

Proposed Selwyn District Plan



Section 42A Report

Part A of Intensification Planning Instrument – Variation 1 to the Proposed District Plan

Report on submissions and further submissions

Transport

Jon Trewin

5 April 2023

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List of submitters and further submitters addressed in this report

Submitter ID	Submitter Name	Abbreviation
V1-0006	Johan Rivas	
V1-0021	Lincoln Voice Incorporated	Lincoln Voice
V1-0024	Robert Claman	
V1-0029	Gary and Lynda Burgess	
V1-0032	Eliot Sinclair Limited	Eliot Sinclair
V1-0042	Jason Horne	
V1-0046	Denise Carrick	
V1-0055	AgResearch Limited	AgResearch
V1-0056	Ara Poutama Aotearoa the Department of Corrections	Ara Poutama Aotearoa
V1-0058	Jocelyn Humphreys	
V1-0073	Ministry of Education - Te Tāhuhu o Te Mātauranga	MoE
V1-0074	Jeremy Alsop	
V1-0077	Ryman Healthcare Limited	Ryman
V1-0079	Retirement Villages Association of New Zealand Incorporated	RVA
V1-0083	The New Zealand Transport Agency	Waka Kotahi
V1-0090	Nola Smart on behalf of Fire and Emergency New Zealand	FENZ
V1-0092	Selwyn District Council	SDC
V1-0101	Anne Finch	
V1-0102	CSI Property Limited	CSI
V1-0103	Carter Group Property Limited	CGPL
V1-0106	Victoria Atkinson	
V1-0112	Hughes Developments Limited	Hughes
V1-0113	Kāinga Ora Homes and Communities	Kāinga Ora
V1-0114	CSI Property Limited and Rolleston West Residential Limited	CSI and RWRL
V1-0115	Rolleston Industrial Developments Limited	RIDL

Please refer to **Appendix 1** to see where each submission point is addressed within this report.

Abbreviations

Abbreviations used throughout this report are:

Abbreviation	Full text
CON	Controlled activity status
CRPS	Canterbury Regional Policy Statement 2013
DIS	Discretionary activity status
EHS	Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021
GRZ	General Residential Zone
GRUZ	General Rural Zone
ISPP	Intensification Streamlined Planning Process
LLRZ	Large Lot Residential Zone
MDRS	Medium Density Residential Standards
MRZ	Medium Density Residential Zone
NC	Non-complying activity status
NPS-UD	National Policy Statement on Urban Development 2020
ODP	Outline Development Plan
PDP	Proposed Selwyn District Plan
Planning Standards	National Planning Standards
RDIS	Restricted discretionary activity status
RMA or Act	Resource Management Act 1991
RMA-EHS	Resource Management Act (Enabling Housing Supply and Other Matters) Amendment Act 2021
UGO	Urban Growth Overlay
Variation 1	Variation 1 (Intensification Planning Instrument) to the Proposed Selwyn District Plan

1. Purpose of report

- 1.1. This report is prepared under s42A of the RMA in relation to Part A of the Intensification Planning Instrument (IPI) – Variation 1 to the PDP and submissions lodged with respect to the Transport Chapter of the PDP. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on this topic and to make recommendations on either retaining the PDP provisions in Variation 1 without amendment or making amendments to the PDP in response to those submissions.
- 1.2. The recommendations are informed by the evaluation undertaken by myself as the planning author. In preparing this report I have had regard to the [Section 32 Report](#) prepared in support of the IPI and the various s42A reports prepared in relation to the PDP to date, including Officer Right of Reply reports, which can be found [here](#). Of particular relevance is:

S42A Report	Response to Hearing Panel Questions	Right Of Reply	Current Recommended Amendments
Transport	Response to Panel Questions	Right of Reply	Recommended Amendments 27 October 2021

- 1.3. The conclusions reached and recommendations made in this report are not binding on the Hearing Panel. It should not be assumed that the Hearing Panel will reach the same conclusions having considered all the information in the submissions and the evidence to be brought before them, by the submitters.

2. Qualifications and experience

- 2.1. My full name is Jon Trewin. I am employed by the Council as a Policy Planner. My qualifications include a MSc in Development Planning from Reading University, UK.
- 2.2. I have 15 years' experience as a resource management planner, with this including working in the UK and New Zealand on a variety of policy and planning related work concerning natural resource management, transport planning, economic development and land use planning.
- 2.3. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submitters and further submitters relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel.

