

SECTION 42A REPORT

Rebuttal Report

Hearing 13: Hampton Downs Motor Sport and Recreation Zone

Prepared by: Victoria Majoor

Date: 07/04/20



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I Introduction

I.1 Background

1. My full name is Victoria Majoor. I am employed by Waikato District Council as a Senior Consents Planner and am the writer of the original section 42A report for Hearing 13: Hampton Downs Motor Sport and Recreation Zone.
2. My qualifications and experience are set out in the introduction of the s42A report together with my statement to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014.
3. The recommended text changes as a result of this rebuttal evidence are set out in Rebuttal Appendix I. Recommended amendments that are the result of the original s42A report are shown in **red**, with recommended changes arising from this rebuttal evidence shown in **blue**.

2 Purpose of the report

4. Minute and directions from the Hearing Commissioners were issued on the 20th March 2020 in relation to Hearing 13 – Hampton Downs Motor Sport and Recreation Zone.
5. The directions set out an additional five-day extension for submitter evidence and submitter rebuttal evidence. In turn Council's response is due by 5pm 7th April, two days prior to Hearing 13 on the 9th April 2020.

Pre-hearing Conferencing

6. On the 1st April 2020 pre-hearing conferencing was undertaken between NZTA, HD Land Limited/Hampton Downs (NZ) Limited, Reid Investment Trust and Council. The purpose of the conferencing was to discuss areas of agreement and/or disagreement. The matters discussed largely related to traffic management for events, signs and landscaping.
7. As a result, the following outcomes were agreed to relating to the current and future operation and development of the Hampton Downs Motor Sport and Recreation Zone¹. This have been appended to this report:
 - a) Activities authorised by the 2006 resource consent should be imbedded in the plan as a permitted activity and subject to the same conditions. [The permitted activity rule for signs was not agreed, see e).]
 - b) Events larger than 20,000 spectators require consent as a restricted discretionary activity, with the key matters of discretion being traffic management, signage, hours of operation and noise management [participants to confirm list and delete "key"].
 - c) Additional permitted activities should be provided for ancillary activities (e.g. ticket booth that needed a separate resource consent after 2006), provided they meet certain specific "standards" aimed at ensuring their off-site effects are "acceptable".
 - d) Activities not contemplated in 1 – 3 above will be full discretionary activities.
 - e) Signs
 - i. Agreed: the permitted activity rule for signs will follow the format in Box A.
 - ii. Agreed: the signs rule will not adopt the text shown struck-through in Box B.
 - iii. Agreed: to work towards agreement on remaining signs issues.
 - iv. Agreement is to be sought on these controls to be incorporated into the agreed rule format:

¹ Points 1-5, Page 2-3 of H13 Agreed per-hearing outcomes 1/04/20

- A. sign area
- B. sign height
- C. setback distances of signs
- D. orientation of signs to intended audience
- E. reducing visibility of signs from public places, especially State Highway 1.
- F. screening
- G. numbers of signs.

Redraft of Chapter 26

8. A redraft of the rules was circulated to HD Land Limited and Hampton Downs (NZ) Limited, NZTA and Reid Investment Trust on the 3rd April 2020 for comment/feedback. Both HD Land Limited and Hampton Downs (NZ) Limited and NZTA provided comments on the 6th April 2020. These are appended to this report. The matters still outstanding are as follows:
- Rule 26.1.1.1 P5 – events, both NZTA and HD Land made comments but they made different points and we don't have their response to each others suggestions;
 - Rule 26.2.11 (v) both agree with 500m, but NZTA asks for additional controls;
 - Rule 26.5 - length of deceleration ramps, HD says "ok", NZTA says needs to include full text of the condition.
9. The purpose of this report is to consider the primary evidence filed by submitters, outcomes of the pre hearing conferencing and commentary on the redraft of the rules in Chapter 26. I do not address every point raised in evidence. I respond only to the points where I consider it is necessary to clarify an aspect of my earlier s42A report, or where I am persuaded to change my recommendation. In all other cases, I respectfully disagree with the evidence, and affirm the recommendations and reasoning in my s42A report.
10. Evidence was filed by the following submitters regarding the Hampton Downs Motor Sport and Recreation Zone provisions:
- a. HD Land Limited and Hampton Downs (NZ) Limited [657]
 - b. New Zealand Transport Agency [742]
 - c. Ministry of Education [781]
 - d. Fire and Emergency New Zealand [378]
 - e. Reid Investment Trust [783]

3 Consideration of evidence received

3.1 Evidence in support of the s42A report recommendations

11. Evidence in support of the s42A report recommendations was received from the following parties:
- a. HD Land Limited and Hampton Downs (NZ) Limited [657]
 - b. Horticulture NZ [419];
 - c. Fire and Emergency New Zealand [378].

12. In the interests of succinctness, I do not comment upon these within this report.

3.2 Topics addressed in submitter evidence

13. The main topics raised in evidence from submitters who are in disagreement with the recommendations of the original s42A report for Hearing 13: Hampton Downs Motor Sport and Recreation Zone, include:
 - a. Objective – Rural Character and Amenity;
 - b. Provision of educational facilities;
 - c. Landuse Activities
 - d. Noise;
 - e. Landscaping;
 - f. Traffic Management;
 - g. Signs
 - h. Firefighting water supply;
14. I have structured my response to address each of these topics in turn.

4 Objective – Rural Character and Amenity

4.1 Analysis

15. Ms Paula Rolfe (Paula Rolfe Consultancy) has provided evidence on behalf of the HD Land Limited and Hampton Downs (NZ) Limited (HD Land). HD Land oppose Objective 9.1.1(b) which requires that rural character and amenity is maintained.
16. Ms Rolfe considers that this part of the objective is not appropriate for the existing consented land use activities undertaken at the site and in the immediate surrounding area.²
17. I agree that the activities and development consented at the motorsport park are not typically associated with 'rural character and amenity'. Ms Rolfe also raises that there are several other existing land use activities in the immediate surrounding area that are not typically associated with 'rural character and amenity' such as the Springhill Prison, Envirowaste Landfill, Gull Service Station, Meremere Dragway and the Waikato Expressway are all located in the immediate surrounding area and contribute to the character and amenity of the site and the surrounding area. None of these activities are 'rural activities', the existing character and amenity cannot therefore be described as 'rural'.³
18. While I agree that some of the existing activities in this locality are not rural activities, there are still areas immediately adjoining the Hampton Downs Motor Sport and Recreation Zone which are- such as the cropping land to the north and farming to the west and east.
19. It is my view that it is essential that the further development of the zone does not undermine the existing rural character and amenity of the surrounding rural zone. The objective requires that rural character and amenity is maintained. However, I consider that it would be helpful to set out that the rural character and amenity of the surrounding rural zone is maintained in the objective.

