

BEFORE AN INDEPENDENT HEARINGS PANEL

THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

UNDER the Resource Management Act 1991 (the Act)

IN THE MATTER OF Hearing 7: Industrial Zone and Heavy Industrial Zone (Proposed Waikato District Plan) submissions and further submissions

**STATEMENT OF EVIDENCE FOR TANYA RUNNING FOR THE WAKA KOTAHĪ NZ
TRANSPORT AGENCY (PLANNING)**

DATED 3 DECEMBER 2019

1. INTRODUCTION

- 1.1 My name is Tanya Running. I am a Principal Environmental Consultant with WSP where I have been employed since 2004. I hold a degree in Science from Waikato University. I am an Associate member of the New Zealand Planning Institute. I have 15 years' planning experience.
- 1.2 I am authorised to present this evidence on behalf of Waka Kotahi New Zealand Transport Agency (the Transport Agency), in support of its primary submissions¹ and further submissions² on the Proposed Waikato District Plan (PWDP). I was not involved in the preparation of the submissions or further submissions made to the PWDP.
- 1.3 I confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2014. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

2. THE TRANSPORT AGENCY'S SUBMISSIONS ON INDUSTRIAL ZONE AND HEAVY INDUSTRIAL ZONE OF THE PWDP

- 2.1 The Transport Agency lodged 21 submissions points and five further submission points in relation to the objectives, policies and rules of the Industrial Zone and the Heavy Industrial Zone.

3. THE SECTION 42A REPORTS

- 3.1 I have reviewed the Hearing 7: Industrial Zone and Heavy Industrial Zones, Parts A, B, C and D, section 42A reports (s42A reports) and their recommendations in relation to the Transport Agency's submissions and further submissions. For clarity, **Annexure A** provides a table of the Transport Agency's submissions and further submissions, and states whether the s42A reports recommendation is agreed or disagreed with.

4. SCOPE OF EVIDENCE

- 4.1 My evidence addresses the following:
- Submission Point 742.204: Industrial Zone: Rule 20.2.7.2: Signs– effects on traffic;
 - Submission Point 742.217: Heavy Industrial Zone: Rule 21.2.7.2: Signs– effects on traffic;
 - Submission Point 742.216: Heavy Industrial Zone: Rule 21.2.7.1: Signs- general; and
 - Submission Point 742.219: Heavy Industrial Zone: Rule 21.3.4.1 P1: Building setbacks- all boundaries

¹ Submission #742

² Further Submission # 1202

5. SUBMISSION POINT 742.204: INDUSTRIAL ZONE: RULE 20.2.7.2: SIGNS – EFFECTS ON TRAFFIC AND SUBMISSION POINT 742.217: HEAVY INDUSTRIAL ZONE: RULE 21.2.7.2: SIGNS – EFFECTS ON TRAFFIC

- 5.1 The Transport Agency's submission point seeks the inclusion of the following words to Rule 20.2.7.2 P1(iv) and Rule 21.2.7.2 P1(iv) as follows (insertions underlined):

(iv) Contain a no more than 40 characters and no more than 6 words, symbols or graphics;

The s42A reports³ states that this same request has been noted in the earlier Hearing 6: Village Zone. and that the Transport Agency requests the same amendment for all zones in the PWDP. The s42A report concludes that unless the submitter has provided sufficient detail at Hearing 6 to support their request, it is recommended that the notified rules remain unchanged.

