

**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 OF ADRIAN DAVID HYNDS ON BEHALF OF HYNDS PIPE SYSTEMS
LIMITED AND THE HYNDS FOUNDATION IN SUPPORT OF REZONING REQUEST**

CORPORATE

17 February 2020

 **Simpson Grierson**
Barristers & Solicitors

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1. INTRODUCTION

1.1 My name is Adrian David Hynds.

1.2 I have been a director of Hynds Pipe Systems Limited for twenty-eight years.

1.3 I am also the managing director for Hynds Holdings Ltd, which includes our charitable trust organisation, Hynds Foundation. I have been the managing director of Hynds Holdings for four years.

1.4 For the past four years, I have also sponsored the construction programme for Hynds' new precast concrete factory located on land owned by Stuart Property off 9 McDonald Road, Pokeno. Stuart Property is a business unit of Hynds Holdings Ltd.

1.5 I am authorised by Hynds Pipe Systems and the Hynds Foundation to give this statement of evidence on their behalf.

2. SCOPE OF EVIDENCE

2.1 I have been asked to provide evidence on behalf of Hynds Pipe Systems Limited and Hynds Foundation in relation to their submissions/further submissions on the Proposed Waikato District Plan (**Proposed Plan**). Hynds Pipe Systems Limited and Hynds Foundation are referred to collectively as **Hynds** in this evidence unless the distinction is made between the two organisations.

2.2 The Proposed Plan applied the Rural zone to the land at 62 Bluff Road, adjoining the Hynds plant. This land has recently been purchased by Hynds. The focus of this evidence is Hynds' request that the lower portion of the 62 Bluff Road site be zoned Heavy Industry whilst retaining the proposed Rural zone on the upper portion of the land.

2.3 My evidence will cover the following matters:

- (a) Overview of Hynds' operations
- (b) Hynds' purchase of 62 Bluff Road;

(c) Hynds' rezoning request; and

(d) Conclusions.

3. OVERVIEW OF HYNDS' OPERATIONS

3.1 Hynds supplies over 40,000 product types for urban and rural infrastructure development. Our products are used to improve environmental water-based waste management, allow development of infrastructure for private and public transport, allow new housing and commercial sites to be built and improve industrial rural businesses. Hynds is a family owned and operated business that specialises in the manufacture and supply of construction materials throughout New Zealand, Australia, and the South Pacific Islands.

3.2 The Hynds Foundation was established after ten years of charitable giving by John and Leonie Hynds, to coordinate support services and charitable donations assisting pre-determined local community development programs in health, education, the arts, and social well-being.

3.3 Both Hynds and Stuart Property were involved in the original plan change (Franklin District Council Plan Change 24) for the enlarged Pokeno town village area. Stuart Property has built and contributed to some of the required and current infrastructure needed for the industrial area of Pokeno village into and alongside McDonald Road.

3.4 Hynds operates concrete manufacturing and distribution sites across New Zealand, one of which is located at the Hynds Factory Site at 9 McDonald Road. The Hynds Factory Site is leased from Stuart Property. Hynds has resource consent to operate its plant 24 hours a day and this is critical to its business.

3.5 I gave evidence at Hearing 7 in which I described the background to Hynds' acquisition of the Hynds Factory Site and what made the site suitable for the challenging requirements of a precast concrete manufacturing and distribution facility.

3.6 Hynds has made a significant investment in Pokeno by establishing the plant there and this has been a multi-generational investment. The purpose of Hynds' involvement in the hearings on the Proposed Plan has been to ensure that the

Proposed Plan provides adequate protection for Hynds' activities so that it can continue to operate and adapt or grow its operations if necessary. This includes protection from encroachment by sensitive activities establishing in proximity.

4. HYNDS' PURCHASE OF 62 BLUFF ROAD

4.1 The Hynds Foundation purchased 62 Bluff Road in 2019. This property is adjacent to the Hynds Factory Site.

4.2 The previous owner was planning to operate a clean fill business on the site and was expecting to fill all of the existing gullies. The filled land was then to be developed and sold off.

