

**BEFORE THE HEARINGS PANEL**

**UNDER**

the Resource Management Act 1991

**IN THE MATTER**

of proposed Plan Change 17 to the Waipā District Plan

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**STATEMENT OF EVIDENCE OF MARK BULPITT CHRISP ON BEHALF OF  
THE HAUTAPU LANDOWNERS GROUP**

**PLANNING**

**13 MARCH 2023**

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## 1. INTRODUCTION

- 1.1 My full name is Mark Bulpitt Chrisp.
- 1.2 I am a Partner and a Principal Environmental Planner in the Hamilton Office of Mitchell Daysh Ltd, a company which commenced operations on 1 October 2016 following a merger of Mitchell Partnerships Ltd and Environmental Management Services Ltd (of which I was a founding Director when the company was established in 1994 and remained so until the merger in 2016).
- 1.3 In addition to my professional practice, I am an Honorary Lecturer in the Department of Geography, Tourism and Environmental Planning at the University of Waikato. I am also the Chairman of the Environmental Planning Advisory Board at the University of Waikato, which assists the Environmental Planning Programme in the Faculty of Arts and Social Sciences in understanding the educational, professional and research needs of planners.
- 1.4 I have a Master of Social Sciences degree in Resources and Environmental Planning from the University of Waikato (conferred in 1990) and have more than 30 years' experience as a Resource Management Planning Consultant.
- 1.5 I am a member of the New Zealand Planning Institute, the New Zealand Geothermal Association, and the Resource Management Law Association.
- 1.6 I am a Certified Commissioner under the Ministry for the Environment's 'Making Good Decisions' course.
- 1.7 I have appeared as an Expert Planning Witness in numerous Council and Environment Court hearings, as well as several Boards of Inquiry (most recently as the Expert Planning Witness for the Hawke's Bay Regional Investment Company Ltd's proposed Ruataniwha Water Storage Scheme).
- 1.8 I have extensive experience working in the Waipā District over the last 30 plus years. This has included:
  - (a) A Private Plan Change to create the St Kilda Residential Area in the north-eastern part of Cambridge;
  - (b) Resource consents for the ongoing operation and improvement of Fonterra's Te Awamutu and Hautapu Dairy Manufacturing Sites including associated spray irrigation of wastewater and other discharges;

- (c) Resource consents for a range of community and commercial activities in Cambridge including the Countdown Supermarket, Mobil Service Station, Cambridge Medical Centre, Professional Farm Services, and the redevelopment of the Karapiro Domain for the 2010 World Cup Rowing Championships including the construction of the Don Rowlands Centre;
- (d) Resource consents for most of the function venues (and a wide range of other non-agricultural activities) in the Rural Zone of the Waipa District;
- (e) A number of plan changes and resource consents for developments in the vicinity of Hamilton Airport including, most recently, consent for Tomra's new facility on the corner of Airport Road and Lochiel Road;
- (f) Plan changes and resource consent applications for the development of the C2/C3 Growth Cell; and
- (g) Plan Change 11 creating the Bardowie Industrial Precinct at Hautapu.

1.9 I have been engaged by the Hautapu Landowners Group ("**HLG**") to present planning evidence in relation to Plan Change 17 ("**PC17**") to the Waipā District Plan ("**WDP**"). Specifically, my statement of evidence will:

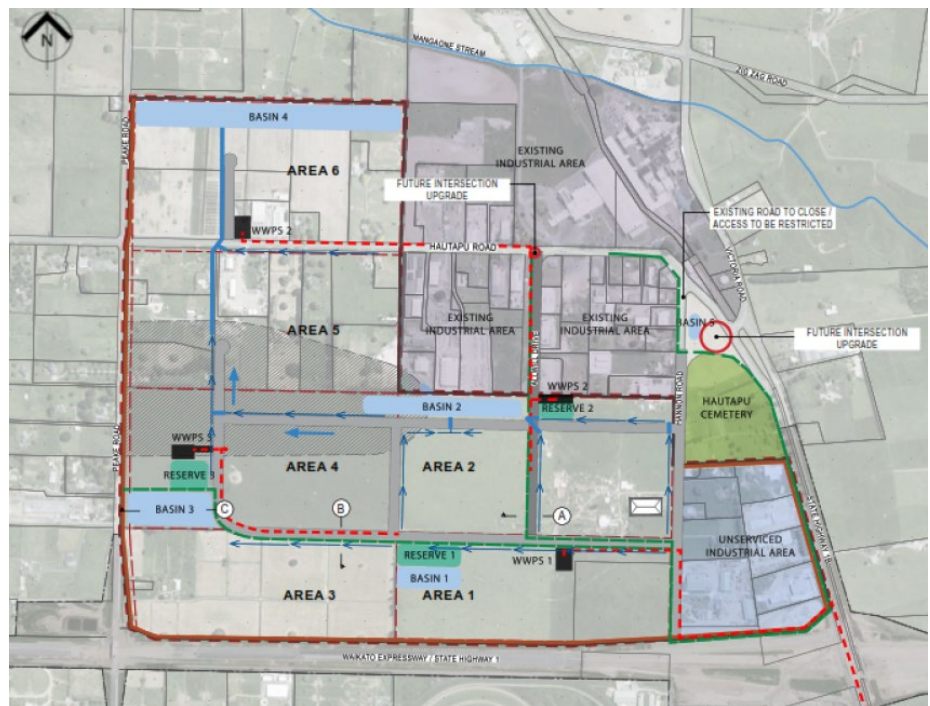
- (a) Introduce the HLG and its land holdings;
- (b) Set out the background to the HLG's involvement in PC17;
- (c) Discuss the approach taken to the submission and relief sought by the HLG;
- (d) Discuss the position in relation to the scope issue associated with the relief sought in the submission by the HLG;
- (e) Discuss the merits of what is sought by the HLG;
- (f) Provide an analysis of the outcome sought by the HLG in relation to the matters to be considered under section 32AA of the RMA; and
- (g) Respond to matters raised in the section 42A report.

## Code of Conduct

- 1.10 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023 and I agree to comply with it.
- 1.11 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 that I have relied on the evidence of other persons. I have not omitted to consider material facts known to me that might alter or detract from the opinions I have expressed.

## 2. THE HLG

- 2.1 The membership of the HLG is set out in its submission on PC17. It comprises a group of people who own land immediately to the north of Area 6 (owned by Kama Trust) which is proposed to be rezoned from Rural Zone to Industrial Zone. The following plan (forming part of the notified version of PC17) shows Area 6 north of Hautapu Road.



**Figure 1: Plan from PC17 showing Area 6**

- 2.2 The following plan shows the land holdings owned by the HLG which are located immediately north of Area 6.



**Figure 2: Plan showing the Location and Extent of the HLG Land Holdings**

### **3. BACKGROUND TO THE HLG'S INVOLVEMENT IN PC17**

- 3.1 No consultation was undertaken by Kama Trust (the proponents of Area 6 being rezoned) with its neighbours to the north of their land as part of the development of the proposal to rezone their land from Rural Zone to Industrial Zone.
- 3.2 Without the members of the HLG being aware, Kama Trust undertook a significant amount of work and presented approximately 100 pages of documentation (dated 8 March 2022) to Future Proof seeking its endorsement of the proposed rezoning of its land. Waipa District Council was aware of this but did not provide this information to the members of the HLG; nor did it engage with the members of the HLG. The HLG was later advised that Waipa District Council was subject to a confidentiality agreement with Kama Trust.
- 3.3 The HLG first heard about PC17 by way of a letter from Waipa District Council dated 26 May 2022. That letter set out what was proposed and concluded with the following:

“When Draft Plan change 17 is notified, members of the public will have an opportunity to formally submit on the Plan Change. In the meantime, if you have any thoughts to share or would like to learn more about what is proposed, please contact Council’s consultant Neda Bolouri [followed by her contact details and a link to Council’s website]”