² Para 14, Pg 4, Evidence of Ms Rolfe on behalf of HD Land

³ Para 14, Pg 4-5, Evidence of Ms Rolfe on behalf of HD Land

4.2 Recommendations

20. As a result of the evidence received from HD Land, I change my recommendation from my s42A report⁴ on Objective 9.1.1 to:

9.1.1 Objective - Continued development and operation of the Hampton Downs Motorsport Park

- (a) To continue to use and develop the Hampton Downs Motorsport Park ~~develops into~~ as a regionally-significant motor sport and recreation facility.
- (b) The rural character and amenity of the surrounding rural zone is are maintained.⁵

4.3 Section 32AA evaluation

21. Given the minor amendments shown above, no s32AA evaluation is considered necessary.

5 Provision of education facilities

5.1 Analysis

22. Mr Alec Duncan (Beca Limited) has provided evidence on behalf of the Ministry of Education (the Ministry).
23. Mr Duncan states that the intent of the Ministry's submission is to enable the provision of education facilities in the Specific Zones. The Ministry is seeking a specific policy and new restricted discretionary rule that provides for education facilities in the Hampton Downs Motor Sport and Recreation Zone.⁶
24. As set out in my s42A report⁷, my view is that the Hampton Downs Motor Sport and Recreation Zone is not an appropriate zone for the inclusion of education facilities. I consider that the current activities that are consented do already provide for educational aspects such as driver training and recreational activities. I therefore do not consider that there is a need to include a specific policy and new restricted discretionary rule that relates to educational facilities as this term has a broader meaning than the specific relief sought.
25. The Ministry considers that a restricted discretionary activity status in the Hampton Downs Motor Sport and Recreation Zone would enable Council to have the discretion over the effects these activities may generate on a case-by-case basis. The Ministry considers that the matters of discretion covering; necessity, reverse sensitivity, traffic/transport network, noise and amenity would, appropriately address any actual or potential effects on the environment.
26. I do not accept the Ministry's view that a restricted discretionary activity status is appropriate. The Hampton Downs Motor Sport and Recreation Zone provides for a wide range of activities such as motor sport, recreational and industrial activities. My view is that aspects of education facilities do not align with these activities. My view is that educational facilities should therefore remain as a discretionary activity with the Hampton Downs Motor Sport and Recreation Zone, where an applicant can demonstrate the merits of their case such that their particular educational facility can be accommodated in a manner that satisfies the statutory test.

⁴ Para 43, Pg 11 – H13 s42A Report

⁵ Submission [657.56] HD Land Limited and Hampton Downs (NZ) Limited

⁶ Page 1, Evidence of Mr Duncan on behalf of MOE

⁷ Para 51, Pg 13, H13 s42A Report

27. Further to this I note that education facilities are a discretionary activity within the surrounding Rural Zone, and I am of the view this should be consistent across both zones.
28. Depending on the recommendations for Hearing 19 – Rural Zone, consequential amendments may be required to Chapter 26.
29. The Ministry is of the view that driving training is not provided for as a permitted activity. I disagree, Rule 26.1.1.1 P2 specifically includes driver training and education as a permitted activity within Precinct A.

5.2 Recommendations

30. My recommendation remains as set out in my s42A report.

6 Landuse Activity Rules

6.1 Analysis

31. Ms Rolfe in her evidence has made comments in relation to the landuse activity rules. I address these in turn with respect to the rules they relate to:

Rule 26.1.1.1 – Operational Motorsport Area - Precinct A

32. Rule P2 references motor sport circuit. Ms Rolfe notes that this term is not used anywhere else in the zone and requested that this be deleted⁸. This term appears to be from the 2006 resource consent. I agree, and consider this can be amended to 'race track'. This is consistent with term used in Rule 26.1.1.1 P1.

33. Further to the above, Rule 26.1.1.1 P1 includes permitted activities that are not consistent with the activities provided for in Precinct A. This includes residential accommodation, which is provided for in Precinct D, Industrial units in Precinct E and travellers accommodation including camping ground and hotel accommodation in Precinct C. It is therefore my view that these terms be removed to be consistent with what is enabled within each precinct. The primary submission from HD Land Limited and Hampton Downs (NZ) Limited [657.35] requests that the introduction to Chapter 26 clearly identifies and describes the five precinct areas and details the activities anticipated in each precinct. This could be accepted in part so that permitted activities in each precinct are consistent with the precinct description which is already set out in Policy 9.1.1.2.

Rule 26.1.1.4 - Residential Apartments - Precinct D.

34. Ms Rolfe in her evidence considers that the Rule P1 provides for the construction of a new residential activity within the apartments in Precinct D. Ms Rolfe notes that the residential apartments are already existing and that the existing resource consent does not allow for any additional residential apartments to be constructed within Precinct D and that Rule P1 should be amended so that it only allows for alterations to the existing buildings.⁹ I do not agree with Ms Rolfe's interpretation on Rule P1 however, Rule P2, does allow for the construction or alteration of a building or structure for a residential activity, and this perhaps is what she refers to. My view is that P2 can be amended with removal of the term 'construction.'

⁸ Para 15, Pg 6, Evidence of Ms Rolfe on behalf of HD Land

⁹ Para 16, Pg 5, Evidence of Ms Rolfe on behalf of HD Land

Rule 26.1.1.5 - Industrial Use – Precinct E

35. Similar to the comments raised above in relation to Rule 26.1.1.5 PI Ms Rolfe notes that Rule PI provides for an industrial activity within the industrial activity units and is of the view that this allows for a change of activity and HD Land advises the existing resource consent does not provide for any additional industrial units to be constructed within Precinct E. Ms Rolfe has requested that PI be amended so that it only allows for alterations to the existing buildings.¹⁰ As I note above, P2 allows for the construction or alteration of buildings or structures for the activities in PI. Therefore, my view is that P2 can be amended with removal of the term ‘construction.’

6.2 Recommendations

36. As a result of the evidence received from the HD Land, I recommend the following amendments to Rule 26.1.1.1 P1, Rule 26.1.1.4 P2 and Rule 26.1.1.5 P2:

26.1.1.1 Permitted Activities - Operational Motorsport Area - Precinct A ~~Activity~~¹¹

Activity		Activity-specific conditions
PI	<p>A motor sport and recreation facility <u>which includes:</u></p> <ul style="list-style-type: none"> (a) <u>race tracks, race pads and associated pit garages and support facilities;</u> (b) <u>race control, safety, emergency and media facilities;</u> (c) <u>corporate boxes and hospitality facilities;</u> (d) <u>restaurants, cafés, food and beverage and merchandising retail areas, administration buildings and facilities;</u> (e) <u>general ticketing, toilet and ablution facilities;</u> (f) <u>industrial units¹², <u>vehicle workshops and storage sheds;</u></u> (g) <u>corporate showrooms and expo areas, including areas for the display of racing-related memorabilia;</u> (h) <u>residential accommodation ¹³ <u>swimming pool and tennis court facilities;</u></u> (i) <u>a convention centre;</u> (j) <u>travellers' accommodation, including a camping ground and hotel accommodation¹⁴;</u> (k) <u>parking and helipad facilities;</u> 	<p>The activity is carried out in Precinct A (Operational Motorsport Area)</p>