4.3 Hynds Foundation purchased the land to avoid the previous owner's planned cleanfill and development activity which was to be immediately on the door-step of Hynds' major industrial plant. Hynds was concerned that development of 62 Bluff Road would lead to sensitive uses locating in proximity to the Hynds Factory Site and that this would compromise the operation of the plant.

4.4 The trustees of Hynds Foundation determined that the land could be enhanced and used to provide for up to three of the four objectives of our charitable trust. These being:

- (a) young person education (North Waikato and South Auckland schools having access to a developed native bush park with a nursery and artworks, along with opportunities for tertiary scholarships);
- (b) promoting New Zealand arts (support of local and New Zealand artists and providing funding and application for new arts developments on the park site); and
- (c) social wellbeing (development of a nature park, removal of pests, providing local employment).

4.5 The Hynds Foundation's fourth objective is associated with health and is not connected to its purchase of 62 Bluff Road.

5. HYNDS' REZONING REQUEST

- 5.1** The previous owner of 62 Bluff Road (Grander Investments Limited) lodged a submission seeking that it be zoned Heavy Industrial. Hynds purchased 62 Bluff Road after the hearings on the Proposed Plan commenced. Hynds has taken over Grander Investments' submissions and both Hynds Pipe Systems and the Hynds Foundation's further submissions support the rezoning request.
- 5.2** Hynds, together with its consultants, has prepared a more refined rezoning proposal. Under that proposal, the lower portion of the land would be rezoned Heavy Industrial (**Expansion Land**). The much larger portion of the land would retain its notified Rural zoning. A plan showing Hynds' rezoning request is attached to this evidence as Attachment A.

Proposal for Expansion Land

- 5.3** Hynds' intention is to redevelop the Expansion Land as an extension of the current operations at the Hynds Factory Site. Use of the Expansion Land would allow further development to occur at the Hynds Factory Site and will provide further employment opportunities. The Expansion Land sits immediately south of the existing Hynds Factory Site and immediately west of the northern motorway. It will be built at a lower level than the Hynds Factory Site while retaining direct access to the Hynds Factory Site. Hynds has already obtained resource consents for earthworks to cut and fill over the northern boundary of the Expansion Land.

Justification for rezoning request

- 5.4** The existing Hynds Factory Site is operating at capacity. Hynds products produced at the Factory Site are in high demand in the Waikato and across all of the North Island.
- 5.5** Hynds is underway with construction on the Hynds Factory Site to add more manufacturing capabilities and to enable even more New Zealand made products to be produced at Pokeno and then distributed across the North Island.

- 5.6** However, the existing Hynds Factory Site is nearing its built capacity and there is no room left to develop or expand. The Expansion Land is required to keep up with both existing demand and foreseeable future demand.
- 5.7** Given the level of investment already undertaken (and the lack of suitable Heavy Industrial zoned land), it is not feasible to relocate to another larger site. There are obvious advantages in terms of transport and logistics and economies of scale in expanding into the Expansion Land. There is no heavy industrial zoned land available elsewhere in Pokeno.
- 5.8** Hynds' rezoning request will future proof Hynds' activities in the area and will ensure the continued and successful operation of the business. Obtaining Heavy Industrial zoning for the Expansion Land will ensure Hynds' competitiveness and allow Hynds to adapt and evolve to meet market needs.

Remainder of 62 Bluff Road

- 5.9** Hynds' supports the proposed rural zoning of the remainder of 62 Bluff Road. Hynds has commenced design development for a proposed park in the upper portion of 62 Bluff Road to fit in with the surrounding Rural and Heavy Industrial zoned areas. Hynds' vision will convert land that is zoned for Aggregate Extraction and Processing in the Operative Waikato District Plan into an enriched bush and open space art sculpture park. While next door is a major industrial manufacturing hub, with the Hynds and Synlait factories, the creation of the park will provide a natural buffer immediately adjacent to the industrial zone.
- 5.10** Hynds' intention is to significantly enhance the naturalness of this rural area through extensive native planting, the rehabilitation of the boulder stream and the promotion of native planting and nurseries. Hynds' proposal will promote the existing Pokeno township's Structure Plan requirement and vision to protect the visual amenity of the natural surrounding hills (particularly Pokeno hill which the proposed park land encroaches from the south and looks across to Mount William), and to protect and develop native planting and bush areas. This is discussed further in Ms de Lambert's evidence on behalf of Hynds.
- 5.11** I note that the Proposed Plan includes a Significant Natural Area (**SNA**) in this part of the property. The SNA would be further enhanced as a part of this project.

