

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato District Plan

**SUMMARY STATEMENT OF EVIDENCE OF MARK NICHOLAS
ARBUTHNOT FOR PORTS OF AUCKLAND LIMITED IN RELATION TO
HEARING 3 – STRATEGIC OBJECTIVES**

04 NOVEMBER 2019

EXECUTIVE SUMMARY

1. INTRODUCTION

1.1 I have prepared this summary statement to assist the Panel in relation to key outstanding issues. This statement draws on the primary and rebuttal evidence I provided for Ports of Auckland Limited.

2. TOPIC 33: CHAPTER 4: URBAN ENVIRONMENT – 4.7.2 POLICY – SUBDIVISION LOCATION AND DESIGN

2.1 While I agree with the intent of the recommended changes to Policy 4.7.2, the term “regionally significant industry” is not defined by the Proposed Plan. This has the potential to raise interpretation issues and I am of the opinion that the wording of Policy 4.7.2(a)(i) should either be amended to simply reference “industry”, or that a definition for “regionally significant industry” should be proposed.

2.2 The s.42A report rebuttal evidence prepared by Mr Matheson disagrees, and does not consider that a definition is required or that the policy should be amended, noting that the regionally significant industry has been zoned as Industrial or Heavy Industrial in the Proposed Plan.

2.3 That being the case, I am of the opinion that POAL’s inland freight hub operations will be of significance to economy of the Waikato region and should be recognised within the policies as regionally significant industry. I will address this matter further in evidence at later hearings.

3. TOPIC 15: CHAPTER 4: URBAN ENVIRONMENT – 4.1.3 POLICY – LOCATION OF DEVELOPMENT

3.1 I support Policy 4.1.3 as notified. I agree with the section 42A report that it is unnecessary for the policy to provide for growth adjacent to or near existing towns and villages. In my opinion, the enablement of development on land that has not been zoned for urban development would not give effect to Policy 6.14 of the RPS.

4. TOPIC 18: CHAPTER 4: URBAN ENVIRONMENT – 4.1.6 POLICY – COMMERCIAL AND INDUSTRIAL ACTIVITIES

4.1 I support the recommended changes to Policy 4.1.6. I agree with the section 42A report that the purpose of the Policy is to direct the location of commercial and industrial activities and that it is unnecessary for the Policy to encourage linkages and connections between commercial, industrial, and residential activities.

4.2 Mr Frentz’s primary evidence for the Ministry of Education (“**MoE**”) (at paragraph 5.1) seeks to enable the establishment of education facilities within the industrial and heavy industrial zones. I disagree that it is appropriate to provide for education facilities within the Industrial and Heavy Industrial zones and consider that the change is inconsistent with the general requirement to minimise reverse sensitivity effects within:

- (a) Policy 4.7.11 (reverse sensitivity) of the Proposed Plan; and
- (b) Objective 3.12(g), Policy 4.4(f), and implementation method 6.1.2 of the RPS.

5. TOPIC 20: CHAPTER 4: URBAN ENVIRONMENT – 4.1.8 POLICY – INTEGRATION AND CONNECTIVITY

5.1 I support Policy 4.1.8 as notified. I agree with the section 42A report that the policy appropriately implements Objective 4.1.7(a) by seeking to “ensure efficient integration within and between new developments and existing areas” through several methods.

6. TOPICS 41, 42, 43, 44, AND 45: CHAPTER 4: URBAN ENVIRONMENT – 4.1.10 – 4.1.16 AND REVERSE SENSITIVITY

6.1 Mr Lindenberg’s evidence on behalf of Kainga Ora (at paragraph 6.21) seeks a consistent policy approach to the management of reverse sensitivity effects within Policies 4.1.10 – 4.1.16 of the Proposed Plan.

6.2 While I agree with the intent and rationale for the change that is recommended by Mr Lindenberg, I am of the opinion that the term “new residential development” should be replaced with “new sensitive land uses” to ensure that the policy is consistently aligned with implementation method 6.1.2 of the RPS and Policy 4.7.11 of the Proposed Plan.

7. TOPIC 28: CHAPTER 4: URBAN ENVIRONMENT – 4.1.16 POLICY – HOROTIU

7.1 I agree with the use recommendation of the section 42A report to use the word “minimise” (as opposed to avoid) within Policy 4.1.16 and consider the amendment to be consistent with the intent of the RPS (which does not require such effects to be “avoided”).

8. TOPIC 42: CHAPTER 4: URBAN ENVIRONMENT – 4.7.11 POLICY – REVERSE SENSITIVITY

8.1 I agree with the recommended changes to Policy 4.7.11. The requirement to minimise reverse sensitivity effects gives effect to Objective 3.12(g), Policy 4.4(f), and implementation method 6.1.2 of the RPS.

Mark Nicholas Arbuthnot

14 October 2019