BEFORE A HEARINGS PANEL APPOINTED BY THE WAITAKI DISTRICT COUNCIL

IN THE MATTER OF	the Resource Management Act 1991 ("the Act" or "the RMA")
AND	
IN THE MATTER OF	the submissions of Z Energy Limited on the Proposed Waitaki District Plan ("the PDP")

STATEMENT OF EVIDENCE (PLANNING) OF THOMAS TREVILLA ON BEHALF OF Z ENERGY LIMITED (SUBMITTER 203)

HEARING STREAM 4

TOPICS: COMMERCIAL ZONES AND INDUSTRIAL ZONES

3 NOVEMBER 2026

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1. EXECUTIVE SUMMARY

1.1 My name is Thomas Trevilla. I have prepared this planning evidence on behalf of Z Energy Limited ("Z Energy"), which operates an essential fuel distribution network in the district comprising service stations and truck stops. This evidence addresses Z Energy's submissions and the Reporting Officers' recommendations on the Commercial and Industrial Zone provisions, namely:

(a) amendments to the outdoor storage screening provisions in the Town Centre, Local Centre, Mixed Use and General Industrial Zones;

(b) the insertion of a new permitted activity service station rule in the General Industrial Zone; and

(c) exemptions for service stations from complying with certain standards in the Town Centre, Local Centre, Mixed Use and General Industrial Zones.

1.2 I support Z Energy's request to limit outdoor storage screening requirements to views at eye level from public places and adjoining sites within the Open Space, Sport and Active Recreation, and Residential Zones. The screening of outdoor storage from adjoining sites is appropriate in many circumstances, particularly where those sites adjoin zones that are more sensitive to visual effects.

1.3 I also support the recommended insertion of a new permitted activity rule for service stations in the General Industrial Zone, GIZ-R6, based on Z Energy's submission. However, I do not support requiring compliance with GIZ-S8 Landscaping of the road boundary, as its requirements may create operational and safety issues for service stations, particularly in relation to tree planting along road frontages. Service stations should be exempt from GIZ-S8 or, if that relief is not accepted, that compliance should be limited in the manner recommended in my evidence.

1.4 Lastly, I support further consideration of exemptions from various frontage, setback, landscaping and servicing standards in the Commercial and Industrial Zones where they apply to non-occupiable service station infrastructure, such as EV charging and forecourt canopies. And, as suggested by the Panel in Minute 11, I would be happy to engage with the Reporting Officers prior to and/or after the hearing to develop a workable set of provisions for the Panel's consideration.

2. INTRODUCTION

2.1 My full name is Thomas Gabriel Dela Cruz Trevilla. I have over six years of experience in the field of resource management planning. I hold the degree of Bachelor of Urban Planning (Honours) from the University of Auckland. I am an Intermediate Member of the New Zealand Planning Institute.

2.2 I am employed as a Senior Planner at SLR. I have been employed by SLR since October 2022. Prior to SLR, I was most recently a Planner at Babbage Consultants Limited from October 2020 to October 2022.

2.3 My principal role at SLR is to provide planning services with a particular focus on the industrial, commercial and infrastructure sectors (fuel, electricity, stormwater and telecommunications). This includes preparing or processing resource consent applications, providing consenting and policy advice, and preparing submissions, hearing statements and evidence.

2.4 I have provided submissions and hearings services to Z Energy on proposed plans or plan changes in Far North, Whangārei, Kaipara, Auckland, Waitomo, Napier and Timaru on topics that include business zone provisions.

3. CODE OF CONDUCT FOR EXPERT WITNESSES

3.1 I have read the Environment Court's Practice Note January 2023 as it relates to expert witnesses. My brief of evidence is prepared in compliance with the Code of Conduct, and I agree to comply with it in appearing before the Hearings Panel. I am not, and will not behave as, an advocate for my client. I am engaged by Z Energy as an independent expert and SLR provides planning services to Z Energy along with a range of other corporate, public agency and private sector clients. I have no other interest in the outcome of the proceedings.