Hynds has sought expert landscape and ecology advice as part of design development for this proposal.

- 5.12** The park will also seek to champion local and New Zealand artists (through onsite commissions where appropriate) by locating art and sculptures in open spaces throughout. This will also create an opportunity to offer art education in an outdoor setting which will inspire young people to learn more about art and creativity.
- 5.13** This proposed park will be a further source of employment. Organised tours and a visitor's centre is envisaged with visitor access proposed through the Hynds Factory Site off McDonald Road. Local young people and schools will have access to the park for education in local native planting and nursery skills, and enjoyment.
- 5.14** The use of the lower portion of 62 Bluff Road for industrial activity (and the income that would be generated by that activity) would facilitate the development of the park and visitors centre. The use of the two portions of land are linked in that way and can be seen as part of the same proposal.

6. CONCLUSION

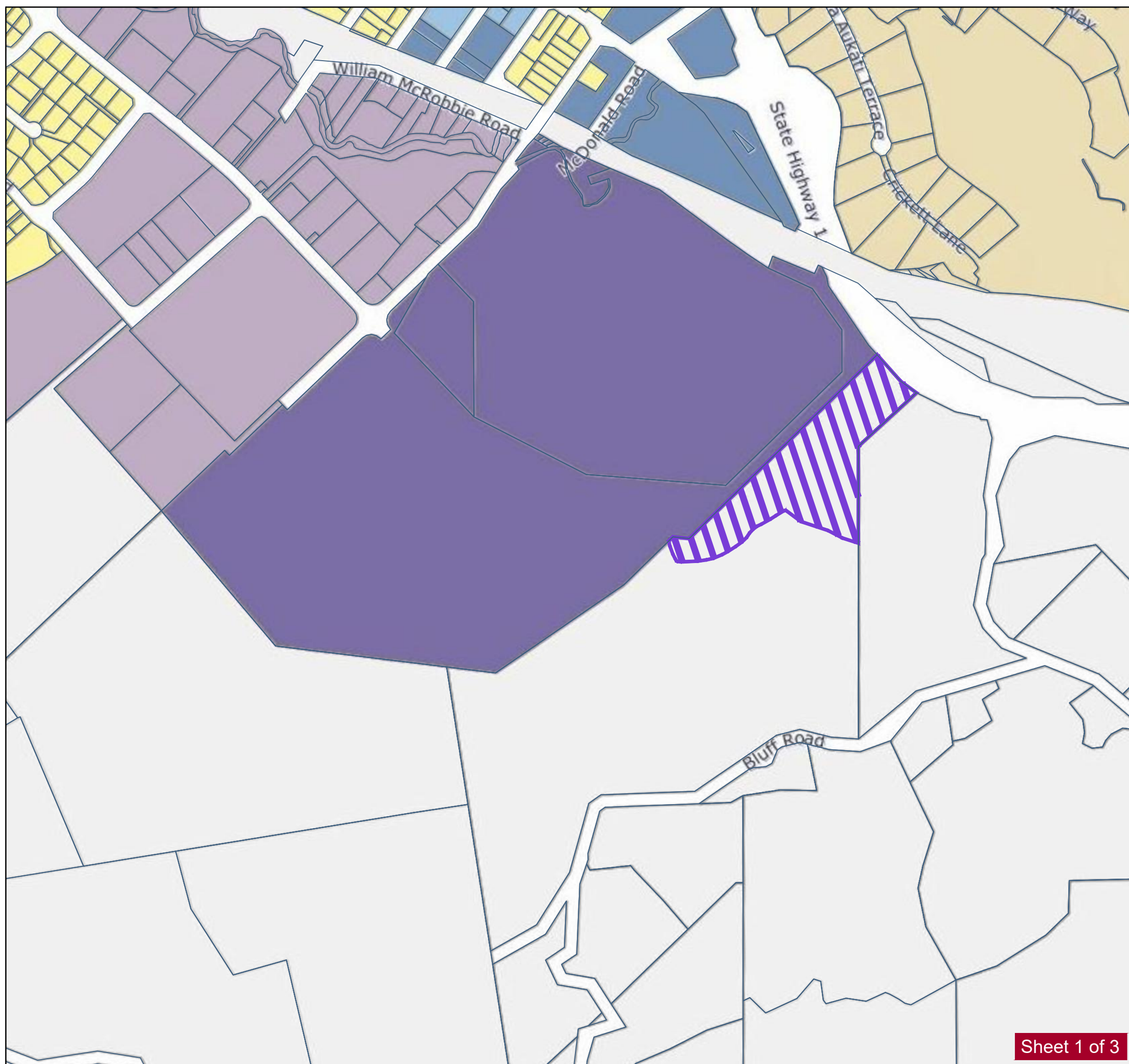
- 6.1** Hynds purchased 62 Bluff Road to create a natural buffer immediately south of its Heavy Industrial zoned site and because the previous owner was planning to fill in the gullies and then to sell off the developed land to multiple land owners (potentially enabling sensitive uses like housing to establish in proximity).
- 6.2** Since the purchase, Hynds has commenced design work to develop the site into two zone areas. The proposed Heavy Industrial zoned area is the small and low level area immediately adjacent to the existing Hynds Factory Site. It would be used for industrial activities in conjunction with Hynds' existing operations and would provide local employment opportunities.
- 6.3** 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 and provide scarce Heavy Industrial zoned land adjacent to the existing heavy industrial facility. In addition, it will facilitate the development of 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.

