

**UNDER** the the Resource Mangement Act 1991 ("RMA")  
**IN THE MATTER** of Proposed Waikato District Plan: Hearing 5 – Definitions

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**SUMMARY STATEMENT OF MATTHEW ARMIN LINDENBERG ON  
BEHALF OF KĀINGA ORA (FORMERLY HOUSING NEW ZEALAND  
CORPORATION, 749 / FS1269)**

**5 December 2019**

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## 1. Summary Statement

1.1 My full name is Matthew Armin Lindenberg. I am a Senior Associate at Beca Limited. I am providing planning evidence on behalf of Kāinga Ora Homes and Communities (“**Kāinga Ora**”) (formerly Housing New Zealand Corporation) in relation to its submissions on the Proposed Waikato District Plan (“**the Proposed District Plan**” or “**PDP**”). Specifically, this statement relates to the evidence prepared for Chapter 13: Definitions.

1.2 In summary, the key points addressed in my evidence are:

### *Alignment with the National Planning Standards 2019:*

(a) I support Council’s approach to align the definitions of the PDP with the National Planning Standards 2019 (“**NPS**”). However, I do not support Council’s approach to limit the alignment only to those definitions that have been submitted on. With the first set of NPS now in force, the current District Plan Review process is the most opportune and appropriate time and process for amending the definitions of the PDP to be consistent with the Definitions Standard of the NPS. I note that the Definitions standard is a ‘Mandatory direction’ meaning that the Council must amend its plan to be consistent with the requirements of the planning standards without going through a normal RMA Schedule 1 process (acknowledging that where additional changes are required as a consequent, and these go beyond consequential, the Schedule 1 process will be required). I consider the following definitions of the PDP should be consistent with the Definitions Standard of the NPS:

- *Abrasive blasting;*
- *Accessory building;*
- *Allotment;*
- *Bed;*
- *Building;*
- *Building coverage;*
- *Cleanfill material;*
- *Commercial activity;*
- *Community facility;*
- *Contaminated land;*

- *Earthworks;*
- *Education facility;*
- *Functional need;*
- *Gross floor area;*
- *Hazardous substance;*
- *Height;*
- *Height in relation to boundary;*
- *Historic heritage;*
- *Nome business;*
- *Industrial activity;*
- *Minor residential unit;*
- *Net site area;*
- *Network utility operator;*
- *Notional boundary;*
- *Operational need;*
- *Outdoor living space;*
- *Residential activity;*
- *Residential unit;*
- *Retirement village;*
- *Rural industry;*
- *Sign;*
- *Site;*
- *Subdivision; and*
- *Wetland.*

*Support for Council's Recommendations:*

- (b) I support Council's recommendation to retain the definition of "*Building Platform*" within the PDP. While the term is not defined in the National Planning Standards, the term is frequently referenced within the PDP. Notably, the Stage 2 Draft Natural Hazards Chapter relies on the term frequently within the subdivision rules and, therefore, I consider it is appropriate to retain this term to ensure consistency with its adoption.
- (c) I support the amendments proposed by Council, as set out in the s42A report, to address the submissions of Kāinga Ora in relation

to the definitions of “*Apartment*”, “*Multi-unit development*” and “*Service court*”;

*Definitions Where I Consider Further Amendments Are Required:*

- (d) I support the submission by Kāinga Ora in relation to the definitions of “*Comprehensive Land Development Consent*” and “*Comprehensive Subdivision Consent*”, in that the defined terms in the PDP should not be location / precinct specific. I consider there is benefit to retaining a definition of these terms within the PDP, such that the defined planning mechanism may be available elsewhere in the district.
- (e) I support the submission of Kāinga Ora in relation to the definition of “*Impervious surfaces*” and I propose an alternate definition for this term (to that set out in the notified PDP) in order to provide clear guidance to all plan users as to what would and would not be captured by such a definition; and

*Definitions to be Addressed in Future Hearings:*

- (f) My primary evidence has addressed definitions which relate to “*Duplex*”, “*Landscape restoration area*”, “*Hazard*”<sup>1</sup> and “*Use*”. I note the s42a report sets out that the definitions will be addressed through the forthcoming hearing topics (specifically Hearing 10 – Residential for the terms “*Duplex*” and “*Landscape restoration area*” and Hearing 8a – Hazardous Substances / Contaminated Land for the terms “*Hazard*” and “*Use*”). I am comfortable with this approach and propose to reiterate my opinion on these four definitions, contained in my primary evidence for this Hearing Topic 5 (Definitions), as part of a primary evidence statement for Hearing Topic 8a and Hearing Topic 10.

**Matthew Armin Lindenberg**

5 December 2019

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<sup>1</sup> Upon review of the Hearing 8A: Hazardous Substances & Contaminated Land s42A report, it is understood Council recommend deleting the definition of “*Hazard*”. I support Council’s recommendation to delete this definition from the PDP.