¹⁰ Para 17, Pg 6, Evidence of Ms Rolfe on behalf of HD Land

¹¹ Clause 16(2) Schedule I RMA

¹² Submission [657.35] HD Land Limited and Hampton Downs (NZ) Limited

¹³ Submission [657.35] HD Land Limited and Hampton Downs (NZ) Limited

¹⁴ Submission [657.35] HD Land Limited and Hampton Downs (NZ) Limited

	<ul style="list-style-type: none"> (l) <u>driver training school inclusive of a skid pad;</u> (m) <u>spectator facilities including pedestrian access ways, tunnels, overbridges, spectator viewing platforms and seating areas;</u> (n) <u>a jet sprint course;</u> (o) <u>go-kart track and drifting pads;</u> (p) <u>accessory buildings, facilities and structures such as maintenance and storage sheds, decks, shade cloths and storage containers for all items listed above.</u> ¹⁵ 	
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26.1.1.4 Permitted Activities – Residential Apartments - Precinct D

<u>Activity</u> ¹⁶		<u>Activity-specific conditions</u> ¹⁷
PI	A residential activity within the residential apartments.	The activity is carried out in Precinct D (Residential Apartments).
P2	Construction or a <u>Alteration of a building or structure for an activity listed in Rule 26.1.1.4 PI.</u> ¹⁸	<u>The activity is carried out in Precinct D (Residential Apartments).</u>

26.1.1.5 Permitted Activities – Industrial Units - Precinct E

<u>Activity</u> ¹⁹		<u>Activity-specific conditions</u> ²⁰
PI	An industrial activity within the industrial units	The activity is carried out in Precinct E (Industrial Units).
P2	Construction or a <u>Alteration of a building or structure for an activity listed in Rule 26.1.1.5.</u> ²¹	<u>The activity is carried out in Precinct E (Industrial Units)</u>

6.3 Section 32AA evaluation

37. Only minor amendments are recommended to provide consistency and clarity, therefore no s32AA evaluation is considered to be necessary.

¹⁵ Submission [657.30] HD Land Limited and Hampton Downs (NZ) Limited

¹⁶ Clause 16(2) Schedule I RMA

¹⁷ Clause 16(2) Schedule I RMA

¹⁸ Submission [657.16] and [657.17] HD Land Limited and Hampton Downs (NZ) Limited

¹⁹ Clause 16(2) Schedule I RMA

²⁰ Clause 16(2) Schedule I RMA

²¹ Submission [657.16] and [657.17] HD Land Limited and Hampton Downs (NZ) Limited

7 Controlled Activity Rules

7.1 Analysis

38. In Ms Rolfe’s evidence, clarification is sought as to whether an additional rule or an amendment to the wording is required for consistency throughout the zone to provide for the construction or alteration of a building for motor sport and recreation event or facility as follows:

‘C3 Construction or alteration of a building or structure for an activity listed in Rule 26.1.2.1 C1 and C2’²²

39. I agree with the inclusion of a new rule C3 as set out above for consistency. Matters of control have not been suggested by Ms Rolfe, and these will need to be considered. Another option would be to combine C2 and C3, as facilities is wide enough to include buildings.

7.2 Recommendations

40. The following amendments are recommended to Rule 26.1.2.1 as follows:

26.1.2.21 Controlled Activities – Minor Race Track Area - Precinct C

<p>C1</p> <p>Motor sport and recreation events:</p> <p><u>Motor sport and recreation events are classified into the following categories:</u></p> <p><u>Minor Event: <700 arrival vehicles per hour (vph) and <2,000 total vehicles</u></p> <p><u>Medium Event: 701 – 1,300 arrival vph or 2,100 – 3,500 total vehicles</u></p> <p><u>Major Event: 1,301 – 2,500 arrival vph or 5,001 total vehicles</u></p> <p><u>Extreme Event: 1801 – 2500 arrival vph or 5,001 – 8,000 total vehicles</u></p> <p><u>Where an event falls into two of the above categories due to different arrival vph and total vehicles measurements, it will be</u></p>	<p>(a) The activity is carried out in Precinct C (Minor Race Track Area);</p> <p>(b) <u>A maximum of 20,000 people attend the motor sport and recreation event; and</u></p> <p>(c) <u>A maximum of 2500 arrival vehicles per hour (vph) or 8,000 total vehicles attend the event; and</u></p> <p>(d) <u>No more than five Extreme Events are held per year; and</u></p> <p>(e) <u>No more than two Extreme Events are held in any year when an event is held that is larger than an Extreme Event (such as Supercars) authorised by resource consent; and</u></p> <p>(f) <u>No motor sport and recreation event is held on a weekday, except:</u></p> <p style="margin-left: 20px;">(i) <u>on a weekday that is a public holiday, or</u></p> <p style="margin-left: 20px;">(ii) <u>a minor event or practice day that generates less than 700 vehicle arrivals per hour; and</u></p> <p>(g) <u>Traffic Management Standards in Rule 26.5.²⁴</u></p> <p>Control shall be reserved over the following matters:</p> <ul style="list-style-type: none"> (i) Noise levels and duration (ii) Lighting and glare (iii) Hours of operation (iv) Nature and frequency of the event (v) Size and scale of the events (vi) Traffic, access and parking
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²² Para 18, Pg 6-7, Evidence of Ms Rolfe on behalf of HD Land

	<u>classified as the larger of the two categories.</u> ²³	
C2	Motor sport and recreation facilities	(a) The activity is carried out in Precinct C (Minor Race Track Area) (b) Control shall be reserved over the following matters: (i) Noise levels and duration (ii) Lighting and glare (iii) Hours of operation (iv) Nature and frequency of the event (v) Size and scale of the events (b) Traffic, access and parking
C3	<u>Construction or alteration of a building or structure for an activity listed in Rule 26.1.2.1 C1 and C2'</u>	(a) <u>The activity is carried out in Precinct C (Minor Race Track Area)</u> (b) Matters of control to be developed

7.3 Section 32AA evaluation

41. Only minor amendments are recommended to provide consistency and clarity, therefore no s32AA evaluation is considered to be necessary.

8 Noise

8.1 Analysis

42. Ms Rolfe in her evidence raises concerns with the noise standards in Rule 26.2.1 and Rule 26.2.2²⁵. In my s42A report, I recommended that the noise parameters were updated to give consistency with the parameters throughout the PWDP²⁶. While Ms Rolfe agrees the standards need to change to align with the National Planning Standards, she has concern that changing L₁₀ to L_{Aeq} will potentially be more onerous. Ms Rolfe has requested that Rule 26.2.1 PI(d) is amended to add the following “A special audible characteristic penalty shall not be applied”.

43. Since the circulation of the s42A report, expert advice has been sought in relation to the noise parameters. Darran Humpheson of Tonkin + Taylor provided comments on rules from a number of zones including the Hampton Downs Motor Sport and Recreation Zone on the 25th March 2020 which I have appended to this report. Mr Humpheson comments as follows:

‘It is noted that the proposed DP has updated the noise parameter from L10 to LAeq, in line with generally accepted best practice. For a typical noise source, the LAeq is generally around 3 dB lower than the L10. A difference of 3 dB is just perceptible with normal hearing. If the same limits remain in the DP with the parameters altered (e.g. a limit of 50 dB LA10 becomes a limit of 50 dB LAeq), then effectively this is equivalent to an allowable increase of 3 dB.

