

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Proposed Plan Change 17 to the Waipā District Plan –
Hautapu Industrial Zones

JOINT STATEMENT OF EVIDENCE OF MALCOLM AND ASHLEY BOYD

(Presented by Malcolm Boyd)

Dated 17 March 2023

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INTRODUCTION

1. Good morning Commissioners, Council staff, and submitters. My name is Malcolm Boyd, and I am presenting this evidence on behalf of the Kama Trust, which is the owner of approximately 15 hectares of land out of a total of 20 hectares within what is known as Area 6. Area 6 is within the land area proposed under Plan Change 17 (**PC17**) to be rezoned as industrial land.
2. The Kama Trust supports the rezoning of its land from its current rural zoning to industrial zoning under PC17.

Who are the Kama Trust?

3. The Kama Trust is a private family trust which represents our family's land interests in Hautapu. The trustees are my father, Alex Boyd, my brother Ashley Boyd, and myself.
4. The Boyd family has lived in and been associated with the Cambridge area for most of our lives. Alex Boyd first moved to Cambridge in the 1950's. Both Ashley and I were born in Cambridge.
5. Our family has owned and run significant businesses in Cambridge for over 40 years including within the commercial, horticultural and agricultural sectors.
6. We are all intrinsically linked to the town and the success of the town and wish to see the town continue to grow and prosper as it has done over the past 50+ years.
7. Combined we have the following experience:
 - a) Owning and operating a number of successful businesses;

- b) Past and present company directorships of significant companies with large asset bases;
 - c) Greenfield site development and business establishment;
 - d) Developing a significant residential and commercial building portfolio;
 - e) Business investment;
 - f) Holding trade, tertiary and professional qualifications; and
 - g) Significant real estate and property experience.
8. The Kama Trust's land which is included in PC17 was purchased and developed by us in 1980 as a horticultural block. The property is bounded to the east and south by industrial land, and to the west by Peake Road (which forms a natural boundary).
9. While it operated solely as a horticultural block in the early years, it has since grown to that of a significant commercial packing and cool store operation in addition to the horticultural operation.

GENERAL

10. The Kama Trust is a highly motivated landowner, seeking to ensure that any future development is led through effective partnerships, and will be implemented at a rate that will support the industrial development demand.
11. We consider that the land within Area 6 is ideally suited to be zoned for industrial purposes. The area is in very close proximity to the new

expressway, offering excellent logistic opportunities for existing Cambridge, and other, businesses.

12. There is significant residential growth occurring in Cambridge and in particular near this area, and there is a need for creating future employment opportunities co-located alongside this growth.
13. Waipā District Council (**Council**) has commenced a plan change for the Carters Flat area to rezone it as a commercial zoning which will mean that a number of industrial businesses in this area will need to relocate. We have received numerous enquiries from local businesses, both within the existing Carters Flat area and beyond, seeking to locate and expand their industrial activities at our site within Area 6.
14. We are prepared to invest in the infrastructure required and in industrial activity ourselves where appropriate and necessary. We are also willing to work collaboratively alongside Council to deliver the necessary infrastructure, as demonstrated by our willingness to enable part of our land to be purchased by Council for it to develop the stormwater detention device to serve the plan change area and wider industrial area.
15. We are serious investors, that is why we have already completed master planning and specialist reports to determine what could be achieved and have prepared technical information for Council to assist in the formulation of PC17. We recognise the urgent need for additional industrial land supply in Cambridge, and we are ready to invest in this opportunity immediately.

TIMELINE OF HOW WE GOT TO HERE

16. While it is currently zoned rural, Area 6 has significant industrial activity already on it as authorised by numerous resource consents which have been granted over time.

17. The south and east boundaries are all industrial activity, the west boundary is Peake Road and the northern boundary is a natural linear progression of the industrial boundary to the east.
18. We as business owners in the Cambridge area were aware of the acute industrial land shortage that the district was facing, and in particular the pressure that was on the Carters Flat industrial area to become repurposed as more of a commercial area.
19. We approached our planner in early 2021 to see if there was the ability to progress a private plan change so we might assist with this constraint, knowing that we had the available resources at our disposal.
20. It was indicated to us at the time that our best approach would be to lodge a submission to Future Proof, which was undergoing a review of its Strategy, and looking at the overall industrial land supply within the Waikato sub-region. The Kama Trust prepared a submission, which was lodged with Future Proof in late 2021.
21. We went to some effort with this submission to show the Future Proof committee that we were not 'tyre kickers' but were in fact serious land developers who were thinking strategically about how to contribute to the industrial land supply in Cambridge. Ultimately Future Proof saw the merits in our approach and included Area 6 as a suitable industrial land supply source for development.
22. Similarly, in early 2022 the Council approached the Kama Trust regarding the shortage of readily available industrial land and the impending plan change for the Carters Flat area to commercial and the potential need for some of the businesses in this area to relocate. Council made it clear that it was supportive of Area 6 becoming an industrial land resource and confirmed that Area 6 would be included in a plan change that Council would lead, provided we completed the technical work by mid-2022.