3. Scope of report and topic overview

- 3.1. This report considers the submissions and further submissions that were received on Variation 1 in relation to the Transport Chapter of the PDP.
- 3.2. Recommendations are made to either retain provisions in Variation 1 without amendment, or delete, add to or amend the provisions. All recommended amendments are shown by way of ~~strikeout~~ and underlining in **Appendix 2** to this Report. Footnoted references to a submitter number, submission point and the abbreviation for their title provide the scope for each

recommended change. Where it is considered that an amendment may be appropriate but it would be beneficial to hear further evidence before making a final recommendation, this is made clear within the report. Where no amendments are recommended to a provision within Variation 1, submissions points that sought the retention of the provision without amendment are not footnoted. Appendix 2 also contains a table setting out recommended spatial amendments to the PDP Planning Maps.

- 3.3. Clause 16(2) of the RMA allows a local authority to make an amendment to a proposed plan without using a Schedule 1 process, where such an alteration is of minor effect, or may correct any minor errors. A number of alterations have already been made to the PDP using cl.16(2) and these are documented in reports available on the Council's website. Where a submitter has requested the same or similar changes to the PDP that fall within the ambit of cl.16(2), then such amendments will continue to be made and documented as cl.16(2) amendments and identified by way of a footnote in this s42A report.

4. Statutory requirements and planning framework

Resource Management Act 1991

- 4.1. The PDP must be prepared in accordance with the Council's functions under section 31 of the RMA; Part 2 of the RMA; the requirements of sections 74 and 75, and its obligation to prepare, and have particular regard to, an evaluation report under section 32 of the RMA, any further evaluation required by section 32AA of the RMA; and give effect to any national policy statement, the New Zealand coastal policy statement, national planning standards; the CRPS; and any regulations¹. Regard is also to be given to any regional plan, district plans of adjacent territorial authorities, and the IMP.
- 4.2. Variation 1 to the PDP is "Part A" of the Council's IPI, which has been prepared in response to the RMA-EHS. The IPI is to be processed in accordance with the ISPP, alongside the completion of the PDP hearings process. As outlined in the supporting [Section 32 evaluation](#), the purpose of the RMA-EHS is to enable greater housing choice within five of the largest urban environments in New Zealand, including Selwyn district.
- 4.3. This is to be achieved through the introduction of mandatory MDRS within a new MRZ in Rolleston, Lincoln and Prebbleton townships. The MDRS allows for the establishment of up to three residential units, each up to three storeys high (11 metres) on most sites without the need for a resource consent. Exemptions apply based on identified qualifying matters, such as heritage areas and protecting nationally significant infrastructure, but it is otherwise mandatory to apply MDRS to relevant residential zones.
- 4.4. Variation 1 to the PDP introduces a new MRZ on the following land:
- All the existing General Residential zones in Rolleston, Lincoln and Prebbleton;
 - Land covered by the following Council-approved private plan changes (PC) to the Operative District Plan: PC68 and PC72 in Prebbleton, PC69 in Lincoln and PC71, PC75, PC76 and PC78 in

¹ Section 74 RMA

Rolleston. It is noted that the land covered by PC73 in Rolleston is not included in the variation to the PDP.

- The Housing Accords and Special Housing Area (HASHA) and COVID-19 Recovery (Fast-track Consenting) areas in Rolleston; and
 - 47 ha of rural land (on six different sites) within the Future Development Area (FUDA) that are in between existing residential and private plan change areas in Rolleston.
- 4.5. The MRZ has immediate legal effect from the date of notification of Variation 1 (20 August 2022) where it applies to existing relevant residential zones within these townships. Where new MRZ land is proposed to be rezoned through the variation, the proposed MRZ does not have legal effect.
- 4.6. There are also a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP, as set out in the original [‘Overview’ Section 32 Report](#) and [‘Overview’ s42a Report](#). These documents are discussed in more detail within this report where relevant to the assessment of submission points. It is further noted that the assessment of submission points is made in the context of other Section 32 reports already undertaken with respect to relevant PDP topics, which can be viewed [here](#).
- 4.7. All recommended amendments to provisions since the initial Variation 1 s32 evaluation was undertaken must be documented in a subsequent s32AA evaluation and this has been undertaken for each sub-topic addressed in this report, where required.

