

9 January 2020

Hearing Commissioners - Proposed Waikato District Plan (Stage 1)  
c/- Sandra Kelly  
Hearing Coordinator / District Plan Administrator  
Resource Management Policy Team

By e-mail only: [districtplan@waidc.govt.nz](mailto:districtplan@waidc.govt.nz)

Dear Hearing Commissioners

**Re: Proposed Waikato District Plan Hearing For Chapter 9 – Business and Business Town  
Centre Zones: Hearing Statement on Behalf Of Z Energy Limited**

**1.0 INTRODUCTION**

Reference is made to the abovementioned matters set down for hearing commencing 17<sup>th</sup> February 2020. This Hearing Statement has been prepared on behalf of Z Energy Limited (“Z Energy”) and represents its views.

Z Energy made submissions to the Proposed Waikato District Plan (“PWDP”). The broad reasons for Z Energy’s interests in the PWDP are as set out in Section A of its submission.

Detail regarding the submissions, including their rationale and the specific relief sought, were included in Z Energy’s submission and are not repeated herein. The purpose of this Hearing Statement is to record Z Energy’s position on its submissions subject of the Hearing on the Business and Business Town Centre Zones, taking into account the Consultant Planner’s recommendations in the Section 42A Report (“S42A Report”). Z Energy has two sites within these zones: Z Ngaruawahia and Z Pokeno Truckstop. Z Energy supports the proposed zoning of Z Ngaruawahia as Business but has sought to rezone Z Pokeno Truckstop from Business Town Centre to Business Zone. Re-zoning submissions are being heard in Hearing 25.

For the record, Z Energy lodged two submissions and one further submission subject of this hearing. Each is discussed below.

**2.0 SUBMISSION 589.4 AND FURTHER SUBMISSION 1029.1 - POLICY 4.5.29**

S589.4 of Z Energy seeks to amend Policy 4.5.29 New Buildings: Business Zone, to recognise that new buildings within the Business Zone do not need to be entirely consistent with the Waikato District Council Urban Design Guidelines Town Centres, if an activity has a specific functional or operational design or layout requirement. Notwithstanding that, Z Energy also lodged FS 1029.1 in support of S697.549 by Waikato District Council, seeking to delete Policy 4.5.29.



At paragraph 239 of the Section 42A Report the Consultant Planner recommends deleting the Policy in its entirety. While the recommendation, at paragraph 241 of the S42A Report is to consequently reject the submission of Z Energy, Z Energy notes that its further submission would be accepted and that its concerns are satisfied by adopting the relief proposed. Accordingly, Z Energy commends the recommendations in Para 241 of the S42A Report to the Panel and urges it to delete Policy 4.5.29.

### 3.0 SUBMISSION 589.3 – RULES REQUIRING VERANDAHS

S 589.3 of Z Energy seeks to change the activity status for not providing a verandah on a building in the Business Town Centre zone from discretionary to restricted discretionary. At para 642 of the Section 42A Report the Consultant Planner states that the matters of discretion provided by Z Energy Ltd are comprehensive, and on that basis [he] recommend[s] that the activity status can be changed.

At paragraph 647 of the Section 42A Report the Consultant Planner recommends accepting the submission of Z Energy and amending the activity status where Rule 18.3.5 P1 is not met to restricted discretionary and adding matters of discretion as follows (changes proposed underlined and in red):

|              |   |
|--------------|---|
| <b>D+RDI</b> | <p>(a) Any verandah that does not comply with <b>Rule 18.3.5 P1</b>.</p> <p>(b) <u>The Council's discretion shall be restricted to the following matters:</u></p> <ul style="list-style-type: none"> <li>(i) <u>The effects on the amenity of the streetscape, including providing continuous pedestrian shelter and town centre character;</u></li> <li>(ii) <u>The character and layout of the building;</u></li> <li>(iii) <u>The nature, design and location of the verandah; and</u></li> <li>(iv) <u>The functional requirements of the activities that the buildings are intended to accommodate.</u></li> </ul> |
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Z Energy's concerns are satisfied by adopting the relief proposed. Accordingly, Z Energy commends the recommendation in Paras 646 and 647 of the S42A Report to the Panel and urges it to make the changes proposed.

For the record, Z Energy also supports clarifying that to trigger the rule, any alteration must be to the front of the building.

### 4.0 CONCLUDING STATEMENT

If the Hearing Commissioners require clarification in relation to the matters above, please contact the undersigned on 021 2333 906.



Kind Regards,

A handwritten signature in blue ink, appearing to read 'Karen Blair'.

Karen Blair

Principal Planning and Policy Consultant

**4Sight Consulting Limited**