered to provide sufficient detail with respect to layout of buildings, internal roads, parking, landscaping and open spaces and has adequately served it's purpose to date. Any future buildings and facilities would also be subject to permitted activity performance standards in the Hamilton City District Plan. It is not appropriate that IWL should be required to go through the process of developing a replacement Concept Plan to permit future development of that part of the site which is covered by the existing Concept Plan. Any future Concept Plan for	Retain Rule 8.3.1(h) as notified And any consequential amendments arising from the above relief.
11	Notes for Rule 8.3.1	Amend Note (2) for Rule 8.3.1 as follows: <i>Explanation of Rule 8.3.1(h) above: As a result of the boundary reorganisation scheme which came into effect on 1 July 2011, the land within which the existing Waikato Innovation Park is situated was transferred from Waikato District Council to Hamilton City Council, Schedule 25B of the Waikato District Plan contains an approved a Concept Plan for the Innovation Park. Existing development</i>	Oppose		Retain Note (2) for Rule 8.3.1 as notified.

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		<i>within that area which was established in general accordance with that Concept Plan as a permitted activity will remain a permitted activity. The development of that area in general accordance with the Concept Plan in Schedule 25B can continue as a Permitted Activity. The framework of that previously approved Concept Plan is now integrated into the Ruakura Structure Plan. If there are significant departures from the Structure Plan as the Knowledge Zone evolves, such changes can be considered as a resource consent (Restricted Discretionary) so the effects arising from any change can be considered.</i>		the remainder of the site would be designed so that it is compatible with the existing Concept Plan.	
12	General Standard 8.4.1	Amend General Standard 8.4.1 as follows: <u>Provision of Concept Development Consents Plans for the Waikato Innovation Park, AgResearch and University of Waikato Precincts</u> <u>a) An application for a Concept Development Consent which provides for the further development of Precinct A, B and D within the Knowledge Zone shall include the following activities:</u> <u>i. New buildings, including relocated buildings, alterations or additions to buildings;</u> <u>ii. Preparation of land for development purposes including earthworks and vegetation removal</u> <u>iii. Construction of roads, pedestrian paths and cycle routes</u> <u>iv. Installation of Three Waters infrastructure (including linear wetlands and storage basins)</u> <u>v. Works related to the establishment of open</u>	Oppose	The proposed changes result in General Standard 8.4.1 being too prescriptive and inflexible. Both AgResearch and IWL lease to a range of compatible tenants and this will continue going forward. Coupled with the ever changing and evolving nature of research, innovation and development, the task of developing a Concept Plan (within the confines of a resource consent regime governed by the rules proposed in the HCC late submission) which provides the details of future buildings on the respective sites would be very challenging. Neither AgResearch nor IWL can predict the detail of what future buildings may look like on their sites, but they can direct where building can/should occur. The recommended changes to General Standard 8.4.1 make this task even more	Retain General Standard 8.4.1 as notified., or in the alternative: (i) amend General Standard 8.4.1a)i) and Appendix 1.2.2.27(e) if necessary to clearly require information to be provided that identifies generic building areas and any associated bulk and location controls, rather than the details of new buildings, relocated buildings, and alterations and additions; and (ii) delete General Standard 8.4.1(h) And any consequential amendments arising from the above relief.

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		<p><i>space networks.</i> <i>An application for resource consent for a Concept Plan Consent must be for the whole site; however development of the site may proceed in stages.</i> <i>New buildings shall be a permitted activity on the Waikato Innovation Park, AgResearch or University of Waikato Campus when a Concept Plan application has been granted by Council.</i> <i>b) Activities that are permitted prior to the approval of a Concept Plan are detailed in the relevant sections of Rule 8.3.1.</i> <i>c) An application for resource consent for a Concept Plan must be for the whole site; however development of the site may proceed in stages.</i> <i>d) The Concept Plan application is classified as restricted discretionary, unless an activity that forms part of the application is non-complying, in which case the concept plan application is a non-complying activity.</i> <i>e) All applications for Concept Development Consents Plans must be accompanied by a concept plan which has been prepared in accordance with the standards in this chapter and the Information Requirements in Appendix 1.2.2.27.</i> <i>f) A Concept Plan can include a Concept Plan granted under the previous District Plan.</i> <i>g) The development of a Concept Plan does not preclude the requirement to comply with the relevant standards not addressed in the Concept Plan.</i></p>		<p>challenging because of:</p> <ul style="list-style-type: none"> • the level of detail and information required for Concept Plans in the amended General Standard 8.4.1(a); • the requirement for a Concept Plan Consent to cover the entire site; and the inability to apply for an update to a Concept Plan (e.g. in response to any future activities not anticipated in the original consent application). <p>Further, the Information Requirements for Concept Plans are covered in Appendix 1.2.2.27 and are duplicated in the amendments to General Standard 8.4.1. In places there are inconsistencies between the two sets of provisions that are germane to the discussion set out above in terms of building detail vs generic building areas.</p> <p>For example, Appendix 1.2.2.27(e) states that "a Concept Plan shall show diagrammatically, in the form of sub areas: / The general distribution of activities, buildings, open space and parking facilities..". This provision supports the identification of general building areas governed by bulk and location controls.</p> <p>On the other hand General Standard 8.4.1a)i) requires information on "new buildings, including relocated buildings, alterations or additions to buildings". This rule supports the provision of building</p>	

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		<p><i>h) Where any Development or activities which are consented by a concept development consent will be the subject of is not in accordance with the provisions of the Concept Plan then separate resource consent applications, will be required for that development or activity unless provided for as a permitted activity in the activity status table.</i></p>		<p>detail, which is considered to be inappropriate and unnecessary at the Concept Plan stage.</p> <p>Further, General Standard 8.4.1h) requires:</p> <p><i>h) Where any Development or activities which are consented by a concept development consent will be the subject of is not in accordance with the provisions of the Concept Plan then separate resource consent applications, will be required for that development or activity unless provided for as a permitted activity in the activity status table.</i></p> <p>This is inappropriate and is assumed to be an error. If an development or activity is consented through a Concept Development Consent, then it is entirely inappropriate for a further resource consent to have to be gained for the same activity.</p>	