National Policy Statement on Urban Development

- 4.8. The National Policy Statement on Urban Development (NPS-UD) recognises the national significance of urban environments and provides direction on planning for urban environments through establishing well-functioning urban environments. While Council is identified as a Tier 1 local authority, the Tier 1 urban environment referred to in Table 1 of the NPS-UD is Christchurch. For the application of the NPS-UD, the urban environment is considered to explicitly relate to the Greater Christchurch Region, as shown on Map A within Chapter 6 of the CRPS.
- 4.9. In this context, it is recognised that the RMA-EHS applies to geo-spatial areas of Rolleston and Lincoln as they have been defined as having relevant residential zones by way of having a population greater than 5,000 people at the 2018 census. Prebbleton has been included as part of the geo-spatial scope of this Variation as the RMA-EHS also states that an area predominately urban in character, which the local authority intends to be part of the urban environment should also be included. When taking into consideration the definition of ‘urban environment’, and assessing Prebbleton’s estimated current population exceeding 5,000 people, its proximity to the housing and labour market of Christchurch City, and its location along key transport routes, it was determined that Prebbleton meets this definition and should be included as part of this Variation.
- 4.10. West Melton did not qualify for inclusion in Variation 1 because the township has a current resident population below 5,000. It was also determined that applying the MRZ to the township would

“constitute poor planning practice” due to existing low density built and zoned environment, its distance to Christchurch City, and its lack of employment, amenities, and access to public transport².

National Policy Statement on Highly Productive Land

- 4.11. The NPS-HPL came into force on 17 October 2022 to provide national direction on how highly productive land is to be protected from inappropriate subdivision and development. It has immediate legal effect and applies to land identified as LUC Class 1, 2 or 3, as mapped by the New Zealand Land Resource Inventory (or any more detailed mapping that uses the LUC classification). This applies until maps are prepared by the regional council under Clause 3.5(1). The NPS-HPL is specifically relevant to ‘urban rezoning’, which it defines as a change from a GRUZ to an ‘urban zone’ that is inclusive of the GRZ and LLRZ³. Clause 3.5(7) identifies that the NPS-HPL applies to all GRUZ land that has a LUC Class 1, 2 and 3 and is not subject to an UGO in the PDP or subject to a Council initiated, or adopted, plan change to rezone the land from GRUZ to urban or rural lifestyle.
- 4.12. The NPS-HPL objective requires that highly productive land is protected for use in land-based primary production. This outcome is supported by policies that recognise highly productive land as a finite resource that needs to be managed in an integrated way (Policy 2). The urban rezoning of highly productive land (Policy 5), its use for rural lifestyle living⁴ (Policy 6) and subdivision (Policy 7) are required to be avoided except as provided in the NPS-HPL.
- 4.13. NPS-HPL Part 3 Clause 3.6 requires that Tier 1 and 2 territorial authorities only allow the urban rezoning⁵ of highly productive land where it is required to meet housing demand (under the NPS-UD), there are no other reasonably practicable or feasible options to achieve a well-functioning urban environment and the benefits outweigh the costs associated with the loss of highly productive land. Clause 3.7 requires territorial authorities to avoid the rezoning of highly productive land as rural lifestyle, except where the exemptions in Clause 3.10 are satisfied.

National Planning Standards

- 4.14. As set out in the [PDP Overview s42A Report](#), the Planning Standards were introduced to improve the consistency of council plans and policy statements. The Planning Standards were gazetted and came into effect on 5 April 2019. The PDP must be prepared in accordance with the Planning Standards.

5. Procedural matters

- 5.1. At the time of writing this s42A report there have been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

² Refer to the discussion on Page 7 and 8 - [Variation 1 Section 32 Report](#) (selwyn.govt.nz).

³ NPS-HPL – Part 1: Preliminary provisions, 1.3 Interpretation - ‘Urban rezoning’

⁴ Refer to the Rural Lifestyle Zone (RLZ) in the National Planning Standards 2019, 8. Zone Framework Standard, Table 13 Pg.37

⁵ NPS-HPL – 1.3 Interpretation, Urban rezoning means changing from the general rural or rural production zone to an urban zone

6. Consideration of submissions

Overview of submissions

- 6.1. A total of 65 submission points and 101 further submission points were received on Variation 1 to the Transport Chapter of the PDP chapter.

