

PROPOSED WAIKATO DISTRICT PLAN

HEARING 13: HAMPTON DOWNS MOTOR SPORT AND RECREATION ZONE

STATEMENT OF EVIDENCE

OF PAULA ROLFE

FOR HD LAND LIMITED AND HAMPTON DOWNS (NZ) LIMITED SUBMISSION

DATED 26 MARCH 2020

INTRODUCTION

1. My full name is Paula Jane Rolfe. I am Director and Planner for Paula Rolfe Consultancy Ltd which was established in 2019.
2. Prior to this I was Project Manager for the Hamilton City District Plan Review and Team Leader in the Hamilton City Planning Unit for a period of approximately ten years.
3. My qualifications include the New Zealand Certificate in Town Planning, Diploma of Business Studies Waikato University and am a member of the New Zealand Planning Institute and Resource Management Law Association. I have had over 40 years' experience in planning and management roles in Local Government which has related to regulatory and policy development roles under the Resource Management Act 1991 (RMA) as well as under the Local Government Act 2002. I have also given numerous lectures at the University of Waikato through the development of the Hamilton District Plan, Ruakura Inland Port/Structure Plan and District Plan Monitoring.
4. During this time, I:
 - a. Managed a District Plan Review for Matamata-Piako District Council bringing six former territorial authorities district plans together under the one umbrella and under the RMA.
 - b. Managed the preparation of Long-Term Council Community Plans for Matamata-Piako District Council.
 - c. Managed the Hamilton District Plan Review whereby I also managed the development of the Ruakura Structure Plan and its plan provisions for introduction into the Proposed District Plan in 2012.
 - d. Project managed structure planning projects and plan changes.
5. I have had extensive experience with planning for large sites through the development of planning provisions within District Plans. For example, the planning provisions for Fonterra at Waitoa and Morrinsville, Richmond at Te

Aroha, Wallace Corporation Ltd, Greenlea Meats Ltd, and Inghams Waitoa amongst others.

6. I am representing HD Land Ltd (as owner) and Hampton Downs (NZ) Ltd (as operator).

EXPERT CODE OF CONDUCT

7. I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014, and I agree to comply with it. In that regard I confirm that this evidence is written within my expertise, except where otherwise stated, and that I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.
8. In forming my opinions outlined in my evidence brief I rely on the Decision of the Hearings Committee on the resource consent application dated 28 November 2006.

RELIEF SOUGHT

9. HD Land Limited and Hampton Downs (NZ) Limited ("**HD Land**") are generally supportive of the assessment and recommendations in Councils Section 42A Report for Hearing 13: Hampton Downs Motorsport and Recreation Zone. This includes the amendments proposed by Chapter 9 (Specific Zones), Chapter 13 (Definitions) and Chapter 26 (Hampton Downs Motorsport and Recreation Zone) of the Proposed District Plan (PDP).
10. This evidence will concentrate on those matters within the section 42A Report that are not supported by HD Land and/or require further consideration/amendment to ensure consistency with the existing resource consents and the consented baseline for the Hampton Downs Motorsport Park, and/or to make the planning provisions more efficient and workable.
11. It is important to note that the provisions in the PDP will not replace the existing resource consents for the existing and consented activities at the Motorsport Park.

12. Those matters covered in this evidence include:

- a. Specific Zone Objectives and Policies – (S42A – Section 4.1.5)
- b. Land Use – Permitted Activities - Precinct A (S42A – Section 7.1.5)
- c. Land Use – Permitted Activities – Precinct D (S42A – Section 10.1.5)
- d. Land Use – Permitted Activities – Precinct E (S42A - Section 11.1.5)
- e. Land Use – Controlled Activities – Precinct C (S42A – Section 9)
- f. Land Use Effects – Noise (S42A – Section 15.1.5)
- g. Land Use Effects – Landscaping and Screening (S42A – Section 16.1.5)
- h. Land Use Effects – Traffic Management (Section 42A – Section 19.1.5)
- i. Land Use Effects – Signs (S42A – Section 22.1.5)

PRIMARY EVIDENCE

13. Chapter 9 - Specific Zone Objectives and Policies

14. Objective 9.1.1(b)

- a. Objective 9.1.1(b) is recommended (section 4.1.5) to state *“Rural Character and amenity are maintained”*
- b. 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.
- c. The Hampton Downs Motorsport Park is an established and regionally significant motorsport and recreational facility as outlined in objective 9.1.1. The activities and development consented at the motorsport park are not typically associated with ‘rural character and amenity’. Similarly, there are also several other existing land use activities in the immediate surrounding area that are not typically associated with ‘rural character and amenity’. For example, the Springhill Department of

Corrections Facility, 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.