- 3.4 Having received the letter, Mr Dean Hawthorne approached me with serious concerns about what was proposed (concerns that were shared by a number of his neighbours) and sought my assistance. At that time, Mr Hawthorne was more than \$150,000 into the build of a new house very close to the northern boundary of Area 6 for which Waipa District Council has issued a Building Permit in February 2022 (when it knew about, but had not revealed the proposed rezoning of Area 6). Work was immediately stopped on the house and the money spent to date has been lost. Mr Hawthorne also had significant concerns about the ongoing viability of his equestrian business being located adjacent to an industrial area. Concerned about the risks to, and safety of, their (very expensive) bloodstock, clients of Mr Hawthorne have advised him that they will not send their horses to him if there is an Industrial Zone next door.
- 3.5 For the purposes of PC17, Mr Hawthorne and his neighbours subsequently became collectively known as the Hautapu Landowners Group / HLG. Mr Hawthorne alongside John Gundesen are the primary representatives of the HLG.
- 3.6 I organised a meeting with Waipa District Council on 23 June 2022 which was attended by 13 people including Mr Tony Quickfall and Ms Neda Bolouri. At that meeting, the members of the HLG shared their concerns with Council officers (in no uncertain terms) about what was proposed (both in terms of process and substance). Attached as **Annexure 1** of my evidence are the minutes of that meeting. The minutes provide an indication of the nature of the concerns held by members of the HLG. Members of the HLG will present written or verbal evidence at the PC17 hearing elaborating on the nature of their concerns.
- 3.7 Suffice to say, for the purposes of my evidence, the rezoning of Area 6 as currently proposed will result in a range of significant adverse effects on the owners of the land to the north of Area 6 which will be difficult or impossible to mitigate (and in relation to which no, or very little, mitigation has been proposed to date by Kama Trust or Waipa District Council).
- 3.8 Despite the opportunity to 'share any thoughts' (as set out in the letter referred to above), it became very clear that PC17 was going ahead regardless. That position was reinforced in the HLG's discussions and correspondence with Council officers whereby they were not prepared to entertain any modification to PC17 on the basis that it might cause a delay to their timeframes. The Council officers also indicated that what was proposed was in accordance with

a position taken by Future Proof (I address the Future Proof position later in my evidence).

#### **4. APPROACH TAKEN BY THE HLG**

4.1 Given the situation outlined above, it was open to the members of the HLG to simply oppose what is proposed through lodging submissions in opposition and subsequent appeals to the Environment Court if an acceptable outcome does not occur as a result of the hearing of first instance.

4.2 Rather than going down that path, the HLG took my advice and resolved to take a more constructive approach to addressing their concerns because such an approach would likely be more conducive to an acceptable outcome, given that it seemed inevitable the plan change would be confirmed by the Council. In my experience, it would be difficult and costly to oppose, and such opposition was likely to have a limited chance of success.

4.3 Based on the above, on behalf of the HLG, I set out a proposed outcome, its planning merits, and a proposed way forward to achieve the outcome in an email to Mr Quickfall dated 14 July 2022 (copied to Ms Bolouri – Planning Consultant to Waipa District Council and Mr Gareth Moran – Planning Consultant for Kama Trust). The proposal was:

“The proposed outcome is that my clients’ land is rezoned as Deferred Industrial Zone on the basis that it would be ‘live zoned’ to Industrial Zone once the Kama Trust land has reached 80% development (meaning that 80% of the developable land area is the subject of s.224 certificates – as was the trigger for the C4 Growth Cell once Cambridge Park reached that level of development) or by 31 March 2030, whichever occurs sooner.”

4.4 As is the well-established practice in relation to deferred growth cells in the Waipa District Plan, the ‘live zoning’ of an area occurs by way of a subsequent plan change process.

4.5 On 18 July 2022, Mr Quickfall advised me that this proposed approach was rejected. Based on the feedback from Mr Quickfall, the main reason why Council officers recommended that the HLG proposal be rejected was a mistaken belief that the inclusion of the HLG land as a Deferred Industrial Zone would delay the advancement of PC17.<sup>1</sup> This, in turn, appeared to be based on an expectation that the HLG would be required to produce a range of technical reports supporting their proposal.

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<sup>1</sup> I suspect that the position of Future Proof also influenced this decision.

