

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of the Proposed Waikato District Plan

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**STATEMENT OF EVIDENCE OF MARK NICHOLAS ARBUTHNOT FOR  
PORTS OF AUCKLAND LIMITED IN RELATION TO HEARING 1 –  
CHAPTER 1 INTRODUCTION**

**16 SEPTEMBER 2019**

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## EXECUTIVE SUMMARY

- A. This statement of evidence addresses the further submission made by Ports of Auckland Limited ("POAL") in relation to 'Hearing 1 Introduction' of the Proposed Waikato District Plan ("Proposed Plan").
- B. POAL's further submission FS1087 supported primary submission 606.1 of Future Proof Implementation Committee ("Future Proof") which sought to retain the issues outlined in section 1.4 of the Proposed Plan as notified.
- C. I agree with the recommended changes to section 1.4 of the Proposed Plan that are contained within Council's section 42A Planning Report ("section 42A report"). In my opinion, the recommended changes are minor in nature and do not result in any consequential flow-on effect to the objectives, policies or rules of the Proposed District Plan.
- D. I agree with the section 42A report that the changes are necessary to clarify the resource management issues for the district and I note that the recommendations are consistent with the issues that were identified within the section 32 analysis that supports this chapter of the Proposed District Plan.

## 1. INTRODUCTION

- 1.1 My full name is Mark Nicholas Arbuthnot. I am a Director at Bentley & Co. Limited ("Bentley & Co."), an independent planning consultancy practice based in Auckland.

### Qualifications and experience

- 1.2 I hold the qualifications of Bachelor of Arts (Honours) (Town Planning) and Diploma in Town Planning (Urban Conservation) from Newcastle University, England, obtained in 2000 and 2002 respectively.
- 1.3 I am a Member of the Royal Town Planning Institute, and an Associate of the New Zealand Planning Institute.
- 1.4 I have been with Bentley & Co. for 14 years. Prior to my current employment with Bentley & Co., I was a local authority planning officer in the United Kingdom for a period of five years. During this time, I have provided resource management services in respect of various plan changes and resource consent applications for a wide range of commercial clients.
- 1.5 Bentley & Co. was first engaged in 2004 by POAL as their statutory planning consultant to advise them on all matters associated with their landholdings at Wynyard Quarter including the development of Plan Modification 4 (and the associated changes) to the Operative Auckland Council District Plan (Central Area Section) and the related Plan Change 3 to the Operative Auckland Regional Plan: Coastal, including providing ongoing advice on the resolution of appeals to these changes.
- 1.6 I was subsequently engaged by POAL in 2011 to assist with the preparation of its submissions and further submissions on the Proposed Auckland Unitary Plan and provided evidence in respect of the same throughout the entire hearings process.
- 1.7 My experience with POAL has also included responsibility for:

- (a) various projects related to the ongoing use and development of the Port of Auckland, including the preparation of a number of applications for resource consents for various activities related to POAL's 30 Year Masterplan; and
- (b) obtaining the necessary resource consents in respect of POAL's Wiri Inland Container Terminal and the Waikato Inland Freight Hub, Horotiu.

### **Code of conduct**

- 1.8 I confirm I have read the Code of Conduct for Expert Witnesses 2014 contained in the Environment Court Practice Note and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise, except where I state I am relying on what I have been told by another person. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

## **2. SCOPE OF EVIDENCE**

- 2.1 Hearing 1 relates to the submissions that were received by the Council in relation to the provisions relating to Chapter 1: Introduction of the Proposed District Plan.
- 2.2 My evidence relates to POAL's further submission (FS1087) in support of the primary submission of Future Proof (606.1), which sought to retain the issues outlined in section 1.4 of the Proposed Plan as notified.

## **3. STATUTORY FRAMEWORK**

- 3.1 As this chapter does not contain any objectives or policies, I agree with the section 42A report (at paragraph 34) that section 75(2) of the RMA is the relevant section of the RMA.

3.2 In preparing this evidence, I have had regard to:

- (a) POAL's primary and further submissions, and the primary and further submissions made by other parties;
  - (b) the section 32 reports, dated July 2018; and
  - (c) the section 42A report, dated 3 September 2019.
- 3.3 I have had regard to section 32 of the RMA, which requires an evaluation of the objectives, policies and rules of the Proposed District Plan that are relevant to POAL's primary and further submissions. I have also had regard to section 32AA of the RMA, which requires a further evaluation for any changes that have been proposed since the original evaluation report under section 32 of the RMA was completed.

#### **4. BACKGROUND**

- 4.1 POAL is a port company established under the Port Companies Act 1988. POAL has over 500 employees and currently operates two seaports in Auckland, and three 'inland freight hubs' at Wiri in South Auckland, Mt. Maunganui in the Bay of Plenty, and Longburn, near Palmerston North.
- 4.2 POAL is in the process of establishing an 'inland freight hub' on 33ha of land at the Horotiu Industrial Park; the first stage of which was officially opened in April 2019. The land was chosen because of its good access to the Hamilton expressway and location adjacent to the north-south main railway trunk lines. When fully developed, the Waikato freight hub will consist of rail sidings, pavement container yards and warehouse and distribution activities.
- 4.3 The proposal will also generate economic benefits, not only for the Waikato region in terms of their ability to access an "end-to-end" supply chain, but also to importers and exporters nationwide through lower supply chain costs. The proposal is also anticipated to generate approximately 300 full time equivalent jobs, and will have flow-on

effects in terms of secondary employment in service industries (such as transport companies) and other industry that rely on freight hub activities.

## 5. CHAPTER 1.4 – ISSUES FOR WAIKATO DISTRICT

*Further submissions of POAL (FS1087) in support of the submission of Future Proof Implementation Committee (606.1)*

- 5.1 POAL made a further submission (F1087) in support of the Future Proof Implementation Committee (606.1) which sought the retention of the issues outline in section 1.4 of the Proposed District Plan. Future Proof's reasons for its submission were:

Future Proof supports the issues identified in section 1.4, in particular issue 1.4.4 on the urban environment. These issues are consistent with the principles of the Future Proof as outlined in section 1.3 of the Strategy.

- 5.2 Section 1.4 of the Proposed District Plan describes the significant resource management issues for the Waikato district. As outlined within the section 32 analysis prepared for the Waikato District Council,<sup>1</sup> the issues have been determined through higher order documents such as the Future Proof Strategy, the State of the Environment Report, as well as through community and stakeholder engagement.
- 5.3 The recommended changes to section 1.4 are minor in nature and do not result in any consequential flow-on effect to the objectives, policies or rules of the Proposed District Plan. I agree with the section 42A report that the changes are necessary to clarify the resource management issues for the district and I note that the recommendations are consistent with the issues that were identified within the section 32 analysis that supports this chapter of the Proposed District Plan.

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<sup>1</sup> Section 32 Report – Introduction to the Evaluation Reports; July 2018.

Ports of Auckland Limited  
Submission number 578  
Further Submission number FS1087

Proposed Waikato District Plan  
Primary evidence - Mark Arbuthnot

5.4 Should any further changes be sought in the evidence of other submitters, POAL will address those changes in its rebuttal evidence, if necessary.

**Mark Nicholas Arbuthnot**

**16 September 2019**