

**BEFORE THE INDEPENDENT HEARINGS PANEL**

PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

Under the Resource Management Act 1991 (**RMA**)

In the matter of hearing submissions and further submissions on the Proposed  
Waikato District Plan (Stage 1) – **Hearing 5 Definitions**

By Hynds Foundation (Submitter)

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**Statement of evidence by Anna McLellan, The Surveying Company Ltd**

Dated: November 2019

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## INTRODUCTION

1. My full name is Anna McLellan. I am a Senior Planner at The Surveying Company in Pukekohe.
2. I have the following qualifications and experience relevant to my evidence:
  - (a) My relevant professional experience spans over 12 years in local government and private sector roles in New Zealand. I have a Bachelor's of Science and a Masters in Applied Science (Natural Resource Management) from Massey University.
  - (b) I have held the following positions:
    - Consents Planner at Taupo District Council and Waipa District Council processing landuse and subdivision consent applications;
    - Project Planner at Waipa District Council processing significant or contentious subdivision and landuse consent applications, approving 223/224c applications;
    - Consents Quality Reviewer at Waipa District Council which included the technical review of planning reports for subdivision and landuse consents and the preparation of other in-house planning documents, such as condition manuals.
    - Senior Planner position at The Surveying Company in Pukekohe preparing applications for landuse and subdivision consents, and submissions on behalf of clients.
3. This evidence is prepared on behalf of the Hynds Foundation (FS1306). The Hynds Foundation (the Submitter) is the charitable foundation established by the directors of The Hynds Group. The Hynds Group is a family owned and operated business which specialises in the manufacture and supply of construction materials in New Zealand and Australia. The Hynds Group own Hynds Pipes Systems Limited, whose main site is situated at 9 McDonald Road, Pokeno. The Submitter is the owner of land adjoining being 62 Bluff Road.
4. In preparing this statement of evidence I have read the section 42A report prepared by Anita Coplestone and Megan Yardley, the Reporting Officers for Waikato District Council; the summary of submissions and any relevant submissions lodged in respect of the Definitions Chapter; as well as any relevant information prepared for the Plan Change.

## CODE OF CONDUCT

5. I confirm that I have read the 'Expert Witnesses Code of Conduct' contained in the Environment Court of New Zealand Practice Note 2014. My evidence has been prepared in compliance with that Code in the same way as I would if giving evidence in the Environment Court. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

## SCOPE OF EVIDENCE

6. This evidence is provided in support of the further submission (FS1306) on the Proposed Waikato District Plan – Stage 1 (PWDP). Specifically my evidence will focus on the submission point (FS1306.31) relating to the definition of Industrial Activity.

## DEFINITION – INDUSTRIAL ACTIVITY

7. The definition of Industrial Activity as notified in the PWDP states:

*'Means the production, processing, bulk moving or storage in bulk of any materials, goods or products:*

*Production includes:*

- a. manufacturing; and*
- b. assembly from components.*

*Processing includes:*

- a. repair;*
- b. servicing;*
- c. maintenance; and*
- d. assembly of materials, goods or product.*

*Bulk storage includes:*

- a. warehousing.'*

8. The original submission point made by Penny Gallagher on behalf of Synlait opposed the definition of Industrial Activities as notified (581.20). The relief sought by Synlait was to amend the PWDP definition to be consistent with the

definition provided in the National Planning Standards or amend to include research facilities, laboratories, yard-based activities, logistics and transport related activities where they are ancillary components of an Industrial Activity.

9. The submitter made a further submission (FS1306.31) supporting Synlait's submission to broaden the definition of Industrial Activity to include accessory/ancillary activities. The submitter's core business is the manufacturing and supply of water management systems. The business also includes offices, large outside yard areas, logistics and transport. While the core business generally fits within Industrial Activity definition in the PWDP, supporting activities that are essential to the operation of the business do not.
10. I am of the opinion that the definition presented in the PWDP was too limiting for industrial activities and not reflective of the nature of the businesses anticipated to be sited within an Industrial Zone. The Industrial Zone provisions need to provide for the operation of these businesses without creating unnecessary consenting hurdles for supporting components.
11. Consideration of the 'Industrial Activities' definition is set out in section 3.44 of Council's 42a Report. The reporting officers have recommended the National Planning Standards definition be adopted as follows:

*'means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.'*

The reporting officers have also recommended the inclusion of the National Planning Standards definition for Ancillary Activities as follows:

*'means an activity that supports and is subsidiary to a primary activity.'*

12. I note that the further submission made by the submitter is not referenced in section 3.44 of the s42a Report, however the recommendation to accept the further submission is listed in the Table of Submissions in Appendix 1. I agree with the Reporting Officer's recommendation to adopt the National Planning

Standard definition for Industrial Activities and Ancillary Activities. I am of the opinion this meets the relief sought by the submitter.

## **CONCLUSION**

13. Overall I support the Reporting Officer's recommendation to adopt the National Planning Standard definition for Industrial Activities and Ancillary Activities and agree this meets the relief sought by the submitter. On this basis the submitter does not wish to be heard at the hearings for the Definitions section of the PWDP and requests that this evidence be tabled.

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Anna McLellan

**November 2019**