Adrian David Hynds

17 February 2021

Attachment A: Hynds' rezoning request



PROPOSED HEAVY INDUSTRIAL ZONE

- Residential
- Rangitahi Peninsula
- Village
- Country Living
- Rural
- Business
- Business Town Centre
- Business Tamahere
- Industrial
- Heavy Industrial
- Reserve

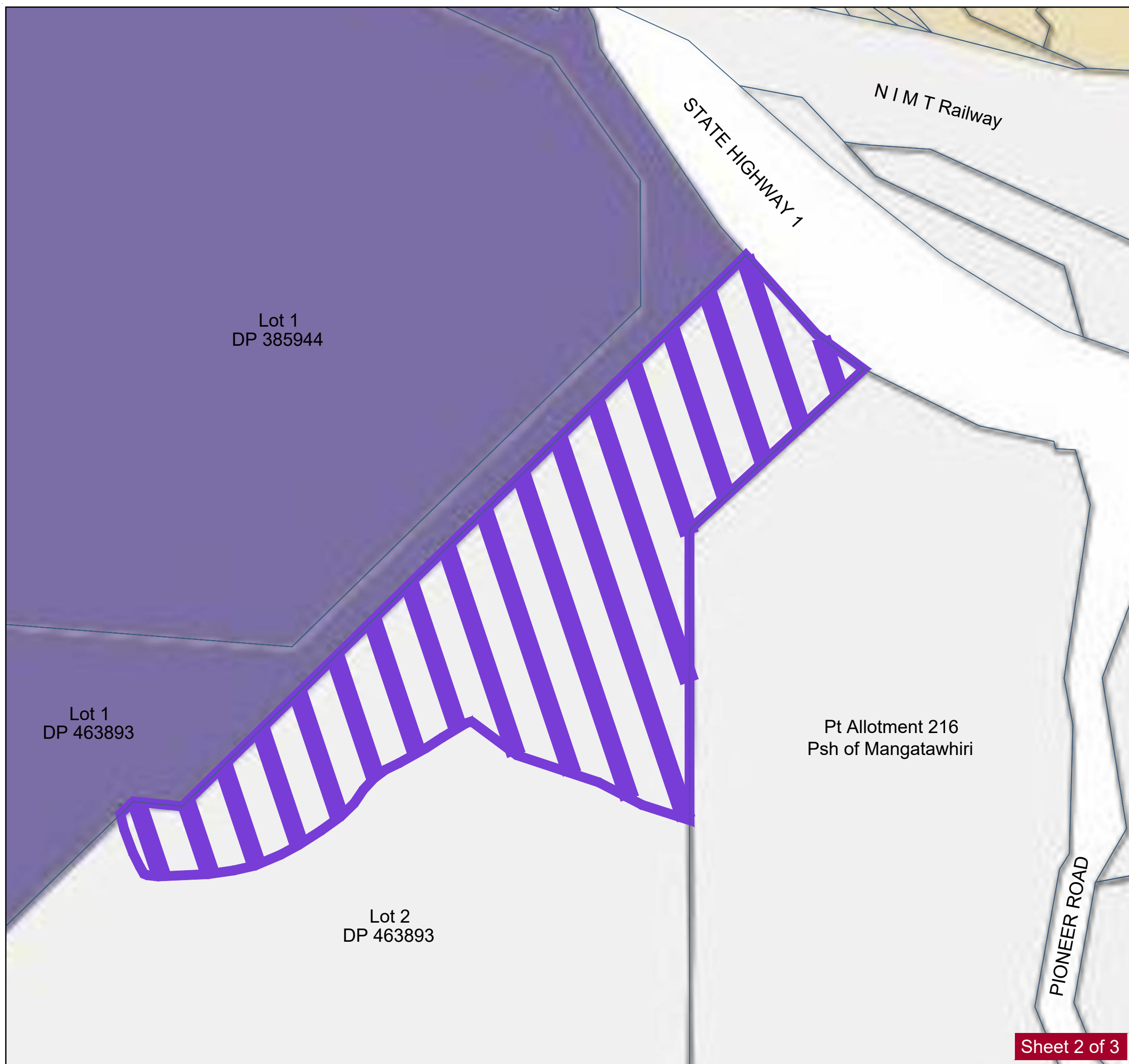
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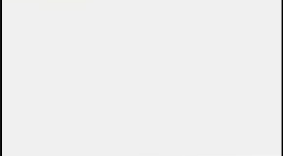
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B		
	Amendments	Name Date
		Name Date
Surveyed	Alex White	02/20
Designed		
Drawn	French	10/20
Checked		
Approved		

ZONE PLAN

Client
HYNDS GROUP

Project	J549	Drawing	J549-ZONE PLAN
Cad Ref. File	J549-ZONE PLAN	Council Ref:	S
Scale (A3 Original)	1:6000	Amendment	C



