

BEFORE the Independent Hearings Panel
IN THE MATTER of the Resource Management Act 1991 (“**RMA**”)
AND
IN THE MATTER of hearing submissions and further submissions in respect of Chapter 13
(Definitions) of the Waikato District Proposed District Plan (“**WPDP**”)

STATEMENT OF EVIDENCE

BY BEVAN RONALD HOULBROOKE

ON BEHALF OF GREIG METCALFE

INTRODUCTION

1. My full name is Bevan Ronald Houlbrooke and I am a Director at CKL Planning | Surveying | Engineering | Environmental ('CKL').
2. I have been employed in resource management and planning related positions in local government and the private sector for 17 years. During this time I have provided technical and project leadership on a number of small and large development proposals. My work is largely focused on greenfield and brownfield land development, subdivision and land use planning, and policy planning. I have been involved in a number of plan review and plan change processes.
3. I hold a Bachelor of Science (Resource & Environmental Planning) from the University of Waikato and a Master of Planning Practice from the University of Auckland.
4. I am a Full Member of the New Zealand Planning Institute (MNZPI).
5. I have read the code of conduct for expert witnesses contained in the Environment Court's Practice Note 2014, and agree to comply with it. I have complied with it when preparing my written statement of evidence.

SCOPE OF EVIDENCE

6. This evidence provides a planning assessment of provisions on which Mr. Greig Metcalfe submitted on and addresses the Section 42A Report provided by the Waikato District Council ("WDC") in relation to Chapter 13 – Definitions.
7. The original submission identifies several terms that are already used in the WPDP and that are neither defined in the WPDP nor in the National Planning Standards. Definitions have been sought by the submitter on the basis that providing no definition for these terms leads to ambiguity and uncertainty for users of the plan.
8. The undefined terms that should have definitions submitted on by Mr. Metcalfe are:
 - Identified Area
 - Boundary Adjustment
 - Wastewater Treatment Plant
 - General Aviation
 - Recreational Flying
 - Community Scale Wastewater System
 - Real Estate Sign
9. The submitter has also sought definitions for new terms that are not currently used in the notified version of the WPDP. These new terms however feature in the relief sought by the submitter in relation to other chapters which are yet to be heard. For completeness, these terms should be defined in the WPDP should this relief be accepted. The new terms requested in the submission by Mr. Metcalfe are:
 - Flight Training School
 - Circuit Training
 - Real Estate Header Sign

AREAS OF AGREEMENT WITH s42A RECOMMENDATIONS

10. In response to the submission by Mr. Metcalfe (and by other submitters) the s42A report has proposed new definitions for the following terms:

- **Identified Area**

“Means the following areas and items identified within this plan:

- a. Urban Expansion Area*
- b. Significant Natural Area*
- c. Outstanding Natural Feature*
- d. Outstanding Natural Landscape*
- e. Significant Amenity Landscape*
- f. Outstanding Natural Character*
- g. High Natural Character*
- h. Heritage Precinct*
- i. Heritage Items*
- j. Maaori Sites of Significance*
- k. Maaori Areas of Significance*
- l. Notable Trees”*

- **Boundary Adjustment**

“Means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments”

- **Community Scale Wastewater Treatment Plant**

“Means a wastewater treatment system for the purpose of treating wastewater from more than one site. It does not include a wastewater system which is connected to a public, reticulated wastewater network.

- **Real Estate Sign**

“Means a real estate sign advertising a property or business for sale, for lease, or for rent”

11. Mr. Metcalfe agrees with proposed wording of the terms outlined above and supports their inclusion in the WPDP.

AREAS OF DISAGREEMENT WITH s42A RECOMMENDATIONS

12. The s42A report has rejected requests from Mr. Metcalfe to include definitions for the following terms:

- Wastewater Treatment Plant
- General Aviation
- Recreational Flying
- Flight Training School
- Circuit Training
- Real Estate Header Sign

Wastewater Treatment Plant

13. The term “Wastewater Treatment Plant” appears throughout the WPDP but does not have a definition. An example is Rule 14.11.3 which provides for Wastewater Treatment Plants as Discretionary Activity in several zones.

14.11.3 Discretionary Activities

(a) The activities listed below are discretionary activities.