- 4.6 Relevantly, the preparation of such technical reports is something that is done when a plan change is prepared and advanced to 'live zone' an area, in this case, to an Industrial Zone. However, in the current context, the HLG sought rezoning to Deferred Industrial Zone so that the Kama Trust (Area 6) land would progress first, thereby an overall integrated approach would be implemented.
- 4.7 I note that to my knowledge, all 'deferred' zones in the Waipa District Plan (of which there are many) have not been the subject of any technical reports to attain the deferred status in the Waipa District Plan. For example, technical reports were prepared when the plan change was advanced to 'live zone' the C1 and C2/C3 Growth Cells, the C4 Growth Cell and part of the C10 Growth Cell (the latter creating the Bardowie Industrial Precinct). I was extensively involved in all of these processes.
- 4.8 Unfortunately, the Strategic Planning and Policy Committee (which met on 6 September 2022), did not result in further engagement with the HLG with respect to its land prior to notification of PC17. It was disappointing that the issue of scope subsequently became an issue after the HLG had filed its submission on PC17.

## **5. SCOPE ISSUE**

- 5.1 Following an exchange of legal submissions, the Hearing Panel released a decision (by way of Minute #8 dated 6 March 2023) as follows:

“The Hearings Panel, from resolution passed by Councillor Brown and Councillor Gordon, has determined that that part of the Hautapu Landowners' Group submission requesting the rezoning of land owned by Group members from Rural to Deferred Industrial Zone does not satisfy both limbs of the *Clearwater* test and is not, therefore, within the scope of Proposed Plan Change 17.”

- 5.2 On 9 March 2023, the HLG filed an objection to the above decision under s.357 of the RMA. At the time of writing my evidence, no decision has yet been made in relation to the objection and therefore the scope of the submission by HLG remains a live issue. In the absence of a final determination in relation to the scope of HLG, my evidence (and the other evidence on behalf of HLG) has been advanced on the assumption that HLG has scope to seek the rezoning of its land for industrial purposes.