	HEAVY INDUSTRIAL ZONE
	PROPOSED HEAVY INDUSTRIAL ZONE 4.27ha
	PROPOSED RURAL ZONE

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	Amendments	Name	Date
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Surveyed		Alex White	02/20
Designed			
Drawn		French	10/20
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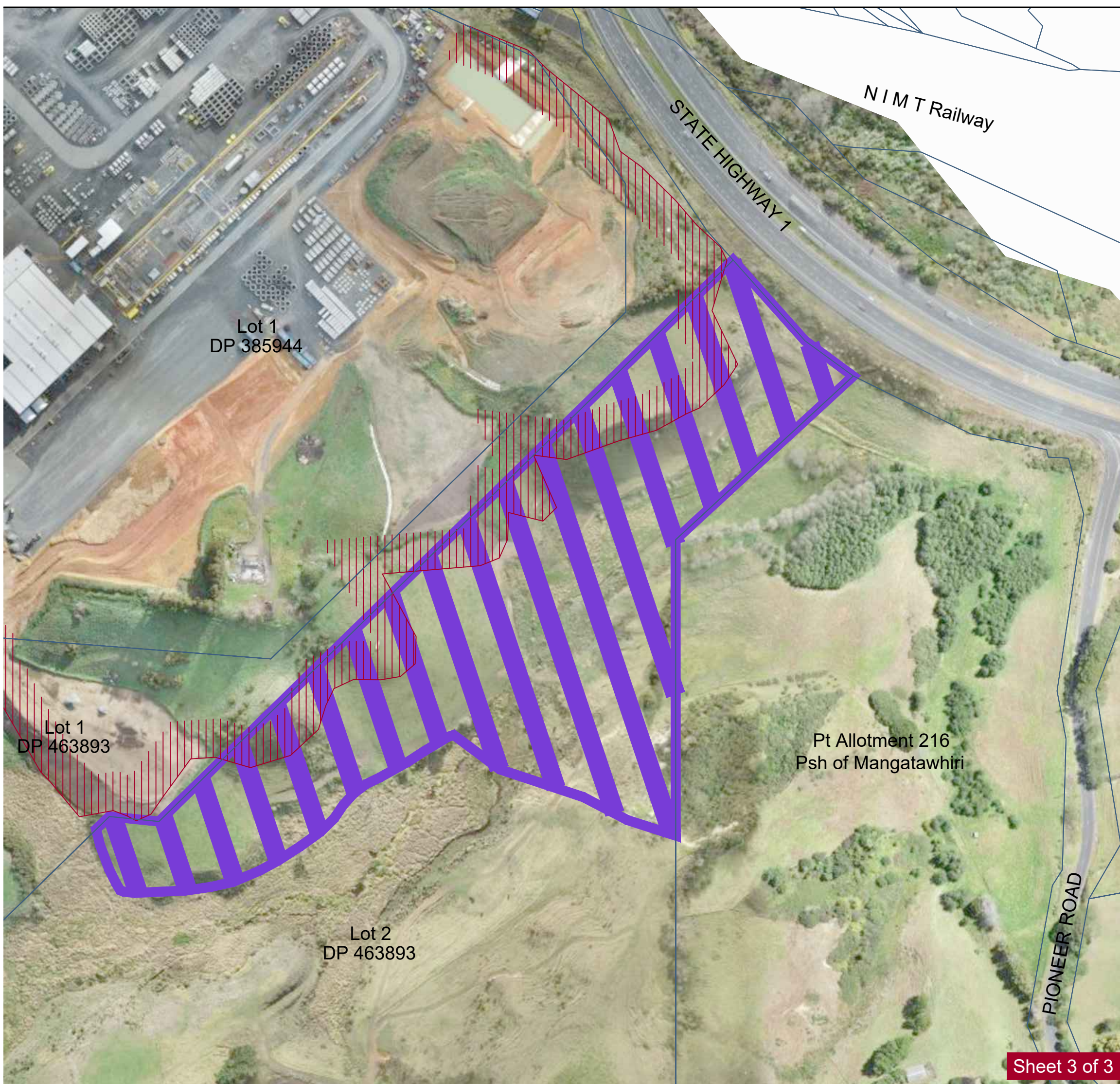
Job Title

ZONE PLAN

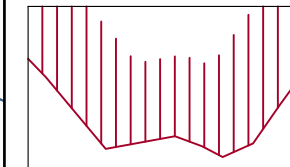
Client

HYNDS GROUP

Sheet 1 of 1			
Project	J549	Drawing	J549-ZONE PLAN
Cad Ref. File	J549-ZONE PLAN	Council Ref:	S
Scale (A3 Original)	1:2000	Amendment	C



PROPOSED HEAVY INDUSTRIAL ZONE
4.27ha



CONSENTED EARTHWORKS AREA (WRC)

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	Amendments	Name	Date
		Name	Date
Surveyed		Alex White	02/20
Designed			
Drawn		French	10/20
Checked			
Approved			

Job Title

ZONE PLAN WITH AERIAL OVERLAY

Client

HYNDS GROUP

Project	J549	Drawing	J549-ZONE PLAN
Cad Ref. File	J549-ZONE PLAN	Council Ref:	S
Scale (A3 Original)	1:2000	Amendment	C