- 5.2 The s42A report for Hearing 6, requested elaboration for the amendments sought, as such this is replicated below from my evidence for Hearing 6.
- 5.3 The amendment sought is based on the Transport Agency's brochure: *Advertising Signs on State Highways* which the Transport Agency uses to manage applications for signage within and adjoining the State Highway reserve area. This brochure has adopted elements from the Transport Agency's 2010 Bylaw relating to signs on state highways; this Bylaw has been prepared with input from the Transport Agency's Traffic Safety Engineers.
- 5.4 Controlling the amount of information on a sign is critical (especially in higher speed environments) to avoiding driver distraction and confusion; both of which can reduce the safety and efficiency of state highways (and roads in general). It is acknowledged that these documents and the Transport Agency's interests relate to state highways, however these requirements in my opinion can also be directly applied to local roads.
- 5.5 Therefore, I reiterate the Transport Agency's requested changes to Rule 20.2.7.2 P1(iv) and Rule 21.2.7.2 P1(iv) as outlined in section 5.1 above. Should the Hearings Panel determine that there is no appetite to extend this provision to local roads, an advisory note could be added to the rule stating the following (insertions underlined):

Note: in relation to clause (iv), where the sign is intended to be viewed from the state highway the following shall apply – Contain no more than 40 characters and no more than 6 words, symbols or graphics.

³ Part B: Paragraph 442 and 443 and Part C: Paragraphs 870-873

6. SUBMISSION POINT 742.216: HEAVY INDUSTRIAL ZONE: RULE 21.2.7.1 P2: SIGNS – GENERAL

6.1 The Transport Agency's submission point supported the intent of Rule 21.2.7.1 P2, but sought amendments to subsection (iv) to ensure that the adverse effects on the transport network would be avoided as follows (insertions underlined and deletions struck through):

(iv) Where the sign is a freestanding sign, it must:

A. not exceed an area of 3m² for one sign per site, and 1m² for ~~any other~~ one additional freestanding sign on the site; ~~and~~

B. be set back at least 5m from the boundary of any site in any Residential Zone or Reserve Zone; and:

C. be setback at least 15m from the boundary of a state highway.

6.2 The s42A report has accepted the amendments to subsection (iv) A⁴, but rejected the insertion of subsection C⁵. The s42A report states that the reason for the rejection is that P2 (a)(ii) already addresses this requirement. However, this conclusion is in error because P2 (a)(ii) relates to illuminated signs only.

6.3 This amendment was also sought in the Transport Agency's submission point 742.203 in relation to the corresponding rule in the Industrial Zone⁶. The s42A report⁷ accepts this submission point and the proposed amendments. Therefore, I reiterate the Transport Agency's requested amendments to Rule 21.2.7.1 P2 as outlined in section 6.1 above.

7. SUBMISSION POINT 742.219: HEAVY INDUSTRIAL ZONE: RULE 21.3.4.1 P1: BUILDING SETBACKS- ALL BOUNDARIES

7.1 The Transport Agency's submission point supported the intent of this rule but sought amendments. In particular, the submission sought the addition of a new subsection that requires a building to be setback 20m from a state highway. The s42A report seeks clarification on what adverse effect the Transport Agency is seeking to manage with a setback from a state highway and as such rejects this point.

7.2 The operative Waikato District Plan (OWDP) requires a building to be setback 10 from a state highway or 25m from the Waikato Expressway⁸ in the Industrial Zone. As Councils discretion is restricted to the effects on land in other zones, amenity, streetscape and road safety, these are the matters Council are seeking to manage with building setback requirements.

⁴ Part C at paragraph 850

⁵ Part C at paragraph 851

⁶ Rule 20.2.7.1 P2(c)