## **6. THE PLANNING BASIS FOR GRANTING THE RELIEF TO RE-ZONE THE HLG LAND**

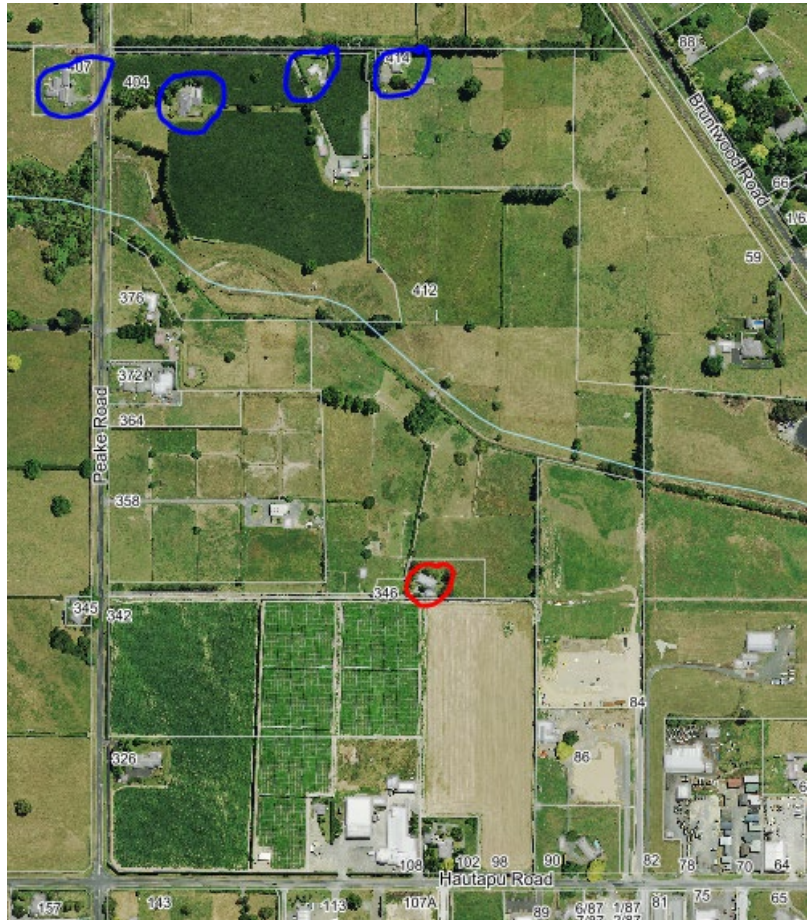
- 6.1 Similar to much of the development in the Waipa District (e.g., around Hamilton Airport) in recent years, Area 6 at Hautapu has been advanced by a motivated landowner seeking a better and higher use for their land. As is often the case, the extent of any such proposal is confined to the land holdings of the motivated landowner. Consistent with that approach, the PC17 involves (amongst other things), the rezoning of Area 6, which is owned by a motivated landowner (Kama Trust). However, that motivation is obviously generated by the level of demand for industrial land in the area.
- 6.2 It follows that, in my opinion, the approach taken by the Waipa District Council in relation to PC17 and Area 6 does not reflect a comprehensive approach to addressing the extent of industrial zoning in the north-western part of the Hautapu area. Seeking to constrain the northern boundary of the proposed rezoning to an arbitrary cadastral boundary of a single landowner is a flawed approach because it does not reflect an appropriate response to the need for additional capacity of industrial land and creates significant adverse effects on the landowners living adjacent to the proposed boundary (as shown in the planning maps for PC17). The favourable commentary from the author of the s32 evaluation and the s42A report as to the merits of including the HLG land area illustrates this point.
- 6.3 An example of a similar scenario regarding topographical zone boundaries is the C4 Growth Cell in Leamington, which is bordered by a significant natural gully and existing roads. Indeed, if there had been some more consultation with the HLG the appropriate and logical topographical boundaries would have been more likely to be identified.
- 6.4 I discussed and put in writing the planning merits of the HLG land forming part of a larger area to be rezoned for industrial purposes with Council officers prior to the notification of PC17 (whereby, in this case, the Kama Trust land would effectively be a Stage 1 expansion of industrial activities to the north of Hautapu Road and the HLG land would become a Stage 2). As noted above, the planning merits of what is proposed by the HLG are discussed and acknowledged in the section 42A report.<sup>2</sup> In summary (and including additional points not covered in the section 42A report), the merits of the proposal advanced by the HLG are as follows:

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<sup>2</sup> At paras 6.4.3 – 6.4.6.

- (a) **Additional industrial land availability:** The section 42A report acknowledges the reality that, while large areas of land are identified and/or zoned for industrial purposes (in the Waipa District and the wider Future Proof area), very little of that land is available for release to the market within the timeframes necessary to meet current and projected demand and, as a consequence, there is a significant level of unsatisfied demand for industrial land. I currently have numerous clients seeking to establish or relocate their existing industrial activities to a larger site (because they have outgrown their current site) but they cannot find any suitable land. In my opinion, the rezoning of the Kama Trust land and the HLG (as a subsequent Stage 2) will assist in meeting the demand for industrial land in the Waipa District. This is supported by Mr Heath and he addresses this in his evidence.
- (b) **Location:** I agree with section 42A report where it states:
- “The proposed additional parcels of land are in a prime location to provide a seamless addition to already industrially zoned land in Hautapu. It is recognised that to not accept this proposal does leave a pocket of rural land that would be bordered on two sides by industrial land. Locationally, and more specifically spatially, the proposal has a logical planning basis.”
- (c) **Mitigation of effects on rural neighbours:** The section 42A report states that:
- “Mitigation measures such as buffer zones, landscaping/screening, limits on types of industrial activity have been included as part of PC17 and will mitigate, to a certain extent, the effects of industrial land uses.” (Emphasis added)
- (d) Mitigating effects “to a certain extent”, while in this case significant adverse effects on the members of the HLG will not be mitigated, does not meet the legislative imperative of the RMA to avoid, remedy or mitigate adverse effects on the environment.
- (e) Rather than an arbitrary cadastral boundary forming the northern boundary of the land to be rezoned (in relation to Area 6 as proposed in PC17), the addition of the HLG land means that the wide Mangaone Stream gully would form the logical northern boundary of the area to be ultimately rezoned for industrial purposes. In contrast to just rezoning Area 6 with one of the HLG landowner’s house being very close to the northern boundary of Area 6 (as shown on the plan below – circled in red), there would be a significant distance to the nearest dwellings to the north if the HLG land was included (as

shown on the plan below – circled in blue). This would separate incompatible land uses, which is one of the most fundamental principles of sound land use planning practice.