Most district plans which have updated their noise metrics have kept the same noise limits with no adjustment for the difference between L10 and LAeq. We recommend that a similar approach is adopted for the proposed DP. With regard to the noise limits for Hampton Downs, which mirror the

²⁴ Submission [378.53] Fire and Emergency, [FS1035.159] Pareoranga Te Kata, and [742.167] NZTA

²³ Submission [657.46] HD Land Limited and Hampton Downs (NZ) Limited

²⁵ Para 20-21, Pg 7, Evidence of Ms Rolfe on behalf on HD Land

²⁶ Para 203, Pg 62, H13 s42A Report

consent conditions, the L_{10} parameter has been kept. As there is little noise difference that will be perceived between the same numerical limit defined as L_{10} or L_{Aeq} , we would suggest that the noise limits listed for Hampton Downs are updated to L_{Aeq} to maintain consistency with the rest of the DP, as suggested in the Waikato DHB submission.²⁷

44. In light of the above, my view is that using the updated L_{Aeq} parameter will not be perceptible with an increase of 3dB, and will not be more onerous than the L_{10} parameter.
45. I disagree with the request to amendments to excluded 'special audible characteristics'. This is not something that has been excluded in the 2006 resource consent (inclusive of recent variations).
46. Ms Rolfe in her evidence highlights that Rule 26.2.1 P1 a) has omitted reference to the V8 Supercars in the noise standard. Condition 3 of the 2006 resource consent was varied via section 127 to include specific reference to the V8 Supercars. The condition states the following: "(a) On not more than 27 days per year (not more than 10 of the 27 days to be on a Sunday or public holiday), and between the hours of 9.00am to 6.00pm – 56dBA L_{10} Except that in any year where a V8 Supercars event is not held that a noise level of up to 54dBA L_{10} will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday).²⁸". I agree that the rule should be reflective of the most recent variation. It is therefore recommended that 26.2.1 P1 a) be amended to correctly refer to the latest noise condition.
47. Ms Rolfe in her evidence raises concern with Rule 26.2.1 P3 which requires a noise management plan prior any motorsport and recreation event. Ms Rolfe notes that 'a Noise Management Plan was developed prior to the operation of the Motorsport Park and has been in place for use by all activities. The existing noise conditions and review conditions already adequately manage noise effects at the Motorsport Park. These are based on the noise assessments undertaken by a suitably qualified acoustic engineer, as part of the consent. The noise assessment confirmed that the activities (including V8 Supercars) comply with the applicable noise standards. In addition, on-going monitoring is required to be undertaken under condition 6 of the consent. The amendments proposed in the section 42A are not supported by an equivalent acoustic assessment or report, and there is not sufficient justification to warrant a further Noise Management Plan. D Land are opposed to any proposal to apply more onerous noise standards, or to require the preparation of additional Noise Management Plans for every event, particularly when these recommendations are not substantiated with an appropriate acoustic assessment.'²⁹
48. In terms of the Noise Management Plan, I do agree with the deletion of Rule R6.2.1 P3. Condition 7 of the 2006 resource consent (which P3 appears to duplicate) does state 'Prior to the operation of the Motorsport Circuit...' not prior to every event.

8.1 Recommendations

49. As a result of the evidence received from HD Land, I recommend the following amendments to Rule 26.2.1:

26.2.1 Noise – ~~Motor sport and recreation activity~~ Precincts A, D and E³⁰

PI	<p>(a) The noise level from motor sport and recreation activities within Precincts A, D and E³¹ shall not exceed the following limits measured beyond the 'Hampton Downs Noise Control Boundary' shown in Appendix 12 Motor Sport and Recreation:</p> <p>(i) 65dBA L_{10} L_{Aeq}³² on no more than 27 days per year (with no more than 10 of the 27</p>
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²⁷ Para 3-5 Pg 1, Noise Expert Comments Mr Humpheson 25/03/20

²⁸ Para 24, Pg 7, Evidence of Ms Rolfe on behalf of HD Land

²⁹ Para 25-26, Pg 8, Evidence of Ms Rolfe on behalf of HD Land

³⁰ Clause 16(2) Schedule 1 RMA

³¹ Clause 16(2) Schedule 1 RMA

	<p>days to be on a Sunday or public holiday) between the hours of 9:00am – 6:00pm. <u>Except that in any year where a V8 Supercars event is not held then a noise level of up to 65dBA L_{Aeq} will be permitted between the hours of 9.00am to 6.00pm on up to 30 days per year (not more than 11 days to be on a Sunday or public holiday);</u> and</p> <p>(ii) 55 dBA L_{10} L_{Aeq} on no more than 40 days per year between the hours of 9:00am – 6:00pm; and</p> <p>(iii) 50 dBA L_{10} L_{Aeq}³³ between the hours of 7am to 6pm any other days of the year; and</p> <p>(iv) 45 dBA L_{10} L_{Aeq}³⁴ between the hours of 6pm to 10pm every day of the year; and</p> <p>(v) 40 dBA L_{10} L_{Aeq}³⁵, and 65dBA L_{max} at all other times</p> <p>(b) The motor racing activities in Rule 26.2.1 PI (a) (i) and (ii) are exclusive of each other and the activities are considered to be on separate days.</p> <p>(c) <u>Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 Acoustics - Measurement of Environmental Sound.</u></p> <p>(d) <u>Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 Acoustic - Environmental noise.</u> ³⁶</p>
P2	The use of a public address system shall only occur between the hours of 7:00am and 7:00pm and shall not exceed a limit of 50dBA L_{10} L_{Aeq} ³⁷ <u>measured at the zone boundary.</u>
P3	<p>(a) Prior to the operation of a motor sport and recreation activity event,³⁸ the following shall be provided and implemented:</p> <p>(i) The operators of the Hampton Downs Motorsport Park shall prepare, maintain and operate in accordance with a Noise Management Plan (NMP). Each initial Noise Management Plan shall be submitted to the Planning Manager for certification by a suitably qualified and experienced person (appointed by the Planning Manager) in writing that the Noise Management Plan gives effect to this rule. Any subsequent iterations of the NMP will not require certification.</p> <p>(ii) Notwithstanding the process and timing for review of the Noise Management Plan specified in the NMP. The Council may review it at any time in consultation with the operators of the Hampton Downs Motorsport Park. The Council shall provide adequate notice and state the reasons for the review. Any reviewed NMP shall be recertified by a suitably qualified and experienced person appointed by the Planning Manager.</p> <p>(iii) Any Noise Management Plan shall each address and include, but not be limited to:</p> <p>A. A certificate by its author that the methods included in it will ensure compliance with all noise limits in Rule 26.2.1 PI.</p> <p>B. A means of receiving, recording and responding to complaints, including a method of advising noise complainants within 5 working days of the outcome of the investigation.</p> <p>C. A programme of noise management and assessment of compliance with the noise standards, including details of the monitoring of noise levels for vehicles competing in events with a noise limit of 65dBA L_{10} L_{Aeq}.³⁹</p>
D1	Any activity that does not comply with Rule 26.2.1 PI, <u>or</u> P2 or P3 .