- d. None of these activities are ‘rural activities’, the existing character and amenity cannot therefore be described as ‘rural’.
- e. For the above reasons objective 9.1.1(b) ‘*Rural character and amenity are maintained*’ is not supported and is recommended to be deleted.

Chapter 26 – Hampton Downs Motorsport and Recreation Zone

15. Land Use Activities Rule 26.1.1.1 – Operational Motorsport Area - Precinct A

Rule P2 – Within Rule P2 (section 7.1.5) reference has been made to ‘*motor sport circuit*’. This term is not used anywhere else in the zone and should be deleted.

16. Land Use Activities Rule 26.1.1.4 - Permitted Activities – Residential Apartments - Precinct D.

Rule P1 provides for the construction of new residential activity within the apartments within Precinct D (section 10.1.4). The residential apartments are already existing and the existing resource consent does not allow for any additional residential apartments to be constructed within Precinct D.

Rule P1 should therefore be amended so that it only allows for alterations to the existing buildings. It is therefore suggested that the rule be amended to read:

Activity		Activity Specific Conditions
P1	A residential activity within the <u>80</u> existing residential apartments	<u>Alterations to the existing 80 residential apartments, provided they do not increase the number or density of the existing</u>

		<u>apartments, and the activity is carried out within the 80 existing residential apartments, within Precinct D</u>
--	--	---

17. Land Use Activities Rule 26.1.1.5 – Permitted Activities- Industrial Use – Precinct E

Rule P1 (section 11.1.5) provides for an industrial activity within the industrial activity units. 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. P1 should therefore be amended so that it only allows for alterations to the existing buildings as opposed to the construction of new or additional industrial sites.

Rule P1 should therefore be amended so that it only allows for alterations to the existing buildings. It is therefore suggested that the rule be amended to read:

Activity		Activity Specific Conditions
P1	An industrial activity within the <u>12 existing industrial units</u>	The activity is carried <u>within the 12 existing industrial units of out in-Precinct E (Industrial Units)</u>

18. Land Use Activities Rule 26.1.2.2 – Controlled Activities – Minor Race Track Area – Precinct C

Rule 26.1.2.2 C2 lists ‘Motor sport and recreation facilities’ as a controlled activity. 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'

19. Land Use Effects – Noise

- 20.** The noise standards in Rules 26.2.1 and 26.2.2 (section 15.1.4) are potentially more onerous than the existing noise standards and the noise related conditions in the existing resource consents.
- 21.** The noise standards have changed from L_{10} to LA_{eq} to meet the National Planning Standards. It is our understanding that the adoption of these updated standards has the potential to adversely impact on the Motorsport Park if the proposed rules are not amended to exclude provision for a special audible characteristic penalty to be applied.
- 22.** It is noted that in paragraph 203 of the s42A report 'that advice from a noise expert has not been obtained by Council on this submission'. Therefore it is unknown what the impact there will be on changing the standards. It is agreed that the standards need to change to align with the National Planning Standards but what are the consequences?
- 23.** Rule 26.2.1 P1(d) is therefore recommended to be amended to add the following "A special audible characteristic penalty shall not be applied"
- 24.** Rule 26.2.1 P1a) has omitted reference to the V8 Supercars in the noise standard. No reason has been given why this has been omitted. Condition 3 of the original consent was previously amended under a variation to the consent 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 L10*
- Except that in any year where a V8 Supercars event is not held that a noise level of up to 54dBA L10 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).

