

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 20 (Industrial Zone) and Chapter 21 (Heavy Industrial Zone) of the Waikato District Proposed District Plan (“**WPDP**”)

STATEMENT OF EVIDENCE (TO BE TABLED)

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 20 (Industrial Zone) and Chapter 21 (Heavy Industrial Zone).
7. Topics covered in this evidence include:
 - Industrial Zone - Signs (s42A report, Part B, Section 26)
 - Heavy Industrial Zone – Signs (s42A report, Part C, Section 50)

SIGNS

8. Mr. Metcalfe has an interest in sign provisions contained in the WPDP through ownership of a Real Estate Agency which operates in the Waikato District. His submission seeks amendments to Rules 20.2.71 (P3) and 21.2.7.1 (P3) to enable a better framework for managing real estate signs as a permitted activity in the Industrial and Heavy Industrial Zones. The rule as notified allows only 1 sign per site and there are no limits on the size/area of that sign.
9. Mr. Metcalfe sought the following amendments:
 - Allow more than 1 standard real estate sign measuring 600mm x 900mm per site (common for corner sites or when there are multiple agencies selling/leasing a site)
 - Allow 1 feature real estate sign measuring 1800mm x 1200mm (common for properties being sold by tender or auction)
 - Allow 1 header real estate sign measuring 1800mm x 1200mm (used on another site to point purchasers to the site which is for sale)
10. The submission from Mr. Metcalfe also sought a definition for "real estate sign" which has been accepted in the s42A report for Definitions (Hearing 5).

11. In response to submissions the s42A report has proposed several amendments to the notified version of the rules for real estate signs in the Industrial and Heavy Industrial Zones. These are set out below:

Industrial Zone – Rule 20.2.7.1

- P3 (a) A real estate ~~'for sale'~~ sign must comply with all of the following conditions:
- (i) The sign relates to the sale of the site on which it is located;
 - (ii) There is no more than ~~+ 3~~ signs per site agency;
 - (iii) The sign is not illuminated;
 - (iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;
 - ~~(v) The sign does not project into or over road reserve.~~

Heavy Industrial Zone – Rule 21.2.7.1

- P3 (a) A real estate ~~'for sale'~~ sign must comply with all of the following conditions:
- (i) the sign relates to the sale of the site on which it is located;
 - (ii) there is no more than ~~+ 3~~ signs per site agency;
 - (iii) the sign is not illuminated;
 - (iv) the sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials,

12. While the amendments proposed in the s42A report do represent an improvement and would reduce the instances of real estate signs requiring resource consent, some further refinements are suggested below:

- P3 (a) A real estate sign must comply with all of the following conditions:
- i) There are no more than 3 signs per site;
 - ii) There shall be no more than 1 sign per agency per road frontage;
 - iii) No sign shall not exceed 2.16m² (1800mm x 1200mm);
 - iv) The sign is not illuminated;
 - v) The sign does not contain moving parts, fluorescent, flashing or revolving lights or reflective materials.

13. The amendments suggested by Mr. Metcalfe impose a maximum sign size because this is not currently controlled by the rule and could lead to perverse outcomes and result in adverse effects on character and amenity. I note the author of the s42A report has commented that the rules as notified are permissive in that they do not specify any size limit for real estate signs (paragraphs 415 and 844), but has not gone on to recommend a size limit in the rule. The area of 2.16m² being suggested by Mr Metcalfe aligns with the largest sign typically used by real estate agents when marketing properties being sold by auction or tender, or on large properties (e.g. in commercial, industrial or rural locations).

14. It is also requested that the requirement for the sign to relate to the site on which it is located is removed from the rule. This is because on occasions a real estate agency might want to erect a “header sign” on another site with the approval of that landowner. The purpose of a header sign is to point perspective purchasers towards the property for sale that might not be readily visible. Examples where a header sign might be used include a property for sale on a low volume no-exit road, or on a rear site down a shared right of way.