

**BEFORE AN INDEPENDENT HEARINGS PANEL
OF THE WAIKATO DISTRICT COUNCIL**

IN THE MATTER of the Resource
Management Act 1991

AND

IN THE MATTER of the proposed
Waikato District Plan
(Stage 1) Hearing 25

**EVIDENCE SUMMARY OF ADRIAN DAVID HYNDS ON BEHALF OF HYNDS PIPE
SYSTEMS LIMITED AND THE HYNDS FOUNDATION**

CORPORATE

12 May 2021

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1. INTRODUCTION

1.1 My name is Adrian David Hynds. I am a director of Hynds Pipe Systems Limited and the managing director for Hynds Holdings Ltd, which includes our charitable trust, the Hynds Foundation.

1.2 I have prepared two statements of evidence on behalf Hynds Pipe Systems Limited and the Hynds Foundation (together, **Hynds**) in relation to their submissions/further submissions on the Proposed Waikato District Plan (**Proposed Plan**):

(a) In my statement of evidence dated 17 February 2021 I provided an overview of Hynds' operations in Pokeno and set out why Hynds is seeking that the lower portion of its site at 62 Bluff Road (**Expansion Land**) is zoned Heavy Industrial; and

(b) In my statement of evidence dated 17 March 2021 I explained why Hynds opposed the submissions lodged by other parties, in particular Havelock Village Limited (**HVL**) and Steven and Teresa Hopkins (**Hopkins**), seeking that land in proximity to Hynds' site be rezoned from Rural (as per the notified Proposed Plan) to the Residential or Village Zone.

2. SUMMARY OF EVIDENCE

Hynds' operations in Pokeno

2.1 Hynds operates concrete manufacturing and distribution sites across New Zealand, one of which is located at 9 McDonald Road in Pokeno (**Hynds Factory Site**). Hynds has made a significant investment in Pokeno by establishing the plant there. Its decision to locate at this site was based on its strategic location, together with the surrounding land uses and zoning.

2.2 The purpose of Hynds' involvement in the hearings on the Proposed Plan has been to ensure that it provides adequate protection for Hynds' activities so that Hynds can continue to operate, and adapt or grow its operations if necessary.

Evidence in support of Hynds' rezoning request

- 2.3** Hynds seeks that the lower portion of the land at 62 Bluff Road is be rezoned Heavy Industrial (**Expansion Land**). The remainder of the land would retain its notified Rural zoning.
- 2.4** Hynds' intention is to redevelop the Expansion Land as an extension of the current operations at the Hynds Factory Site. The existing Hynds Factory Site is operating at capacity. Hynds products produced at the Hynds Factory Site are in high demand in the Waikato and across all of the North Island. While Hynds is underway with construction on the Hynds Factory Site to add more manufacturing capabilities, use of the Expansion Land would allow further development to occur at the Hynds Factory Site and will provide further employment opportunities.
- 2.5** Hynds' rezoning proposal will allow for the low-lying developable part of 62 Bluff Road (the smaller portion) to be put to an economic use. In addition, it will facilitate the development of Hynds' proposed sculpture park, a high value natural and cultural/educational resource on the upper (and larger) portion of the site and provide a valuable buffer. This is the most appropriate zoning outcome for this land.

Evidence opposing HVL's and the Hopkins' rezoning requests

- 2.6** Under the Operative Plan, the Hynds Factory Site at McDonald Road is presently protected by the surrounding AEP zone and associated buffer provisions.
- 2.7** I have reviewed the rezoning proposals by HVL and the Hopkins and I am very concerned about reverse sensitivity effects on Hynds' current and future operations. Hynds wants to ensure that land with Heavy Industrial zoning (like the Hynds Factory Site) is protected from encroachment by sensitive activities. Hynds' operations, like many in the Heavy Industrial Zone, are noisy, visually intrusive (including at night) and generate dust, odour, and heavy vehicle movements.
- 2.8** I am concerned that residential development on the hills above the Hynds Factory Site, as HVL has proposed in its submission and in its evidence, and further on Pioneer Road, as proposed by the Hopkins, would have a significant effect on Hynds' day-to-day business activities. The topography will create a

natural amphitheater, with the residents (many of whom may not be familiar with Hynds' operations) looking down (and experiencing the effects) from our day to day activities.

- 2.9** Even though Hynds internalises its effects to the greatest extent possible, and complies with its resource consents, I am concerned that if residential development establishes in proximity that our business will be subject to complaints from neighbours, and that those complaints will make it harder for Hynds to continue to operate, let alone to expand or adapt its operations as necessary.
- 2.10** While I understand that HVL has proposed an "Industrial Buffer" but that only comes part way up the hill, which in my opinion defeats the purpose. The buffer needs to prevent dwellings from being constructed anywhere on that hill that overlooks our site – a restriction that only goes half way up will not protect residents from the lawfully generated effects of the industrial operations, and it will not protect the industrial operations from complaints.
- 2.11** In that regard, and without resiling from my position that HVL's proposal should not be approved, if the Commissioners are minded to approve it I support the revised buffer that is proposed in Ms de Lambert's rebuttal evidence on behalf of Hynds, together with the accompanying provisions proposed in Ms Nairn and Mr Chhima's rebuttal evidence.
- 2.12** I am also concerned about the traffic effects of HVL's proposed rezoning because my understanding is that McDonald Road was not designed as a wide multi-use road that would be suitable for both heavy trucks and trailers in combination with higher loading of private cars, bicycles, and pedestrians. The road was designed for the heavy industrial users firstly, with it also being an alternative access from the south into the existing Pokeno village. I am also concerned about the unsuitability of Cole Road to provide access to HVL's development (including because its current alignment passes over Hynds' land) and the lack of information that has been provided regarding this access.
- 2.13** Finally, the existing stormwater infrastructure for the industrial area of Pokeno village cope with upstream development of the type proposed by HVL. The stormwater development necessary for the current Pokeno Village (as identified in the Stormwater Management Plan (**SMP**) as part of the current structure plan) has still not been constructed and remains incomplete at the

lowest point of the Tanitewhoira Stream catchment. As a result, Hynds' land has been flooded twice due to heavy rainfalls falling on the land in its current state. I am very worried about what will happen with the addition of the significant and large residential development HVL is proposing.

Adrian David Hynds

12 May 2021