3.2 I confirm that my evidence is within my area of expertise and that I have not omitted to consider material facts known to me that might alter or detract from my expressed opinion. I have not relied on the evidence or opinion of any other person in preparing my evidence.

4. SCOPE OF EVIDENCE

4.1 Z Energy is submitter 203 on the PDP. My evidence relates to Z Energy's submissions on the PDP's commercial and industrial zone provisions, particularly

in the context of activities at their retail fuel outlets in the district. To avoid doubt, references to “service stations” in my evidence refers to service stations and truck stops. I specifically address the following:

(a) the outdoor storage screening policies and standards in the Town Centre, Local Centre, Mixed Use and General Industrial Zones;

(b) the insertion of a new rule, GIZ-R6 Service stations, in the General Industrial Zone; and

(c) exemptions for service stations from complying with certain standards in the Town Centre, Local Centre, Mixed Use and General Industrial Zones.

4.2 In preparing my evidence, I have reviewed:

(a) the Commercial Zones s 42A report, dated 19 October 2026, prepared by Caitlin Parsons;

(b) the Industrial Zones s 42A report, dated 19 October 2026, prepared by Katrina Clark;

(c) Minute 10 issued by the Panel, dated 30 October 2026;

(d) the relevant notified PDP provisions and supporting documents;

(e) the relevant submissions;

(f) other statutory instruments or documents relevant to my analyses; and

(g) the Resource Management Act 1991 (“the RMA”) and Planning Act 2026 (“the Planning Act”).

4.3 Z Energy accepts or supports the recommendations of the Reporting Officers on their submission points not discussed in this evidence. This includes the recommendation to change the activity status of TCZ-R15 Service stations from non-complying to discretionary, as alternative relief to submission [203.41].

5. CONTEXT

5.1 Z Energy’s retail fuel activities include the storage and use of hazardous substances (typically petrol, diesel, and LPG), the refuelling of vehicles, electric vehicle charging, and often other vehicle services (air pump, car wash, etc.) and ancillary retail activities. Fuel deliveries are undertaken via tankers which occur infrequently but often without restriction in terms of frequency or times.

5.2 All sites have established vehicle crossings for access and exit, buildings, and signage (often illuminated). Pump stations are typically located beneath a forecourt canopy which is usually lit via under canopy lighting. Hours of operation vary and are not infrequently 24/7. These sites are required to comply with the noise limits of the district plan or imposed by the conditions of underlying land use consents.

6. OUTDOOR STORAGE SCREENING REQUIREMENTS

6.1 Z Energy's submission points[1] on the outdoor storage screening policies (TCZ-P4, LCZ-P1 and MUZ-P2) and standards (GIZ-S7, TCZ-S9, LCZ-S9 and MUZ-S9) requested limiting the screening requirement to level view from public places and adjoining sites within an open space or residential zone.

6.2 Having reviewed these submission points, the Reporting Officers recommend amending Standards GIZ-S7, TCZ-S9 and MUZ-S9 as follows (insertions **underlined** and deletions ~~**struck through**~~):

> 1. *Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscaping or building, or a combination of these, so it is not visible from any~~:~~ **public place when viewed from an eye level of 1.7m above ground level**.*
>
> ~~***a. public place; and***~~
>
> ~~***b. adjoining site***~~

6.3 At paras [184] of the Commercial Zones s 42A report and [121] of the Industrial Zones s 42A report, the rationale for also excluding adjoining sites (where, I infer, they are not public places) is given as being that views from private property must be disregarded in accordance with s 104(1A)(f) of the RMA, as inserted by the Planning Act.[2] However, in Minute 10 (p.13), issued on 30 October 2026, the Panel questions this interpretation, as follows:

> *The Panel questions whether this approach is what is intended by s104(1A)(f). This provision is addressing an amenity effect whereas s104(1A)(f) would appear to be focussed more on activities that block views from private property. Please review the background to the RMA change and advise accordingly.*

[1] [203.37, 203.47, 203.48, 203.56, 203.57, 203.64, 203.67].
[2] Section 104(1A) came into effect on 30 October 2026.