³² Submission [923.165] Waikato DHB

³³ Submission [923.165] Waikato DHB

³⁴ Submission [923.165] Waikato DHB

³⁵ Submission [923.165] Waikato DHB

³⁶ Submission [923.165] Waikato DHB

³⁷ Submission [923.165] Waikato DHB

³⁸ Clause 16(2) Schedule 1 RMA

³⁹ Submission [923.165] Waikato DHB

8.3 Section 32AA evaluation

50. Given that the nature of the recommendations is to delete Rule 26.2.1 P3 and only minor amendments to Rule 26.2.1 PI (a)(i), no s32AA evaluation is considered necessary.

9 Landscape and Screening

9.1 Analysis

51. Ms Tanya Running (WSP – Principal Environmental Consultant) and Mr Robert Swears (WSP – Principal Road Safety/Transport Engineer) have provided evidence on behalf of the New Zealand Transport Agency (NZTA).
52. This evidence primarily relates to NZTA's submission point [742.166] that supports the notified Rule 26.2.4 which relates to landscaping and screening.
53. Both Ms Running and Mr Swears question the basis of the 3m high screen planting recommended in the s42A report. The notified rule 26.2.4 P3 sets out the height requirement of landscaping and screening of a height of at least 3m that is in dispute.
54. Ms Running and Mr Swears consider that it may be necessary for screening along the northern perimeter of the motorsport track (in particular) to be higher than 3m to ensure that the southbound roads users (in particular) on SH1 cannot readily view activity on the track and/or at the park.⁴⁰ This was required as a condition on the 2006 resource consent.
55. Mr Swears in his evidence highlights that activities at the Motorsport Park have the potential to distract road users on the transport network, and that distraction due to activities at the motor sport park is a potential factor that may result in a road user failing to cope with their environment.⁴¹
56. Ms Rolfe, in her evidence highlights that HD Land accept the requirement to landscape in accordance with the existing resource consent which include appropriate screening along the boundary of the State Highway 1. Ms Rolfe is of the view that it is not clear whether the intention of Rule 26.2.4 PI recommended is to duplicate the existing landscaping required through the resource consent or to impose additional landscaping requirements.⁴²
57. HD Land consider that whilst it is not possible to screen all buildings and land use activities from the State Highway and local roads, the existing landscaping planting provides adequate visual buffering to the Motorsport Park, recognising that some under planting has been carried out which should fill some of the gaps along the State Highway.⁴³
58. As addressed in my s42A report, I agree that it is important that landscape planting is in place to mitigate visual and traffic safety effects from the activities on the site from vehicles travelling along the highway, and therefore am of the view that some of the content of Rule 26.2.4 is retained.
59. Rule 26.2.4 as notified does not specify when a landscaping and planting plan is required and refers to the 2006 landscape plan, which does not address landscaping around the entire perimeter of Precinct A. My view is that Rule 26.2.4 could be simplified and improved- to set out when planting is required to be established, and requirements for a landscape planting plan and landscape maintenance regime.

⁴⁰ Para 6.4, Pg 7, Evidence of Mr Swears on behalf of NZTA and Para 7.4, Pg 6, Evidence of Ms Running on behalf of NZTA

⁴¹ Para 6.1, Pg 6, Evidence of Mr Swears on behalf of NZTA

⁴² Para 30-31, Pg 9, Evidence of Ms Rolfe on behalf of HD Land

⁴³ Para 32, Pg 9, Evidence of Ms Rolfe on behalf of HD Land

60. I note that the landscape plan referred to in the resource consent includes shelter belt planting of evergreen alders, which can reach 10m height at maturity. Upon reflection, the height of the planting does not need to be specified in the rule. I consider that using the term 'visually buffered' and reference to the species set out in the landscape plan in Appendix 12 will be sufficient to address screening of the activities on the site.
61. HD Land oppose the wording in Rule 26.2.4 PI appears to be a mistake as it relates to "any building or land use activity ---that will at maturity be visible from State Highway 1 ---". The words 'at maturity' are incorrectly used.⁴⁴
62. I agree, there appears to be an error in my s42A report Rule 26.2.4 PI with reference to 'at maturity' is incorrect in the first sentence and should be removed.

9.2 Recommendations

63. As a result of the evidence provided, I recommend that the following amendments to Rule 26.2.4 PI:

26.2.4 Landscaping and Screening

PI	<p>(a) A landscaping and planting plan consistent with Appendix 12 Motor Sport and Recreation shall be prepared and submitted to Council for certification by Council's Planning Manager that includes:</p> <p>(i) Details of screen planting along the full extent of the northern and eastern boundaries;</p> <p>(ii) Detail of staged visual mitigation and landscape restoration and implementation strategies that will be undertaken on the site to achieve the visual mitigation of the activities on the racecourse including:</p> <p>A. The identification of the botanical name, common name, size at time of planting, mature height, quantities and location of all planting.</p> <p>B. The height and location of any earth bunds or mounds created for visual, noise or mitigation purposes.</p> <p>C. Topsoil stockpile and management plan for all topsoil stockpiled for more than six months from time of stripping.</p> <p>D. The restoration strategy for any disturbed landforms including; permanent earthworks, including all road cuttings; temporary earthworks including construction pads and topsoil restoration.</p> <p>(iii) The restoration strategy shall identify how any new landforms will be integrated into the natural contour and revegetated so they appear homogenous with the surrounding landscape.</p> <p>(iv) The operator shall review the landscape and planting plan and amend it if necessary, subject to the approval of Council's Planning Manager, to ensure that effective screening of the track is achieved.</p> <p>(v) The operator shall adhere to the planting plan and complete works to the satisfaction of Council's Planning Manager.⁴⁵</p>
PI	<p>Any building or land use activity within Precinct A, B and C that will at maturity be visible from State Highway 1 and local roads, shall be visually buffered from roads and immediately adjacent sites in the Rural Zone by landscaping that is subject of:</p> <p>(a) A landscaping plan certified by Council that details the type, location and density of evergreen species planting consistent with the species set out in the landscape plan</p>

⁴⁴ Para 34, Pg 9, Evidence of Ms Rolfe on behalf of HD Land

⁴⁵ Submission [657.5] HD Land Limited and Hampton Downs (NZ) Limited

	in Appendix 12 that achieve a minimum height of 3 meters at maturity. (b) A landscaping maintenance regime certified by Council, including details of any necessary replacement of landscaping as a result of failure. ⁴⁶
P2	All landscaping and planting shall be implemented within 6 months of commencement of an activity. ⁴⁷
P3	Landscaping and screening of the northern and eastern boundaries shall include species of plant that grow to reach a height of at least 3m. ⁴⁸
P4	Within Precinct B (Business and Industrial Precinct), at least 10% of any site associated with an activity or an activity on a specific Record of Title shall be landscaped and maintained in a manner that will enhance the visual appearance of the building and or the site. ⁴⁹
P5 P2	Within Precinct B (Business and Industrial Precinct), all outdoor storage areas must be screened from view from any public road, or adjoining zone.
D1 RD1	Any activity that does not comply with Rule 26.2.4 P1, P2, P3, P4 or P5. Any building or land use activity that does not comply with Rule 26.2.4 P1 and P2. Discretion is restricted to the following matters: (a) The extent to which adverse visual impact on the immediate vicinity outside of the Hampton Downs Motor Sport and Recreation Zone can be mitigated; (b) The extent to which adverse traffic safety impacts of drivers along SH1 and Hampton Downs Road can be mitigated. ⁵⁰

8.3 Section 32AA evaluation

64. Given the minor amendments shown above do not change the intent of Rule 26.2.4, no s32AA evaluation is considered necessary.