Structure of this report

- 6.2. This report relies on recommendations in the s42A report, including the subsequent Reply Report, for the Transport Chapter in relation to definitions, and the higher order framework that affects the whole chapter.
- 6.3. This report follows the order of the provisions within the PDP. The assessment of submissions generally follows the following format: Submission Information; Analysis; and Recommendation and Amendments. Where an amendment is recommended the applicable s32AA assessment will follow on from the Recommendations section for that issue.

7. Transport Chapter Generally

Introduction

- 7.1. This section addresses submission points made on the Transport Chapter generally.

Submissions

- 7.2. Nine submission points and six further submission points were made on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0006	Johan Rivas	002	Oppose	That Council undertake a proper impact study.
V1-0077	Ryman Healthcare Ltd	FS003	Oppose	Disallow the submission.
V1-0079	Retirement Villages Association of New Zealand Incorporated	FS003	Oppose	Disallow the submission.
V1-0024	Robert Claman	007	Oppose	Delete variation as notified.
V1-0024	Robert Claman	008	Oppose	Delete variation as notified.
V1-0042	Jason Horne	006	Oppose	Delete variation as notified.
V1-0042	Jason Horne	010	Oppose	Delete variation as notified.
V1-0083	Waka Kotahi	010	Support	Not specified.
V1-0083	Waka Kotahi	016	Oppose In Part	Consideration is given to the consistency between the proposed qualifying matters and the existing provisions in the plan for transport, noise and vibration.
V1-0106	Victoria Atkinson	001	Oppose in part	Amend to have qualifying matters to include no medium density housing allowed along Gerald Street.
V1-0113	Kāinga Ora	090	Support In Part	Amend the Transport chapter as set in original submissions and further submissions on the PDP and in the relevant submission points of this submission.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0102	CSI	FS355	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS355	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS355	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS355	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Analysis

- 7.3. Johan Rivas⁶ considers higher density residential areas will put more pressure on infrastructure to a greater degree than was intended, and that increasing traffic volumes are creating access issues from main roads into residential areas. Jason Horne⁷ considers that intensification of housing will have a negative impact on areas affected including increased traffic and carbon emissions. He seeks the Variation is deleted. As a Tier 1 Council, SDC must apply the MDRS to those townships that meet the specified criteria, therefore I recommend that these submission points are rejected.
- 7.4. Robert Claman⁸ seeks that the variation is deleted in its entirety, partly due to potential traffic/vehicle congestion due to the lack of off-street parking required. I recommend this submission point is rejected. Under cl3.38 of the NPS-UD, district plans are not able to specify minimum car parking levels for development activities. Council must instead ensure that these effects are managed through comprehensive parking management plans.
- 7.5. Waka Kotahi⁹ support changes to the objectives and policies in the TRAN-Chapter that appropriately provide for the up-zoning that is consistent with MDRS by the NPS-UD. I recommend this submission point is accepted in part as, whilst there have been amendments to the TRAN-Rules, there have not been any amendments to the objectives and policies in the TRAN-Chapter.
- 7.6. Waka Kotahi¹⁰ state that having transport listed as a qualifying matter appears to be 'doubling-up' and does not change how they are applied to new developments when in close proximity or accessing the state highway network. They are not seeking to limit building heights or density but rather ensuring safe transport outcomes. The submitter seeks that there is consistency between the proposed qualifying matters (listed in HPW-30) and the existing provisions in the plan for transport.
- 7.7. The State Highway TRAN provisions have been listed in HPW30 as a qualifying matter to ensure that they are applied to any proposed development in MRZ, where relevant to protecting nationally significant infrastructure (i.e. in close proximity to a state highway in this case). As outlined on pages 8 and 9 in the s32 report¹¹, if not specifically identified as a qualifying matter, there is a risk that these provisions could be seen to be "less enabling" of MDRS as per s77I. I note this matter has also

⁶ V1-0006.002 Johan Rivas

⁷ V1-0042.006 and 010 Jason Horne

⁸ V1-0024.007 and 008 Robert Claman

⁹ V1-0083.010 Waka Kotahi

¹⁰ V1-0083.016 Waka Kotahi

¹¹ link to [Variation 1 s32 report](#)

been addressed in the S42a report in the District Wide, Area Specific and Qualifying Matters topic where a similar conclusion was reached. I recommend this submission point is similarly rejected.