6.4 While I do not necessarily oppose the Reporting Officers' recommended changes to GIZ-S7, TCZ-S9 and MUZ-S9, I consider that the Panel's interpretation is more likely to be consistent with the intent of s 104(1A)(f).

6.5 At this stage, it is unclear how the Reporting Officers will respond to the Panel's question, or if this will result in a recommendation to further amend GIZ-S7, TCZ-S9 and MUZ-S9. Should the recommendations revert to wording like the notified version of these standards, I support the position in Z Energy's original submission regarding the screening of outdoor storage areas from adjoining sites.

6.6 Specifically, I agree that screening outdoor storage areas from adjoining sites is be appropriate in many circumstances, noting that fencing between service stations and neighbouring properties is standard in many sites. However, I support Z Energy's request that the requirement be limited to adjoining sites within the Open Space and Residential Zones, which are more sensitive to the visual amenity effects of outdoor storage than sites in other zones. I also consider that the Reporting Officers' wording of "1.7 m above ground level" provides greater clarity than the submission's suggestion of "level view".

6.7 Accordingly, I recommend that GIZ-S7, TCZ-S9, LCZ-S9[3] and MUZ-S9 be amended as follows (insertions **double underlined** and deletions ~~**double-struck through**~~):

> 1. *Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscape planting or building, or a combination of these, so it is not visible* ~~***from***~~ ***to a person standing at ground level with an eye height of 1.7m*** *from any:*
>
> a. *public place; and*
>
> b. *adjoining site* ***in the Open Space Zone, Sport and Active Recreation Zone or Residential Zone****.*

6.8 If the Reporting Officers maintain their recommendation to exclude adjoining sites from GIZ-S7, TCZ-S9 and MUZ-S9, further consideration should be given to the wording of policies TCZ-P4, LCZ-P1 and MUZ-P2. The current recommendation is to retain these policies as notified, despite their express reference to the screening of outdoor storage areas from adjoining sites.

[3] Z Energy's submission point [203.56] on LCZ-S9 does not appear to have been addressed in the s 42A report nor are amendments recommended. The same amendments to the other outdoor storage screening standards are appropriate for LCZ-S9.

6.9 In my view, amending the standards but not the policies would result in an inconsistent application of s 104(1A)(f), creating potential uncertainty in plan interpretation and implementation. That is, if s 104(1A)(f) requires the visual effects of outdoor storage on adjoining sites to be disregarded, and the standards are amended accordingly, it is unclear why the policies should still direct the consideration of those effects.

7. NEW SERVICE STATION RULE IN THE GENERAL INDUSTRIAL ZONE

7.1 Z Energy [203.32] requested a permitted activity rule for service stations, as they are an appropriate commercial activity within the General Industrial Zone and support industrial activities. The Reporting Officer recommends accepting this submission and inserting a new permitted activity rule, GIZ-R6 Service stations.

7.2 I support this recommendation, except for recommended PER-1, which requires compliance with GIZ-S8 Landscaping of the road boundary. Z Energy's submission specifically excluded GIZ-S8 from the standards proposed to apply to the new permitted activity rule. As outlined in the submission, landscaping along the road frontage, particularly the planting of trees, may not be achievable for service stations due to operational requirements and vehicle and pedestrian safety considerations. In addition, trees and other tall vegetation can obscure signage. Consequently, requiring trees along the road boundary may conflict with the Fuel Industry Regulations 2021, which require fuel price boards to be clearly visible to motorists travelling to or past the site. In Minute 10 (p.13), the Panel questions GIZ-S8's inclusion, stating that:

> *… It would be very unusual for a service station to have trees planted within their landscaped road boundary strip due to visibility concerns. Recognising the unique nature of these activities, would it not be more appropriate to develop a bespoke landscape condition for service stations? Can you also please comment on the landscape standards in the context of the new Planning Act 2026.*

7.3 I agree with the concerns raised by Z Energy and the Panel. Service stations are typically designed with landscaping and amenity treatments that maintain a functional site while contributing to streetscape amenity. However, GIZ-S8's requirement to provide one tree for every 10 m of road frontage together with the spacing restrictions, is likely to be impractical for most service station sites. I also note that the Reporting Officer recommends that GIZ-R4 Emergency Service

Facility be exempted from GIZ-S8 due to operational requirements and I consider that this rationale is applicable to service stations.

7.4 Accordingly, I recommend that new rule GIZ-R6 is inserted but without requiring compliance with GIZ-S8. If this relief is not accepted, compliance with GIZ-S8 should be limited to clause (1), whereby a continuous 1 m deep landscape strip must be provided along the full road boundary, excluding accessways, but with no requirement for tree planting. This can be achieved by amending recommended PER-1(3) as follows (insertions **double underlined**):

*3. GIZ-S8 Landscaping of the road boundary **(GIZ-S8(1) only)**;*

7.5 Lastly, if neither of the above relief is accepted, and as a minimum, a matter of discretion should be inserted to GIZ-S8 so that pedestrian visibility and safety and operational requirements are considered, as follows (insertions **double underlined** and deletions ~~**double-struck through**~~):

*3. any adverse effects on the amenity values of adjoining sites~~.~~**; and***

4. The health and safety and operational requirements of the activity.

7.6 This is because the notified matters of discretion only allow consideration of adverse streetscape and amenity effects resulting from non-compliance with the landscape standards. For completeness, I note that I support the requirement for service stations to comply with GIZ-S9 Landscaping of Internal Boundaries.

8. EXEMPTIONS FOR SERVICE STATIONS FROM SPECIFIC STANDARDS

8.1 Z Energy's submission[4] requests that service stations be exempted from complying with specific standards relating to:

(a) active street frontages (building orientation and minimum glazing) under TCZ-S3, maximum building setbacks under TCZ-S7 and LCZ-S5, veranda requirements under LCZ-S7, and minimum frontage landscaping under MUZ-S7; and

(b) servicing and firefighting water supply and access under TCZ-S11, LCZ-S12, MUZ-S12 and GIZ-S11.

[4] [203.42, 203.43, 203.44, 203.51, 203.53, 203.55, 203.63, 203.36].

8.2 The issue arises because the building and activity rules (TCZ-R1, TCZ-R12, LCZ-R1, MUZ-R1, MUZ-R2 and GIZ-R1)[5] require new buildings, structures, additions and alterations to comply with these standards. While Z Energy supports the objective of a quality built environment, its concern relates to the impracticality of applying these standards to non-occupiable structures at service stations, such as EV charging canopies, which are small scale and must be located by the EV charging device and parking spaces, or forecourt canopies, which are located based on site operational requirements.

8.3 The Reporting Officers recommend rejecting the requested relief. In Minute 10 (pp. 14-15), the Panel comments that the recommendations do not appear to adequately recognise the functional and operational requirements of service stations, and the appropriateness and efficiency of applying setback, landscaping and servicing requirements. The Panel notes that it could not identify justification for this approach in the s 32 evaluation reports. I agree with the concerns raised by both Z Energy and the Panel.

8.4 The Panel has requested the Reporting Officers to give more specific consideration of service station infrastructure against these provisions, and that it would be helpful to engage with Z Energy to ensure that a workable set of provisions is developed for the Panel's consideration. I agree with this request and am more than happy to work with the Reporting Officers both prior to, if time allows, and/or after the hearing, particularly given the number of affected provisions.