23. We completed all of the work requested in the appropriate time frames and supplied that technical reporting to Council. Council then undertook its own review and assessment, and decided to prepare and notify PC17, which included Area 6 being proposed for industrial zoning.
24. The Kama Trust has continued to work collaboratively with Council in advancing PC17. We have lodged a submission and further submission, both strongly in support of PC17. If PC17 is approved, we would expect that our collaborative approach with Council will continue with the immediate development of the public and private infrastructure needed to develop the land within Area 6 for industrial purposes.

WHY IT MAKES SENSE TO INCLUDE AREA 6 WITHIN PC17

A well-planned urban environment

25. The proposal for the Kama Trust land is to provide for industrial development, in a form which will create a well-functioning and well planned industrial urban environment.
26. The industrial development of Area 6 can achieve improvements to the natural and open spaces by the following opportunities:
 - a) To extend the landscaped edge of the existing Hautapu Structure Plan to help reinforce the urban boundary along Peake Road;
 - b) The potential to establish a “gateway” type of structure with landscape treatment at the Peake/Hautapu intersection to signal entry into the industrial area; and
 - c) The ability to provide for stormwater management onsite, in a comprehensive manner due to the single ownership and vacant capacity to meet Council requirements.

27. The land within Area 6 contains no natural features of significance, such as watercourses or ecological areas, which would be compromised by urban development. The three waters assessment has confirmed that it is appropriate to manage stormwater onsite to reduce potential risk of adverse effects on the Mangaone Stream to the north.
28. In addition, development of the Kama Trust land will provide excellent accessibility and connectivity to the overall Hautapu Structure Plan area.
29. Access to the site can be accommodated to comply with separation from the Peake/Hautapu Road intersection while ensuring connectivity to and integration with the existing and proposed roading network within the operative Hautapu Structure Plan area.
30. The location of the site immediately adjacent to existing industrial development makes this a logical area for development in terms of being able to efficiently extend and add to the existing communications and power networks/infrastructure.

Social and economic opportunities

31. The proposal will create additional new opportunities for industrial development, creating jobs and increased economic benefit for the Waipā District. This supports the consolidation of industrial activities and reducing the risk of industrial sprawl throughout the rural area while maintaining and contributing to the vibrancy of the Cambridge town centre.
32. There is an identified shortfall of *developable* industrial land within Waipā District which is a significant concern, and one that is stifling the economic growth and wellbeing of the District's economy.
33. Development of Area 6 will provide growth opportunities within wider Cambridge, increasing the industrial opportunity and development

options, and reducing the potential adverse impacts of competitive operation of land and development markets.

34. The development of the remaining approximately 16 hectares would release land for industrial development to accommodate the increasing business and industrial demand, therefore offering more development opportunities, while providing an urban form which creates high quality amenity and utilising the land in an efficient manner.

RESPONSE TO SUBMITTERS

35. I wish to make a brief comment about the Hautapu Landowners Group (**HLG**) which has presented a submission on PC17 and filed evidence in support of its submission.
36. Kama Trust rejects any suggestion that we have failed to properly consult with HLG regarding PC17. Our view has always been that PC17 is a Council-led process, and we have deferred to Council regarding the public consultation requirements. It is not for Kama Trust to speak on behalf of Council regarding its plan change intentions.
37. The Kama Trust has not set out to frustrate the development aspirations of HLG or to cause adverse effects that might affect their rural operations.
38. We have been very clear that we have been working with Council for a considerable time, and invested substantially in the technical and expert planning aspects to support the inclusion of Area 6 within PC17. Their approach, late in the piece, to be included within PC17 was not up to the Kama Trust to accommodate, as stated above, this is a Council-led plan change. They contacted us on several occasions regarding us supporting their proposal, but they were unable to show us how their development aspirations might properly integrate with our development and manage effects on our property. They did not supply any sufficiently detailed

technical evidence or discuss any commercial ramifications with us. Accordingly, we felt unable to make any properly informed assessment of what they were proposing.