It is therefore recommended that Rule P1 a) be amended to correctly refer to the latest noise condition.

25. Rule 26.2.1 P3 requires any motorsport and recreation event to provide a Noise Management Plan. This seems particularly onerous for every event. A Noise Management Plan was developed prior to the operation of the Motorsport Park and has been in place for use by all activities.

26. 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.

27. 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.

28. HD 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. Land Use Effects – Landscaping and Screening

30. HD Land accepts the requirement to landscape in accordance with the existing resource consent which includes having to provide appropriate screening along the boundary of State Highway 1. The landscaping is existing and is required to be maintained in accordance with the existing resource consent which has been approved for the site.

31. It is not clear whether the intention of the proposed Rule 26.2.4 P1 (section 16.1.5) is to duplicate the existing landscaping requirements on site (which

would not require any additional planting), or to impose an additional landscaping requirement so as to require additional landscape planting.

32. HD Land do not propose to undertake any additional landscape planting on site but will continue to maintain the existing landscaping in accordance with the existing landscape plan. They 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.

33. It is also noted that as part of condition 12 the Council has the opportunity to inspect the planting every 3 years from the first inspection to ensure adequate growth opportunities are provided for.

34. The wording in Rule 26.2.4 P1 is opposed and 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.

35. Land Use Effects – Traffic Management

36. Rule P6 – Traffic Management – Within Rule 26.1.1.1 P6 (section 19.1.5) it potentially requires all motorsport and recreation events, irrespective of their size and duration, and whether or not they are already consented on site to provide a Traffic Management Plan (TMP). Whilst the submitter acknowledges that a TMP may be necessary for some large events held at the Motorsport Park it is of the opinion that the approach is onerous and is unnecessary.

37. It is unnecessary for a TMP to be required for every event held at the motorsport park, or for the activities already consented at the site.

38. We would anticipate that a TMP should only be required for large events that are not currently consented on the site. For example, the recent resource consent application to host the V8 Supercars at Hampton Downs Motorsport Park (a temporary event for 30,000 spectators) included a TMP.

39. One of the standards, (xiii) listed in rule 26.1.1.1 P6, is a condition that was imposed on the original consent (condition 44) and was only applicable prior to the first event being held. Condition 45 does require the on-going collection of data so that it could be used for future events. Condition 46 requires that the TMP be submitted to the Roding Control Authority for approval 3 months prior to any event. It does not require a new TMP.

40. Condition 97 also requires that every second anniversary of the consent a review may be undertaken to address the adverse effects that may arise from the consent including traffic volumes, traffic noise and traffic safety on Hampton Downs Road and the safe and efficient operation of State Highway 1.

41. Land Use Effects – Signs

42. Signage is an integral part of the activities undertaken at the Motorsport Park. It is required for a range of purposes, including directional signage, sponsorship, advertising, driver and spectator safety purposes.

43. Within Rule 26.2.11 P1 a) (section 22.1.5) the addition of the words “*visible from a public place*” is not appropriate given the size and topography of the Motorsport Park site. There will be several signs on the Motorsport Park that, while not directed towards motorists travelling along the adjacent public roads, will still be ‘visible’ from the adjacent public roads, and therefore would not comply with the rule.

44. For example, the existing signs around the western side of the existing track are technically still visible from State Highway 1 but are appropriately set back from the State Highway and are considered not to pose a traffic safety hazard.

45. Provided the signs are appropriately set back from the boundaries with a public space or another zone, there should be no restrictions on signage within the Motorsport Park.

46. Lot 6 – Reid Investment Trust

47. Reid Investment Trust requests that Lot 6 DP 411257 is included within the Hampton Downs Motorsport and Recreational Zone. I agree with section

32.1.3 that this matter be appropriately address at Hearing 25. HD Land have been in discussions with the Reid Investment Trust over the preceding weeks, and there is general understanding that the site may be appropriately rezoned to accommodate activity consistent with the motorsport activity. Although, the merits of such a position will need to be comprehensively assessed during Hearing 25. This evidence does not traverse those matters.

Paula Rolfe

Paula Rolfe Consultancy Ltd

26 March 2020