

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

**AND**

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

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**SUMMARY STATEMENT OF EVIDENCE OF MARK NICHOLAS  
ARBUTHNOT FOR PORTS OF AUCKLAND LIMITED IN RELATION TO  
HEARING 7 – INDUSTRIAL AND HEAVY INDUSTRIAL ZONE**

**16 JANUARY 2020**

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## 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 evidence I provided for Ports of Auckland Limited.

### 2. INLAND FREIGHT HUB AS REGIONALLY SIGNIFICANT INDUSTRY

- 2.1 While the section 42A report (at paragraph 1017) acknowledges that the WRPS definition of “regionally significant industry” applies to POAL’s inland freight operations, the rebuttal evidence (at paragraph 194) does not agree that a policy recognising the inland freight hub as a “regionally significant industry” is appropriate *“because the inland freight hub is a location rather than being an industry per se”*.
- 2.2 POAL’s inland freight hub is more than a “location” and will comprise a combination of buildings and hardstand areas that are used for the storage and distribution of goods and materials. Such an activity is consistent with the Proposed Plan’s definition of “industrial activity” (as recommended to be amended by the section 42A report). For the reasons discussed within my statement of primary evidence, I am of the opinion that it is appropriate to add a policy that expressly recognises the inland freight hub as a “regionally significant industry”.

### 3. WORKERS’ ACCOMMODATION

- 3.1 The section 42 report rebuttal evidence (at paragraph 195) does not agree with a controlled activity status for caretakers, security personnel and workers within the Horotiu Industrial Park as it *“...would send the wrong signal that any living accommodation (which may extend to a worker and their family) in this location is appropriate, particularly given that consent must be granted to a controlled activity”*.

3.2 The submission of POAL is not seeking to enable any living accommodation to be established within the Horotiu Industrial Park as a controlled activity. It is seeking to establish workers' accommodation for people whose duties require them to live on-site (refer also to my primary statement of evidence for Hearing 5 (definitions), dated 10 December 2019). For the reasons discussed within my statement of primary evidence, I am of the opinion that it is a reasonable proposition that industrial activities should be provided with certainty that they can establish on-site accommodation for caretakers, security personnel and workers.

#### 4. LANDSCAPE PLANTING

4.1 The section 42A rebuttal evidence (at paragraph 180) recommends that the riparian landscaping requirement is reduced from 8 metres to 4 metres, and agrees that there is benefit in further liaison between the parties<sup>1</sup> to develop a permitted activity standard for landscaping in industrial zones (as opposed to a controlled activity).

4.2 Given the manner in which the Horotiu Industrial Park has been comprehensively planned to include a significant amount of stream planting (outlined in section 9 of my statement of primary evidence), I am supportive of the following “standalone” provision for the Horotiu Industrial Park:

##### 20.6.3.2 Landscape planting – Horotiu Road

C1	<p><del>(a) Any land use, building or subdivision activity on land that fronts Horotiu Road that meets the following condition:</del></p> <p><del>(i) Provision of a 5 metre deep landscaped buffer immediately inside that road frontage (excluding required vehicle entrances and accessways) comprising indigenous species that will achieve a height of at least 5 metres within 5 years</del></p> <p><del>(b) Council's control shall be reserved over the following matters:</del></p> <p><del>(i) type and density of indigenous species to be planted</del></p> <p><del>(ii) maintenance measures</del></p> <p><del>(iii) the extent to which amenity of the Residential Zone on Horotiu Road is maintained</del></p>
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<sup>1</sup> Waikato District Council, Northgate Industrial Park Limited, Ports of Auckland Limited and Van Den Brink Limited.

<u>P1</u>	<p>(a) <u>Any land use or building activity on land that fronts Horotiu Road shall be landscaped, along its full frontage with Horotiu Road, except for access and egress points, and immediately inside that road boundary to the following minimum standards:</u></p> <ul style="list-style-type: none"> <li>(i) <u>Is 5 metres wide;</u></li> <li>(ii) <u>comprises of indigenous species that will achieve a height of at least 5 metres within 5 years; and</u></li> <li>(iii) <u>Shrubs and trees are planted at a maximum of 1.5 metres apart.</u></li> </ul> <p>(b) <u>Any land use or building activity on land that contains or is adjacent to a river or a permanent or intermittent stream shall provide a landscaped strip to the following minimum standards:</u></p> <ul style="list-style-type: none"> <li>(i) <u>Is at least 4m wide inclusive of the stream bank;</u></li> <li>(ii) <u>comprises of indigenous species; and</u></li> <li>(iii) <u>shrubs and trees are planted at a maximum of 1.5 metres apart.</u></li> </ul>
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## 5. PERMITTED NOISE LEVELS HOROTIU INDUSTRIAL PARK

5.1 Having regard to the existing elevated background noise levels, and the guidance contained within NZS 6802:2008, Mr Day has determined that an upper night-time noise limit of 45 dB (L<sub>Aeq</sub>) will maintain a reasonable level of acoustic amenity for the Residential zoned properties that are located at Horotiu.

5.2 The submission of POAL also seeks to apply the “notional boundary” when measuring noise on land that is located outside of the “Industrial” and “Residential” zones. The evidence of Mr Day is supportive of this approach.

5.3 The section 42A rebuttal evidence (at paragraph 177) advises that Mr Malcolm Hunt has been engaged by Waikato District Council to review the evidence of Mr Day. I understand that this review will be complete prior to the commencement of the hearing and I will respond to any issues raised at that time.

## 6. PERMITTED STANDARDS FOR FREESTANDING SIGNS

6.1 The section 42A rebuttal evidence (at paragraph 204) remains “reluctant” to increase the permitted standards for freestanding signs

from 3m<sup>2</sup> to 15m<sup>2</sup>, and 2m<sup>2</sup> for any other freestanding sign) “...*because of the risk to compromising visual amenity, particularly for small industrial sites that adjoin a more sensitive zone*”.

- 6.2 As discussed within my statement of primary evidence, a freestanding sign with an area of 15m<sup>2</sup> is not large in the context of an Industrial Zone. My experience with freestanding signage is that typically they have a width of between 1.5 and 2 metres, which would result in a height of between 7.5 and 10 metres. In the context of a zone that permits buildings with heights of 15 metres (and above), such a freestanding sign would not appear out context with the balance of development on the site and will still appropriately manage the visual impact of development at the interface with more sensitive zones.

## **7. BUILDING SETBACKS ADJACENT TO WATERBODIES**

- 7.1 POAL has sought the retention of the *status quo* in respect of the type of river where a setback is required to be provided. With reference to the concerns that have been raised within the section 42A report, I am of the opinion that the manner in which the Horotiu Industrial Park has been comprehensively planned in respect of stormwater management and the revegetation of its riparian margins is such that it is appropriate to retain the Operative District Plan’s qualification as to the type of stream that requires a building setback. To this end, I support the inclusion of a specific rule for the Horotiu Industrial Park within the provisions of Chapter 20.6.

**Mark Nicholas Arbuthnot**

**16 January 2020**