D1	Water treatment plants not located within road and unformed road or an Identified Area
D2	Wastewater treatment plants located within the following: <ul style="list-style-type: none"> (a) Industrial Zone (b) Heavy Industrial Zone (c) Motor Sport and Recreation Zone (d) Rural Zone (e) Country Living Zone (f) Reserve Zone

14. The s42A report (para. 1239) acknowledges that including a definition for Wastewater Treatment Plants would be helpful, but the author of the report was unsure which components of such a facility should fall within or outside this definition (e.g. pumping stations, storage tanks etc).
15. The submission from Mr. Metcalfe was merely an observation that this term, although frequently used in the WPDP, had not been defined and this could be an issue for plan users. WDC engineers could be well placed to provide input to a definition that captures all technical components of a Wastewater Treatment Plant; however, the following wording could be used as a starting point:

“Means a wastewater treatment system for the purpose of treating wastewater from more than one site. It includes both Community Scale Wastewater Treatment Plants and wastewater systems which are connected to a public, reticulated wastewater network”

General Aviation and Recreational Flying

16. The terms “General Aviation” and “Recreational Flying” appear in Chapter 27 - Te Kowhai Airpark Zone. Mr. Metcalfe’s interest in the Te Kowhai Airpark Zone is by way of a neighbouring property which is under the flight path beyond the western end of the runway. This property is subject to the proposed Outer Control Noise Boundary and therefore is expected to be affected by noise from aircraft taking-off and landing.
17. General Aviation and Recreational Flying are listed as separate activities in Chapter 27 (Rule 27.1.1 – Activity Status Table). The activity status for General Aviation and Recreational Flying is either permitted or discretionary depending on which precinct of the Te Kowhai Airpark they occur (as shown below).

27.1.1 Activity Status Table

Activity	Precinct A Runway & Operations	Precinct B Commercial	Precinct C Medium Density Residential	Precinct D Residential
General aviation	P1	P2	D1	D2
Recreational flying	P3	P4	P5	P6

18. To ensure there is no ambiguity or uncertainty as to what General Aviation and Recreational Flying entails, Mr. Metcalfe submitted that definitions for these terms should be included in the WPDP. The s42A report has rejected this relief and has invited Mr. Metcalfe to provide

detailed wording in evidence at this Hearing. In response to this request, it should be noted that the submitter is a neighbour to the Te Kowhai Airpark and does not have detailed knowledge or experience of the proposed airpark operation. The submission was merely an observation that these terms hadn't been defined and this could be an issue for administration of the WPDP given they are listed as activities.

19. In my opinion a more appropriate time to consider the merit or otherwise of including definitions for General Aviation and Recreational Flying would be at Hearing 14 (Chapter 27 - Te Kowhai Airpark Zone). It is suggested that these terms be added to Appendix 3 of the s42A report which is a table of definitions which require further consideration in topic or zone specific hearings.

Flight Training School and Circuit Training

20. Mr. Metcalfe has submitted on Chapter 27 (Te Kowhai Airpark Zone) and has requested that "Flight Training School" and "Circuit Training" be added as non-complying activities in the Te Kowhai Airpark Zone. As a consequential amendment to this relief, Mr. Metcalfe also sought definitions of these two activities.
21. The s42A has rejected the request to provide definitions for Flight Training School and Circuit Training on the basis that these terms do not currently appear in the WPDP. Given the hearing for the Te Kowhai Airpark Zone has yet to occur, in my opinion it is premature to reject these definitions at this point in the process. This is because Hearing 14 will consider the primary submission points regarding the request for Flight Training School and Circuit Training to be added as non-complying activities.
22. It is therefore requested that "Flight Training School" and "Circuit Training" be added to Appendix 3 of the s42A report which is a table of definitions which require further consideration in topic or zone specific hearings.

Real Estate Header Sign

23. Mr. Metcalfe has submitted on rules throughout the WPDP relating to the erection of temporary real estate signs for sites that are for sale or lease. Part of the relief being sought by Mr. Metcalfe is for "Real Estate Header Sign" to be a permitted activity. A header sign is sometimes erected on another site (often a high-volume road) to point purchasers to a site which is for sale or lease (often on a low-volume road). As a consequential amendment to this relief, Mr. Metcalfe sought a definition for "Real Estate Header Sign".
24. The s42A has rejected the request to provide a definition for Real Estate Header Sign on the basis that this term does not currently appear in the WPDP. Given the hearing(s) for signs have yet to occur, it is in my opinion premature to reject the definition until such time as the primary submission point regarding Real Estate Header Signs has been heard.
25. It is therefore requested that "Real Estate Header Sign" be added to Appendix 3 of the s42A report which is a table of definitions which require further consideration in topic or zone specific hearings.