10 Traffic Management

10.1 Analysis

65. Evidence on behalf of the New Zealand Transport Agency (NZTA) has been provided from Ms Tanya Running (WSP – Principal Environmental Consultant) and Mr Robert Swears (WSP – Principal Road Safety/Transport Engineer) and Paula Rolfe on behalf of HD Land. The evidence relates to matter traffic management for motor sport and recreation events.
66. The pre hearing conferencing largely discussed concerns around the s42A recommendations for traffic management and I therefore will not go into the detail raised in the evidence. Instead I will focus on the outcomes of what was agreed to in principal:
67. It was generally agreed that the activities authorised in the 2006 resource consent should set the level of permitted activities enabled within the zone. Therefore, motor sport and recreation events could remain as a permitted activity so long as there are the traffic management standards in place that are generally consistent with the 2006 resource consent conditions.
68. Much of the content of Rule 26.2.7 - traffic management has been moved as standards at the end of the chapter as Rule 26.5 and Rule 26.6. Rule 26.1.1.1 P5 and Rule 26.1.2.1 C1 (which

⁴⁶ Submission [742.166] NZTA

⁴⁷ Submission [657.5] HD Land Limited and Hampton Downs (NZ) Limited

⁴⁸ Submission [657.5] HD Land Limited and Hampton Downs (NZ) Limited

⁴⁹ Submission [657.5] HD Land Limited and Hampton Downs (NZ) Limited

⁵⁰ Submission [657.5] HD Land Limited and Hampton Downs (NZ) Limited

relate to motor sport and recreation events) have been amended to refer to these standards, rather than include some of the detail in the activity specific condition section.

69. It might be noted that an Implementation Monitoring Committee is provided for, in Rule 26.6. This was deleted in my earlier recommendation. Mr Swear's evidence emphasized the role and importance of this committee, asking for it to be reinstated. HD Land agreed with this at the conference and on this basis it has been included in the rule. The amended rule provides for the committee to deal with traffic issues around larger events (major and extreme).
70. Feedback received from both NZTA and HD Land do not raise any issues with the recommended changes to Rule 26.1.1 P5 and 26.5 and 26.6.
71. Ms Running on behalf of NZTA has requested the full condition in relation to the deceleration lengths for the off ramps Rule 26.5 (d)(xv). The deceleration length has appeared to be updated by the new 2020 resource consent. I invite Ms Running to clarify.⁵¹
72. Ms Rolfe on behalf of HD Land has requested that the IMC meeting is held 4 months prior to an event rather than annually as set out in Rule 26.6. I agree with this amendment as the IMC is tied to traffic management for major and extreme events.⁵²
73. Further to the above it was noted that a motor sport and recreation event which does not comply with Rule 26.1.1.1 P5 in Precinct A or Rule 26.1.2.1 in Precinct C currently defaults to a discretionary activity under Rule 26.1.3. All parties agreed via pre-hearing conference that a restricted discretionary activity status would be appropriate provided that the matters of restricted discretion listed were stringent.
74. Consequential amendments to the discretionary activity rule 26.1.3 are required as a result of the inclusion of a new restricted discretionary rule.

10.2 Recommendations

75. As a result of the evidence received and pre-hearing conferencing, the following amendments are recommended:

	<u>Activity</u>	<u>Activity Specific Conditions</u>
P5	<p><u>Motor sport and recreation events in these categories:</u></p> <ul style="list-style-type: none"> • <u>Minor Event: <700 arrival vehicles per hour (vph) and <2,000 total vehicles</u> • <u>Medium Event: 701 – 1,300 arrival vph or 2,100 – 3,500 total vehicles</u> • <u>Major Event: 1,301 – 2,500 arrival vph or 5,001 total vehicles</u> • <u>Extreme Event: 1801 – 2500 arrival vph or 5,001 – 8,000 total vehicles</u> 	<p>(a) <u>The motor sport and recreation event is carried out in Precinct A (Operational Motorsport Area).</u></p> <p>(b) <u>A maximum of 20,000 people attend the motor sport and recreation event; and</u></p> <p>(c) <u>A maximum of 2500 arrival vehicles per hour (vph) or 8,000 total vehicles attend the event; and</u></p> <p>(d) <u>No more than five Extreme Events are held per year; and</u></p> <p>(e) <u>No more than two Extreme Events are held in a year when no Supercars event is held any year when an event is held that is larger than an Extreme Event (such as Supercars) authorised by resource consent; and</u></p> <p>(f) <u>No motor sport and recreation event is held on a weekday; except:</u></p>

⁵¹ Pg 23 redraft feedback - NZTA

⁵² Pg 24 redraft feedback – HD Land

	<p><u>An event with arrival vph and total vehicles in different categories will be classified as the larger of the two categories.</u></p>	<p>(iii) <u>on a weekday that is a public holiday, or</u> (iv) <u>a minor event or practice day that generates less than 700 vehicle arrivals per hour, and</u> (g) <u>Traffic Management Standards in Rule 26.5.</u>⁵³</p>
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26.1.2.21 Controlled Activities – Minor Race Track Area - Precinct C

<p>CI</p>	<p>Motor sport and recreation events:</p> <p><u>Motor sport and recreation events are classified into the following categories:</u></p> <p><u>Minor Event: <700 arrival vehicles per hour (vph) and <2,000 total vehicles</u></p> <p><u>Medium Event: 701 – 1,300 arrival vph or 2,100 – 3,500 total vehicles</u></p> <p><u>Major Event: 1,301 – 2,500 arrival vph or 5,001 total vehicles</u></p> <p><u>Extreme Event: 1801 – 2500 arrival vph or 5,001 – 8,000 total vehicles</u></p> <p><u>Where an event falls into two of the above categories due to different arrival vph and total vehicles measurements, it will be classified as the larger of the two categories.</u> ⁵⁴</p>	<p>(c) The activity is carried out in Precinct C (Minor Race Track Area);</p> <p>(h) <u>A maximum of 20,000 people attend the motor sport and recreation event; and</u></p> <p>(i) <u>A maximum of 2500 arrival vehicles per hour (vph) or 8,000 total vehicles attend the event; and</u></p> <p>(j) <u>No more than five Extreme Events are held per year; and</u></p> <p>(k) <u>No more than two Extreme Events are held in any year when an event is held that is larger than an Extreme Event (such as Supercars) authorised by resource consent; and</u></p> <p>(l) <u>No motor sport and recreation event is held on a weekday, except:</u></p> <p>(v) <u>on a weekday that is a public holiday, or</u> (vi) <u>a minor event or practice day that generates less than 700 vehicle arrivals per hour; and</u></p> <p>(m) <u>Traffic Management Standards in Rule 26.5.</u>⁵⁵</p> <p>Control shall be reserved over the following matters:</p> <ul style="list-style-type: none"> (i) Noise levels and duration (ii) Lighting and glare (iii) Hours of operation (iv) Nature and frequency of the event (v) Size and scale of the events (vi) Traffic, access and parking
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26.5 Traffic Management Standards – for all motor sport and recreation events⁵⁶