**Figure 3: Location of Dwellings**

(f)

**Other benefits:**

- i. The inclusion of the HLG land would enable a better utilisation of land and a more logical stormwater solution (whereby the stormwater detention pond would be located on lower lying land immediately north of Area 6 - discussed in more detail below) which in turn would free up additional land within Area 6 for industrial development.
- ii. The rezoning of the HLG land would facilitate a very beneficial riparian enhancement project along the adjoining reach of the Mangaone Stream. This could include wetlands (in conjunction with the stormwater solution) and extensive riparian planting. As part of any such riparian enhancement, there is also the potential to provide public access to and

along the margin of the Mangaone Stream (the enhancement of public access to and along rivers being a matter of national importance in section 6(d) of the RMA).

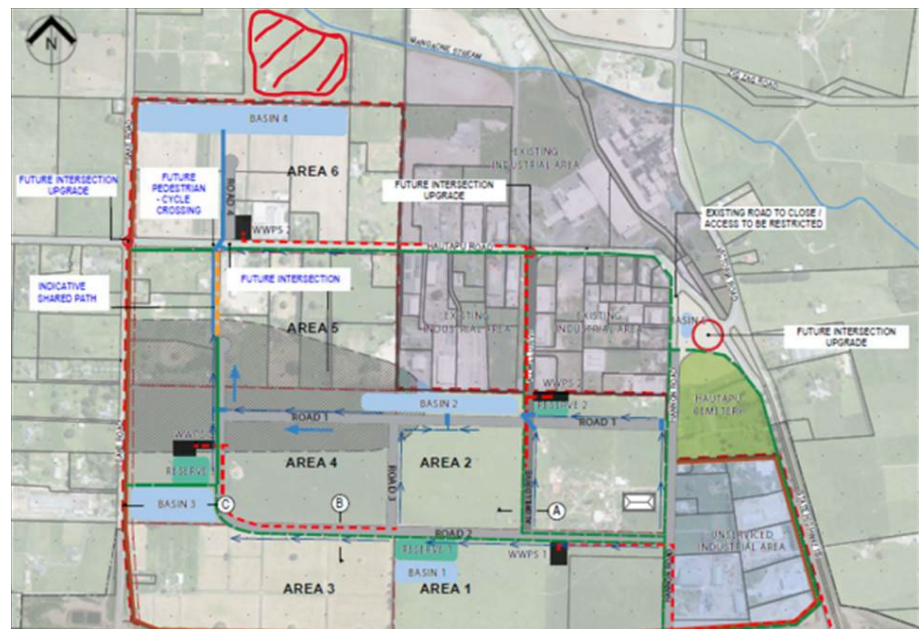
- (g) **Section 32/32AA:** The inclusion of the proposal advanced by the HLG is the most appropriate way of achieving the objectives of PC17 (discussed in more detail later in my evidence).

6.5 A key issue is to ensure that the development of Area 6 and the HLG land occurs in a sensible and integrated manner. This requires some changes to the structure plan forming part of PC17 as follows:

- (a) In terms of roading, Road 4 shown in the plan below can extend north into the HLG land as discussed in the evidence of Mr Cameron Inder.
- (b) As discussed in the evidence of Mr Mathew Dickey, water and wastewater pipes can follow the road.
- (c) Again, as discussed in the evidence of Mr Dickey, in terms of stormwater I would propose:
- i. Basin 4 on the plan below is deleted. This means that Kama Trust can develop and sell that land for industrial purposes.
  - ii. A preplacement stormwater basin is located on the land immediately to the north on the lower lying land as roughly shown on the plan below (red hatch).
  - iii. Assumed no discharge to the Mangaone Stream (which means the pond would need to be sized to have no less capacity than Basin 4). Additional land can be provided to the west and/or east for an enlarged stormwater pond (which could be developed in a staged manner as industrial land becomes zoned / available).
  - iv. The option of a controlled discharge of stormwater to the Mangaone Stream (or possible wetlands forming part of the riparian enhancement project) can be investigated. With the stormwater pond being initially sized to have at least the same capacity as Basin 4, there will be ample time (years) to secure a Discharge Permit from Waikato Regional Council whereby there will be no delay associated with the development of Area 6. If a Discharge Permit is not able to

be obtained, the stormwater pond can be enlarged later to accommodate the stormwater from the balance of the HLG land.

- v. As currently proposed in PC17, stormwater is piped to Basin 4 (blue line on the plan below) so it will be straightforward to pipe this a little further to a lower level to the north via gravity.
- vi. It is my understanding that the stormwater pond will become a Council asset given that it services the wider industrial area in addition to Area 6 (and therefore the land for it will be purchased by Council and its construction paid for by Develop Contributions).



**Figure 4: Plan in PC17 (now showing location of Stormwater Pond)**

- 6.6 I have communicated the proposed integration set out above to Mr Moran (via an email on 27 February 2023 and subsequent correspondence and discussions). At the time of writing my evidence, I understand that counsel for Dean Hawthorne and the HLG has discussed a proposed meeting (or “caucusing”) between the technical experts for the HLG and the Kama Trust. While I have not received any substantive response to my correspondence, I understand that such a meeting may be arranged following the lodgement of evidence (which is the priority at this stage of the process).

## 7. SECTION 32AA OF THE RMA

7.1 In terms of section 32AA of the RMA, in my opinion, the amendment sought to PC17 by the HLG to identify the HLG land as a Stage 2 for the development of industrial activities is more effective and efficient than not identifying this area as such, and is the most appropriate way to provide for the objectives of the PC17, particularly when compared to what is currently proposed in PC17, on the basis that it will:

- (a) Enable a greater amount of land to be made available for industrial purposes sooner in a staged and integrated manner;
- (b) Avoid a split zoning of the land owned by MW Industries Ltd, including the land not being physically dissected by a stormwater pond as shown on the notified version of PC17 (although I have since been advised that was a mapping error);
- (c) Facilitate a more logical stormwater solution that can be delivered immediately and enable better use of land within Area 6;
- (d) Better address environmental effects and result in more compatible land uses in proximity to one another including near a consented Wastewater Treatment Facility on Fonterra's adjacent Hautapu Dairy Manufacturing Site; and
- (e) Facilitate a significant riparian enhancement along the Mangaone Stream including the potential to provide public access to and along the margin of the Mangaone Stream (a matter of national importance in section 6(d) of the RMA).

## 8. RESPONSE TO S42A REPORT

8.1 I have reviewed the s 42A report prepared by Ms Bolouri and discussed aspects of it in my evidence above. In addition to identifying some of the benefits and planning merits of the proposed addition of the HLG land as a Deferred Industrial Zone, the section 42A report sets out and discusses four "disadvantages" of the requested rezoning.<sup>3</sup> I address each of these in turn as follows:

- (a) **Future Proof decision:** The section 42A report repeatedly refers to Area 6 being "identified" or "recognised" in Future Proof Growth

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<sup>3</sup> At paras 6.4.7 – 6.4.12.

Strategy. I have reviewed the recently released updated Future Proof Strategy and the associated Summary (both dated 2022) and there is nothing in either of those documents (text or maps / plans) that identifies Area 6 as being “identified” or “recognised” for industrial purposes. Regardless, the evidence of Mr Heath demonstrates that there is a need for additional industrial land supply in the area at issue in the short to medium term. The proposed staging for the release of the HLG land responds to this demand profile.