⁷ Part B at paragraph 421

⁸ Rule 24.45.1(a), (c) and (ca) of the operative District Plan Waikato section

- 7.3 The OWDP states that: *Setbacks are greater in the Heavy Industrial Zone in order to mitigate the effects of what are likely to be buildings of a bigger bulk and height and setbacks from the road boundary also allow for greater flexibility if road widening becomes necessary in the future.*
- 7.4 The PWDP has reduced the building setback from a road to 5m and removed the setback from the Waikato Expressway. The section 32 report⁹ is silent on the reason for these changes and therefore has not given consideration to the effects on land in other zones, such as amenity, streetscape and road safety, which I presume are effects that the Council wishes to manage through this rule.
- 7.5 If it can be demonstrated that there are other rule(s) within the PWDP to manage the effects on traffic safety, the Transport Agency may reconsider their submission. However, in the absence of this information, I consider that the Transport Agency submission should be accepted.
- 7.6 Therefore, it is requested that the Hearing Panel reconsider this submission point and provide amendments to Rule 21.3.4.1 P1(a) as follows:
- (i) 5m from a road boundary, excluding a state highway; and*
 - (ii) 20m from a state highway; and*
 - (iii)–~~(ii)~~ 7.5m from any other boundary where the site adjoins another zone, other than the Industrial Zone.*

Tanya Running

4 December 2019

⁹ Section 32 Report, Part 2, Industrial Zone and Heavy Industrial Zone Dated July 2018

ANNEXURE A

		The Transport Agency's Submission or Further Submission Number	S42A report's recommendation	The Transport Agency's Comment
1	Policy 4.6.2: Provide for different functions	S742.28	Accept	Agree
2	Policy 4.6.3: Maintain a sufficient supply of industrial land	S742.29	Reject	Agree
3	Policy 4.6.8: Specific activities with Nau Mai Business Park	S742.30	Reject	Agree
4	Rule 20.2.4 Glare and Artificial Light Spill	S742.201	Accept in part	Agree
5	Rule 20.2.7.1: Signs-General	S742.202	Accept	Agree
		S742.203	Accept	Agree
6	Rule 20.2.7.2: Signs – Effects on traffic	S742.204	Reject	Disagree
		S742.205	Accept	Agree
7	Rule 20.3.4.1: Building setbacks	S742.206	Accept	Agree
		S742.207	Accept in part	Agree
8	Rule 20.4.3: Road frontage	S742.208	Accept	Agree
9	Rule 20.5.14 P1: Acoustic insulation for dwelling - Nau Mai Business Park	S742.213	Accept	Agree
10	Rule 20.5.5 P1 and RD: Landscape planting - Nau Mai Business Park	S742.211	Accept	Agree
11	Rule 20.5.7 P2 and RD1: Signs - General - Nau Mai Business Park	S742.209	Accept	Agree
12	Rule 20.5.8 P1 and RD1: Outdoor storage of goods or materials - Nau Mai Business Park	S742.210	Accept	Agree
13	Rule 20.5.13 P1 and RD1: Building location and	S742.212	Accept	Agree

	setbacks - Nau Mai Business Park			
14	Rule 21.2.4 P1 and RD1: Glare and Artificial Light Spill	S742.214	Accept in part	Agree
15	Rule 21.2.7.1 P1 and RD1: Signs – General	S742.215	Accept	Agree
16	Rule 21.2.7.1 P2: Signs – General	S742.216	Accept in part	Disagree
17	Rule 21.2.7.2 P1: Signs - effects on traffic	S742.217	Reject	Disagree
18	Rule 21.2.7.2 D1: Signs - effects on traffic	S742.218	Accept	Agree
19	Rule 21.3.4.1 P1: Building setbacks – all boundaries	S742.219	Reject	Disagree
20	Rule 21.3.4.1 RD1(ii): Building setbacks – all boundaries	S742.220	Accept	Agree
21	Rule 21.4.3 RD1: Subdivision - Road frontage	S742.221	Accept	Agree
22	4.6 Objectives and Policies – Industrial Zones	FS1202.55 to S804.3	Defer to Hearing 19	Agree
23	Policies regarding signs	FS1202.56 to S785.58	Accept in part	Agree
24	4.6 Objectives and Policies – Industrial Zones- bespoke for Horotiu	FS1202.54 to S578.73	Accept	Agree
25	Rule 20.5.2 Permitted Activities; Education Facility- Nau Mai Business Park	FS1202.84 to S781.25	Reject	Agree
26	Rule 21.1.3 Non-Complying activities	FS1202.85 to S781.26	Reject	Agree