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| <ul style="list-style-type: none"> (a) <u>This rule contains activity-specific standards, additional to those in Rule 26.1.1.1 P5 and Rule 26.1.2.1 CI.</u> (b) <u>Prior to any motor sport and recreation event being held a Traffic Management Plan (TMP) shall be prepared and lodged with the appropriate road controlling authority for approval no less than</u> |
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⁵³ Submission [378.53] Fire and Emergency, [FS1035.159] Pareoranga Te Kata, and [742.167] NZTA

⁵⁴ Submission [657.46] HD Land Limited and Hampton Downs (NZ) Limited

⁵⁵ Submission [378.53] Fire and Emergency, [FS1035.159] Pareoranga Te Kata, and [742.167] NZTA

⁵⁶ Submission [378.53] Fire and Emergency, [FS1035.159] Pareoranga Te Kata, and [742.167] NZTA

3 months before any event.

- (c) All TMPs shall be prepared in accordance with the New Zealand Transport Agency's Code of Practice for Temporary Traffic Management (COPTTM) and shall contain an appropriate level of detail for the level of road to which they apply.
- (d) All TMPs shall contain the following information:
- (i) Suitable provision for traffic to and from the Springhill Corrections Facility, the Hampton Downs Landfill Site and private dwellings. Emergency access for these facilities and dwellings shall also be provided;
 - (ii) Suitable provision for non-event traffic on all roads affected (including State Highways and local roads) as identified in the TMP;
 - (iii) Suitable provision for on-site traffic management including all weather parking and vehicle manoeuvring space for all events;
 - (iv) Provision for the use of buses, or other high occupancy vehicles (HOV), to take people to and from the Motorsport Park, and on-site parking for buses and HOV;
 - (v) The programming, commencement and completion of events at times which will encourage Motorsport Park traffic to use the State Highway network other than at times of peak flows.
 - (vi) Road related initiatives (such as pre-ticketing) to control any adverse effects on the State Highway and travel speeds on the State Highway;
 - (vii) The details of any Variable Message Signs (VMS) and/or other signage initiatives proposed to control any adverse effects on the State Highway.
 - (viii) Provision for concurrent events at the Motorsport Park and Meremere Dragway;
 - (ix) Measures to prevent parking and walking on the State Highway and parking on local roads within 2km of the Motorsport Park;
 - (x) Measures to ensure that the peak arrival times for traffic attending Medium Events or larger events at the Motorsport Park do not conflict with landfill traffic, including proof of consultation with the landfill operator;
 - (xi) Appropriate traffic management contingency measures for any unplanned but reasonably foreseeable reduction in capacity of the roading network, which may include but is not limited to the closure of off/on ramps, the closure of one or more State Highway lanes, or cancellation of events.
 - (xii) Recommendations from the road controlling authority
 - (xiii) Recommendations of the Implementation Monitoring Committee (IMC) formed under Rule 26.6, in the case of Major Events and Extreme Events.
 - (xiv) Minimum deceleration lengths at off ramps from the State Highway shall be in accordance with truck stopping distances for a level grade that is 160m. This distance will be measured from a point where a minimum 3.5 m lane width (excluding shoulder) can be achieved within the off-ramp configuration (ie the diverge taper shall not be included in the deceleration length).
 - (xv) Supporting traffic survey data from at least 5 other events either at Hampton Downs or similar locations that is no more than 5 years old that includes:
 - Vehicle occupancy data
 - Arrival flow rates
 - Departure flow rates
 - Spectator attendance numbers.

26.6 Traffic Management Standards – additional standards for Major Events and Extreme Events⁵⁷

- (a) This rule contains applies to motor sport and recreation events that are Major Events and Extreme Events under Rule 26.1.1.1 P5 and Rule 26.1.2.1 C1.
- (b) The operators of the Hampton Downs Motorsport Park shall form and co-ordinate an 'Implementation Monitoring Committee'(IMC).
- (c) The purpose of the IMC is to consider draft Traffic Management Plans (TMP) proposed for Major Events and Extreme Events and make recommendations on these.
- (d) Voting members of the IMC shall consist of (unless otherwise agreed by all voting members) a representative from each of the following groups:
 - (i) The operator
 - (ii) The NZ Police
 - (iii) Waikato District Council
 - (iv) NZTA
 - (v) The operator of the Hampton Downs Landfill
 - (vi) Department of Corrections; and
- (e) The IMC may also invite to the IMC meetings any other person, group or organisation that can assist the IMC in its responsibilities.
- (f) The operators shall convene all IMC meetings and appropriately communicate any agenda/meeting minutes and IMC recommendations to all those affected or involved. Any agenda shall be circulated no less than 10 working days prior to a meeting. Meeting minutes shall be circulated no more than 10 working days after completion of a meeting.
- (g) The operator shall advise all members of the primary contact person and their contact details and keep these updated.
- (h) ~~At least one meeting~~ IMC meetings shall be held 4 months prior to a major or extreme event. The operator shall provide secretarial services and a venue within 65km of Hampton Downs Motorsport Park.
- (i) Additional meetings shall be held where requested by any voting member of the IMC. Meetings are to be held within a month of the initial request.
- (j) The IMC shall operate with a quorum of 4 members unless otherwise agreed by all voting members. Voting members shall provide 5 working days' notice for any requested rescheduling or apologies.
- (k) The recommendations of the IMC shall be made on the agreement of at least 4 members in attendance unless otherwise agreed by all voting members of the IMC.
- (l) Issues that the IMC unanimously agree are minor issues may be addressed through correspondence, provided that any decisions reached are unanimous.