- (b) The section 42A report notes that the position of Future Proof in relation to PC17 “does not have any statutory weighting” (which I agree with) yet still identifies that organisation’s views as one of the “disadvantages” of the requested rezoning by the HLG. Future Proof is not a submitter or further submitter on PC17. As such, I don’t consider the view of Future Proof as being determinative of the outcome of the decision on the HLG’s submission.
- (c) **Lack of supporting technical reports:** I already have discussed this matter in my evidence above. Waipa District Council’s well-established practice is that technical reports are prepared as part of a plan change to ‘live zone’ a area rather than, as is the present case, where a ‘deferred zone’ is proposed. Nevertheless, with the benefit of the evidence of Mr Inder and Mr Dickey, there is demonstrable technical support for the proposed re-zoning of the HLG land as this is now the subject of a much greater level of information regarding the ability to service the land (as compared with the other growth cells already identified in the Waipa District Plan with a ‘deferred’ zoning).

**National Policy Statement for Highly Productive Land:** The comments in the section 42A report in relation to the NPS-HPL are noted. If it is not amended, the blunt nature of the NPS-HPL will create significant difficulties for the future growth of urban areas such as Cambridge which is entirely surrounded by high quality soils. This situation only reinforces the desirability of including the proposal advanced by the HLG as part of PC17 which, as the section 42A report notes, was notified prior to the NPS-HPL coming into effect. That requires the question of scope to fall in favour of the position advanced by the HLG and an acceptance of what is proposed by way of its submission on PC17. Nevertheless, Mr Heath’s evidence provides an assessment of the proposed re-zoning against the

“exception” in the NPS-HPL. While this is not necessary, it does provide further evidence of the merits of the relief.

- (d) **Determination that this submission point is within scope:** I have previously discussed the scope issue in my evidence above. Under this heading the section 42A report notes some changes that would be required to the Hautapu Industrial Structure Plan and Planning Maps if the outcome sought by the HLG is accepted. I fail to see why these changes are noted in the discussion about alleged “disadvantages” of the proposal sought by the HLG. They are simply a short list of additional changes / amendments that would be required to give effect to the outcome if the HLG’s submission is accepted.

## 9. CONCLUSION

- 9.1 No consultation was undertaken by Kama Trust (the proponents of Area 6 being rezoned) with its neighbours as part of the development of the proposal to rezone their land from Rural Zone to Industrial Zone.
- 9.2 In my opinion, Waipa District Council effectively presented to the HLG a *fait accompli* and did not engage in genuine consultation. The decision by the Hearing Panel to strike out the HLG’s relief to re-zone its land to deferred industrial compromises the planning merits of PC17 in the absence of the HLG land being included. I note that the decision to strike out part of the HLG submission is the subject of an objection and the matter remains live.
- 9.3 The rezoning of Area 6 as currently proposed will result in a range of significant adverse effects on the owners of the land to the north of Area 6 which will be difficult or impossible to mitigate (and in relation to which no, or very little, mitigation has been proposed to date by Kama Trust or Waipa District Council).
- 9.4 My evidence sets out the planning merit of what is proposed in the relief sought by the HLG. Much of that planning merit has been recognised and endorsed in the section 42A report. In summary:
- (a) Based on the evidence of Mr Heath, the inclusion of the HLG land will better provide for the supply of industrial land to meet unfulfilled demand in the short to medium term than what is proposed in PC17;
- (b) Based on the evidence of Mr Dickey, the inclusion of the HLG land facilitates a better outcome in relation to the management of



stormwater and includes the ability to provide for a significant riparian margin enhancement project;

- (c) Based on the evidence of Mr Inder, the HLG land can be serviced in terms of roading by way of a short extension of Road 4 to the boundary of the HLG land;
- (d) The proposal will result in more compatible land uses in proximity to one another and avoid adverse effects on the existing environment; and
- (e) Overall, the inclusion of the HLG as a Deferred Industrial Zone (effectively a Stage 2 following the development of Area 6) is the most appropriate way of achieving the objectives of PC17.

9.5 None of the alleged disadvantages of the relief sought by HLG discussed in the section 42A report are, in fact, materially problematic. All the points are able to be addressed and certainly do not justify rejection of the relief sought by the HLG, should the Panel be minded to approve PC17.



**Mark Chrisp**  
**13 March 2023**