

Tabled 26/11

Before the Whangarei District Council Hearings Committee

In the Matter of the Resource Management Act 1991 (Act)

And

In the Matter of Proposed Plan Changes 88, 109, 115, 136 and 148
(Whangarei District Plan).

**Summary of Evidence of Thomas Robert Keogh on behalf of Marsden Maritime
Holdings Limited**

November 26 2019

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Introduction

1. My full name is Thomas Robert Keogh. I am a planning consultant employed by Reyburn and Bryant in Whangarei. I hold a Bachelor of Arts (Major Geography, Minor Economics) and a Masters of Urban Planning from the University of Auckland. I am an intermediate member of the New Zealand Planning Institute.
2. I prepared the original submission and subsequent evidence for Marsden Maritime Holdings Ltd (MMH). These documents have been pre-circulated and are taken as read. The purpose of my attendance is to summarise the key points of my evidence, and to answer questions where possible.

Context – MMH

3. MMH is a designated Port Company. The company was formed in 1988 in response to the Port Companies Act 1988, which required the formation of companies to manage the commercial and port related assets of Harbour Boards. In Northland's case, this included substantial land holdings with MMH now owning approximately 19ha of land at Marsden Point. They also have stake holdings in a number of other business activities in the greater Marsden Point area.
4. MMH are publicly listed, with the Northland Regional Council holding a 53.6% share.
5. MMH are interested in the plan changes as they will have an impact on the current and future management of MMH owned land and their plans for that land, and as they will have a significant impact on the future of the Greater Marsden Point area.

The primary submission and Council recommendations

6. The primary submission related to four aspects of the plan changes – the Port Zone (PC144), the Light Industrial Zone (PC88G), the extent of residentially zoned land in the Marsden Point/One Tree Point areas (PC88I), and the definition of Port Related Activities outlined in the consequential amendments.

7. The following submission points were supported in part by Council in the relevant s.42A reports:

- Extending the hours of operation for food and beverage activities in the LIZ.
- Amending the definition of Port Related Activities.
- The recommended relief addresses the concerns of the submitter. No further action is currently pursued with respect to these submission points.

8. Since the Council recommendation, MMH have also advised that they no longer wish to pursue an increase in the maximum height of buildings in the Port Management Area B. As such, no further action is currently pursued with respect to this submission point, and I request that the commissioners disregard points 28 – 31 of my evidence.

9. The following submission points were not supported by Council in the relevant s.42A reports:

- Making Commercial Activities permitted where located within 80m of Marsden Bay Drive within the Port Zone.
- Making Industrial Activities permitted in the Port Zone.
- Making Rural Production Activities permitted in the Port Zone.
- Removing the 7,000m² limit applying to Industrial Activities in the LIZ.
- Providing additional residentially zoned land in the Marsden Point/ One Tree Point Area.

Reasons for the submission

10. With regards to the changes sought to the Port Zone (Commercial Activities permitted where located within 80m of Marsden Bay Drive, and Industrial and Rural Production Activities being permitted) the following are applicable to all:

- MMH are inherently conscious of the expansion plans of the Port, and their primary focus is on enabling those plans.
- MMH, along with Northport, are the sole owners of land within the Port Zone. This provides them with the ultimate veto over what activities establish within the Port Zone and for how long.
- MMH, and Northport, are inherently the best placed parties to determine the effects of activities establishing within the Port Zone on the current and future operations of the Port.
- Facilitating a diverse range of activities within the Port Zone is important to ensuring the ongoing sustainability of MMH, with a sole reliance on port-related activities creating undue risk.
- Appropriate policy support could be inserted by amending policy PORTZ-P2 so that there is an either/or between points 1 and 2, which would provide support for non-port related activities where they do not compromise or constrain the safe and efficient operation of current and future port activities.
- I also note that the Operative Marsden Point Port Environment is permissive and has not facilitated bad environmental outcomes or a shortage of land for Port Related Activities.

11. With respect to Commercial Activities being permitted where located within 80m of Marsden Bay Drive:

- Marsden Bay Drive is a main transport route into the Marsden Cove/One Tree Point areas, and facilitating a strip of commercial activities will facilitate an appropriate development pattern that will support the interests of MMH and the wider community.
- Facilitating a strip of commercial activities adjacent to Marsden Bay Drive will create an appropriate buffer from Port Related Activities.
- If a permitted activity status is not seen as appropriate, a restricted

discretionary activity status is sought.

12. With respect to Industrial Activities in the Port Zone:

- This will reduce unnecessary consenting requirements and the associated costs, better allowing MMH to provide for the effective and efficient management of their resources.
- If not agreeable to the above, MMH seek that an area of land that is currently scheduled to be rezoned Port Zone, be rezoned Light Industrial Zone. The area of land is shown on MMH submission plan attached to my evidence.

13. With respect to Rural Production Activities in the Port Zone:

- Grazing, for example, is an appropriate use of the land until such time that it is required for Port activities.
- Rural Production Activities represent an interim use that will allow MMH to sustainably and efficiently manage their land resource in a manner that will in no way render that resource unsuitable to accommodate Port Related Activities.

14. With respect to the Light Industrial Zone:

- MMH agreed with the evidence prepared by Brett Lewis Hood on behalf of Port Nikau Three Joint Venture with respect to the LIZ, specifically the concern raised with regard to the introduction of a reference to AINZSIC06 and that this is not the appropriate mechanism for differentiating what activities are permitted in the Light and Heavy Industrial Zones. This is of particular relevance to MMH, given the emergence of a 'marine precinct' in the northern portion of Lot 2 DP 349540 and the restrictions that the reference to AINZSIC06 would place on marine industries looking to establish within this area.
- MMH agree that the proposed activity restrictions coupled with various effects based rules are generally adequate to manage effects

without the need to reference AINZSIC06.

15. With respect to additional residentially zoned land in the Marsden Point/One Tree Point area:

- MMH agreed with the evidence prepared by Joseph Brady Henehan on behalf of Ruakaka Economic and Development Group, specifically the concerns raised regarding the lack of residentially zoned land, and that the changes sought will improve the availability of housing in the surrounding area, addressing issues that this community faces now and into the future.

Conclusions

16. Port Zone – the changes sought will ensure appropriate provision of land for port related activities while ensuring the ongoing sustainability of MMH. They will also facilitate a range of activities that will support the ongoing economic development of the surrounding area.
17. Light Industrial Zone – the changes sought will ensure appropriate industrial activities in appropriate locations.
18. Residential land – the changes sought will resolve issues that the community is facing now and into the future.



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Thomas Keogh (Planner)

This 26th day of November 2019