8.5 In relation to EV charging canopies, I note that the NES-ENA[6] EV charging provisions came into force after the notification of the PDP and close of the submissions period. The canopies, and other structures associated with EV charging, are subject to these regulations and prevail over the PDP rules. Accordingly, sufficient relief for EV charging infrastructure may be able to be achieved by the insertion of advice notes in the provisions noting that, in relation to EV charging canopies and related structures, the NES-ENA's regulations prevail. The servicing and firefighting water supply and access requirements should, however, clearly exempt these structures. This relief can be considered further with the Reporting Officers.

[5] [203.38, 203.40, 203.49, 203.58, 203.60].
[6] Resource Management (National Environmental Standards for Electricity Network Activities) Regulations 2026.

9. CLOSING

9.1 If there are any specific issues that the Panel and/or Council wish to address, or a more pragmatic way to achieve the recommended relief, I am more than happy to consider alternatives and participate in conferencing, as discussed above.

Thomas Trevilla

3 November 2026

Attachment A: Compiled recommended track changes

Appendix A

Compiled recommended track changes

Section 42A report insertions **underlined** and deletions ~~**struck through**~~.

This evidence's insertions **red double underlined** and deletions ~~**red double struck through**~~.

Amendment to outdoor storage screening standards

Amend clause (1) of GIZ-S7, TCZ-S9, LCZ-S9 and MUZ-S9 as follows:

XXX-SXX	Outdoor storage screening
1. Any outdoor storage of goods must be limited to goods ancillary to the activity on the site and must be fully screened by a fence, landscape planting or building, or a combination of these, so it is not visible ~~**from**~~ **to a person standing at ground level with an eye height of 1.7m** from any: a. public place; and b. adjoining site **in the Open Space Zone, Sport and Active Recreation Zone or Residential Zone**.	Matters of discretion are restricted to: 1. any adverse effects on the streetscape; and 2. any adverse effects on the amenity values of adjoining sites (including those opposite, where separated by a road).

Amendment to recommended GIZ-R6 Service station

Relief 1: Delete the requirement to comply with GIZ-S8.

Relief 2: If Relief 1 is not accepted, amend PER-1(3) to limit to GIZ-S8(1) as follows:

GIZ-R6	**Service station**	
General Industrial Zone	Activity status: Permitted Where: PER-1 All of the following standards are complied with where relevant: 1. GIZ-S4 Minimum pervious surface area; 2. GIZ-S7 Outdoor storage screening; 3. GIZ-S8 Landscaping of the road boundary **(GIZ-S8(1) only)**; 4. GIZ-S9 Landscaping of the internal boundary; and 5. GIZ-S10 Hours of operation.	Activity status when compliance is not achieved: Restricted Discretionary Where: RDIS-1 Compliance is not achieved with PER-1 Matters of discretion are restricted to: 1. the matters of discretion listed in any of standards GIZ-S4, GIZ-S7, GIZ-S8, GIZS9 and/or GIZ-S10 that are not complied with. Notification: Any application made under RDIS-1 is precluded from being publicly notified.

Amendment to GIZ-S8 Outdoor storage screening

GIZ-S8	Outdoor storage screening
1. A continuous landscaped strip is required with a minimum depth of 1m along the full road boundary, excluding accessways; and	Matters of discretion are restricted to: 1. the location, design and appearance of the landscaping; and 2. any adverse effects on the streetscape; and

2. the landscaping strip must include a minimum of one tree for every 10m of frontage; and 3. trees must not be planted at a distance of more than 25m apart or closer than 5m; and 4. at the time of planting, all trees must have a minimum height of 1.5m or be at least 3 years of age; and 5. the landscaping strip must be of a standard that it does not restrict road or access visibility; and 6. at maturity, the landscaping strip will not shade any formed public road between 10:00am and 2:00pm on the shortest day of the year, except where the topography already causes shading.	3. any adverse effects on the amenity values of adjoining sites~~.~~; and **4. The health and safety and operational requirements of the activity.**