26.1.3 Restricted Discretionary Activities – Precincts A and C

<u>RDI</u>	<u>A motor sport and recreation event that does not comply with Rule 26.1.1.1 P5 in Precinct A or Rule 26.1.2.1 in Precinct C</u> <ul style="list-style-type: none">(a) <u>Council discretion is restricted to the following matters:</u><ul style="list-style-type: none">(i) <u>noise levels and duration</u>(ii) <u>lighting and glare</u>(iii) <u>hours of operation</u>(iv) <u>nature and frequency of the event</u>(v) <u>size and scale of the event</u>(vi) <u>traffic, access and parking</u>
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⁵⁷ Submission [378.53] Fire and Emergency, [FS/035.159] Pareoranga Te Kata, and [742.167] NZTA

	<p>(vii) Effects of amenity values on the adjoining rural zone</p> <p>(viii) Water, stormwater and wastewater management</p>
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26.1.34⁵⁸ Discretionary Activities – All precincts

(I) The following activities are discretionary activities:

DI	Any activity in all precincts not listed in Rule 26.1.1.1 , Rule 26.1.1.2 , ⁵⁹ Rule 26.1.1.3 , Rule 26.1.1.4 Rule 26.1.1.5 , 26.2.1.1 ⁶⁰ or 26.1.2.2 Rule 26.1.3
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10.3 Section 32AA evaluation

76. As I am only recommending minor amendments for clarity to plan users by moving the contents of Rule 26.2.7 to traffic management standards and reference to these standards in the activity specific conditions, and setting out motor sport and recreation events as a lower activity status, I do not consider that a 32AA evaluation is required.

II Signs

11.1 Analysis

77. Evidence from both NZTA and HD Land has been provided on in relation to Rule 26.2.11. The pre-hearing conferencing discussed signage in detail and general agreement in principal reached on changes to Rule 26.2.11.
78. The main issue of contention was around the visibility of signage on the track which is not directed towards motorists travelling along State Highway 1.
79. It was considered that the increased area of the sign area from 3m² to 5m² in Rule 26.2.11 PI (a)(i) was appropriate given the other controls set out in the rule.
80. Rule 26.2.11 PI (a) (vi) and (vii) have been merged into one standard and gives an either-or option. It was agreed via pre-hearing conferencing and via feedback on revised draft rules after the conferencing that a distance of 500m would be appropriate so long as there were restrictions on the fonts/symbols/images. I also agree with these amendments sought.

11.2 Recommendations

81. I recommend amendments to Rule 26.2.11 PI as follows:

26.2.11 Signs general - All precincts

PI	<p>(a) A sign visible from a public place⁶¹ shall comply with all of the following conditions:</p> <p>(i) It does not exceed 35m²⁶² in area;</p> <p>(ii) The sign height does not exceed 10m in height;</p> <p>(iii) Illuminated signs shall not:</p> <p style="margin-left: 20px;">A. Have a light source that flashes or moves;</p> <p style="margin-left: 20px;">B. Contain moving parts or reflective materials;</p>
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⁵⁸ Clause 16(2) Schedule 1 RMA

⁵⁹ Submission [657.49] HD Land Limited and Hampton Downs (NZ) Limited

⁶⁰ Clause 16(2) Schedule 1 RMA

⁶¹ Submission [657.10] HD Land Limited and Hampton Downs (NZ) Limited and [FS/279.1] Reid Investment Trust

⁶² Submission [657.10] HD Land Limited and Hampton Downs (NZ) Limited and [FS/279.1] Reid Investment Trust

- (iv) It is set back at least 7.5m from the boundary of Hampton Downs Road;
- (v) It is set back at least 15m from State Highway 1;
- (vi) Is orientated to be internally facing or it is setback a minimum of 500m from State Highway 1 and have a font height no greater than 300 mm and have symbols, parts of symbols, images and/or parts of images of a height no greater than 300 mm so the main audience are spectators on-site;
- (vii) Is screened from State Highway 1
- (viii) It relates to:
 - A. Any motor sport and recreation activity or events within the Motorsport and Recreation Zone; or
 - B. A property name sign.

Note: the above does not apply to “temporary traffic management” signs

11.3 Section 32AA evaluation

82. It is considered that the amendments above only clarify the rule and do not change the content. Therefore, no s32AA evaluation is considered necessary.

12 Firefighting water supply

12.1 Analysis

83. Mr Alec Duncan (Beca Limited) has provided evidence on behalf Fire and Emergency New Zealand (FENZ).
84. This evidence primarily relates to Fire and Emergency’s submission point [378.55], to include the requirement that every allotment be provided with water supply and complies with the requirements of Chapter 14: Infrastructure and Energy.
85. As noted in my s42A hearing report, the introduction to this Chapter 26 already specifies that the activity status tables and standards in the Infrastructure Chapter apply to the zone. Fire and Emergency [378.15] and Waikato District Council [697.48] have submissions requesting the inclusion of water supply requirements in the Infrastructure Chapter and these will be addressed by the s42A report for Hearing 22 (Infrastructure).⁶³
86. FENZ disagrees with the recommendations set out in the s42A report given that the rule as notified currently includes the requirement to comply with Chapter 14 – Infrastructure and Energy for vehicle access and earthworks in (b)(iii) and (iv).⁶⁴
87. FENZ consider that the amendment sought ensures that Rule 26.4 explicitly links to the infrastructure provisions for water supply to ensure requirements are met for all subdivision activities in Precinct B.⁶⁵
88. Upon reflection, given that Rule 26.4 does specially refer to Chapter 14 and vehicle access and earthworks, I am of the view it should also refer to water supply. FENZ is seeking consistency across all zones in the PWDP. I note that setting out the provision for water supply in the subdivision rules is consistent with the Village Zone and Country Living Zone.

⁶³ Para 377, Pg 111, H13 s42A Report

⁶⁴ Para 13, Page 2, Evidence of Mr Duncan on behalf of FENZ

⁶⁵ Para 16, Page 2, Evidence of Mr Duncan on behalf of FENZ

89. Further to this, given the use of the site I consider the provision of water supply to be an important matter for consideration for any future subdivision within Precinct B in the Hampton Downs Motor Sport and Recreation Zone.

12.2 Recommendations

90. As a result of the evidence provided by Mr Duncan (on behalf of FENZ), I recommend the following amendments to Rule 26.4:

26.4 Subdivision

D1	<p>(a) Subdivision within any precinct of the Hampton Downs Motorsport and Recreation Zone Park Precinct Plan.</p> <p>(b) Subdivision within Precinct B shall comply with the following:</p> <ul style="list-style-type: none"> (i) Every allotment, excluding an access allotment or utility allotment, shall have a net site area of at least 225m²; (ii) Every allotment with a road boundary, other than an access allotment has a width along the road boundary of at least 15m; (iii) Every allotment is provided with vehicle access to a public road, and the vehicle access complies with the requirements of Chapter 14 Infrastructure and Energy; (iv) Earthworks comply with the requirements of Chapter 14 Infrastructure and Energy; (v) Every allotment is provided with water supply and complies with the requirements of Chapter 14 Infrastructure and Energy; (vi) Subdivision in Precinct B shall create no more than 20 allotments.
NCI	Subdivision of land in the Motor Sport and Recreation Zone that does not comply with Rule 26.4 D1

12.3 Section 32AA Evaluation

91. Given the compliance with the infrastructure chapter is set out at the beginning of Chapter 26, which sets out the requirements for subdivision, including water supply, I do not consider that a s32AA evaluation is required.