39. It is disappointing that HLG seems to have taken the approach of saying that if they cannot be included, then they oppose PC17 on the basis that the boundary interface issues are unacceptable to them.
40. We are committed to creating a high amenity, best practice industrial precinct, where the adverse effects of industrial activities are well controlled. In our minds, the HLG's concerns regarding effects beyond the boundary are misplaced.
41. We recognise that to achieve this, it is important to manage these boundary related effects, so that these sensitive equine activities are protected from unacceptable adverse effects. For that reason, the Kama Trust supports the PC17 provisions that, in combination, protect our neighbours.
42. The main protection will come in the form of a substantial setback of industrial activities from the shared boundary. The setback is enforced through the requirement for the stormwater detention pond to be located at the boundary between our land and the HLG land. This will create a large setback of at least 40 metres, which in combination with the other rules controlling noise, glare, and land uses that cannot occur, will ensure that there are no unacceptable effects beyond the site boundary.
43. We also support the location of the road and setback on the western side of the development area, which will create a setback of around 35 metres between any industrial activities and our western neighbours.
44. To make sure that these measures, in combination, would protect our neighbours, we searched out evidence of how the interface between

industrial land and equine activities was managed in practice. Through research we identified that “Ancroft Stud”, a horse stud located on Mangawhero Road in Matamata, is located adjacent to a large industrial area.

45. During the week of 3 March 2022, Ash and I visited that site. Located on Mangawhero Road directly opposite each other separated by just the road and verge areas (approx. 25 metres) are a horse stud (Ancroft Stud) and a large industrial area with many different businesses including steel fabrication, cement works and other very heavy industrial activity. Mangawhero Road is also state highway 24 and has a large traffic volume including many heavy vehicles. Horses in the front paddock of Ancroft Stud immediately across the road from the industrial area appeared to not be bothered by this at all including road traffic.
46. Also on the same property (Ancroft Stud) there was a residential property development in progress with large diggers and other heavy machinery operating in close proximity to horses and other livestock. None of these activities appeared to bother the horses in any way as they went about eating grass.
47. We have spoken to Phillip Brown, the owner of Ancroft Stud and he has said to us that his horses have no trouble or concerns with the industrial activity nearby. He said that this had been the case for many years. Although unavailable to attend this hearing, Phillip Brown has provided us with written confirmation of the fact that there are no adverse effects arising running his horse stud adjacent to an industrial area and was happy for this to be presented to the commissioners. A copy of that written confirmation is set out at **Attachment A** to this evidence.
48. From our local observations, we also note that “Wentworth Grange Stud” is a large stud just to the south of Cambridge and occupies large amounts of land on both sides of state highway one. This road is extremely busy and

has a significant portion of heavy traffic. When stopped on the side of the road the noise can be described as very loud at times. We have even observed cars tooting their horns while driving on this piece of road. What we observed was that the horses in the paddocks near the road were not concerned at all with the noise or horns and carried on eating grass.

49. We also note that on the outskirts of Cambridge to the northwest there are numerous horse operations but one in particular that we observed was interesting. "Marsh Racing" was located at the northern end of this piece of Abergeldie Way and was right next to State Highway 1, once again with significant road noise, and the horses observed appeared in no way concerned with this noise. Further down the road back towards Cambridge was another part of the Marsh Racing stud/farm with many horses in the paddocks. This part of the farm is in close proximity to Shaws Wire Ropes which is a very large industrial operation based off Victoria Road in Cambridge. Again, we observed no concerns with the equine operations, and the wellbeing and welfare of the animals.
50. We readily accept that we are not equine/horse experts. However, it is very apparent from what we have seen that horses and industrial activity or high noise activity operate in close proximity to each other in multiple areas of our local Cambridge economy. From our observations we are confident that the boundary interface controls, setbacks, and land use controls that are set out in PC17 will be more than adequate to ensure no adverse effects on our equine industry neighbours arise.

CONCLUSION

51. I wish to reiterate that our history and reputation shows that our family, and the Kama Trust, are highly respected members of the Cambridge community and economy. We have an interest in ensuring that legacy continues and is enhanced by our development within Area 6.

52. We support the Council's approach to PC17 and look forward to contributing to the successful development of the Hautapu industrial area in Cambridge.

53. Finally, I wish to thank the commissioners for their careful consideration of the Kama Trust submission and evidence.

Malcolm and Ashley Boyd

17 March 2023

ATTACHMENT A

From: Ancroft <ancroft@xtra.co.nz>

Sent: Monday, 13 March 2023 11:54 am

To: chrisash@xtra.co.nz

Subject: Re: Ancroft Stud Statement

To Whom It May Concern.

I am the Managing Director of Ancroft Stud Ltd a family thoroughbred stud farm at 71 Mangawhero Road, Matamata. We have an Industrial Estate opposite us and have farmed here for over fifty years during which we have never had any problems with our thoroughbreds regarding having the Industrial Estate beside us. Further to this on our north east boundary we have a large sub division in progress which has heavy machinery doing excavation, drain laying, roading etc and have had no issues with horses on the boundaries. I cannot see any obstacles why these types of operations can't co exist together provided common sense prevails.

Yours faithfully,

Philip Brown.

Phillip & Catherine Brown

ancroft@xtra.co.nz