- 7.8. Victoria Atkinson¹² seeks that Gerald St is made a qualifying matter to restrict medium density housing in that area. The submitter has not provided any evidence as to why Gerald St specifically should be a qualifying matter and therefore, I recommend the submission point is rejected.
- 7.9. Kainga Ora¹³ seek that the TRAN Chapter is amended as per the original and further submission on the PDP and in the relevant submission points of this submission. I recommend this submission point is accepted in part to the extent that I am recommending changes based on the Kainga Ora submission.

Recommendation and amendments.

- 7.10. I recommend, for the reasons given above, that the Hearings Panel, retain the TRAN Chapter as notified, except where otherwise recommended in this report.
- 7.11. It is recommended that submissions are accepted, accepted in part or rejected as shown in **Appendix 1**.

8. Appendix 2 – Roading Hierarchy

Introduction

- 8.1. This section addresses submission points made on Appendix 2 – Roading Hierarchy.

Submissions

- 8.2. One submission point was made on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested			
				Road	From	To	Classification
V1-0092	SDC	048	Support In Part	Carnaveron Drive	TBC <u>Birchs Road</u>	Faulks Drive	Collector
				Russell Lilley Drive	TBC <u>Brookside Road</u>	Lewes Road <u>East Maddisons Road</u>	Collector
				Shillingford Boulevard	TBC <u>Springston Rolleston Road</u>	Goulds Road	Collector
				Farringdon Boulevard	Ledbury Drive <u>Selwyn Road</u>	Dynes Road	Collector
				<u>Ed Hillary Drive</u>	<u>Springston Rolleston Road</u>	<u>Clement Avenue /</u>	<u>Collector</u>

¹² V1-0106.001 Victoria Atkinson

¹³ V1-0113.090 Kainga Ora

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested			
						<u>Lincoln Rolleston Road</u>	
				<u>Westmoor Boulevard</u>	<u>Goulds Road</u>	<u>East Maddisons Road</u>	<u>Collector</u>
				<u>Northmoor Boulevard</u>	<u>East Maddisons Road</u>	<u>Springston Rolleston Road</u>	<u>Collector</u>
				<u>Lady Isaac Drive</u>	<u>Springston Rolleston Road</u>	<u>Clement Avenue / Lincoln Rolleston Road</u>	<u>Collector</u>
				<u>Kingsdowne Drive</u>	<u>Weedons Ross Road North</u>	<u>Weedons Ross Road South</u>	<u>Collector</u>

8.3. SDC¹⁴ are seeking that the roading hierarchy in APP2 is updated as there are a number of new and extended collector roads that fall within MRZ. The roading hierarchy is a trigger for certain rules in the PDP and is a relevant matter when considering the transport effects from development as a part of a resource consent application. I recommend this submission point is accepted as it is important for the roading hierarchy in the Plan to accurately reflect the status of roads in the District.

Recommendation and amendments

- 8.4. I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:
- a) Amend APP2 to update the roading hierarchy (as it applies to areas proposed to be zoned as MRZ) as set out in SDC's submission.
- 8.5. It is recommended that submissions are accepted, accepted in part or rejected as shown in **Appendix 1**.
- 8.6. The scale of the change does not require a S32AA evaluation.

9. TRAN-R8

Introduction

9.1. This section addresses submission points made on TRAN-R8.

Submissions

9.2. 13 submission points and 17 further submission points were received on this subtopic.

¹⁴ V1-0092.048 SDC

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	025	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	023	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS180	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS180	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS180	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS180	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0056	Ara Poutama Aotearoa	010	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0058	Jocelyn Humphreys	002	Support	Retain as notified.
V1-0073	MoE	002	Support In Part	Amend as follows: TRAN-TABLE2 - HTGA thresholds and ITA Requirements Basic ITA Education – Preschool 40 <u>50</u> children Education – Schools 70-150 students
V1-0113	Kāinga Ora	FS014	Support	Allow
V1-0074	Jeremy Alsop	009	Oppose	Delete as notified
V1-0077	Ryman	004	Oppose In Part	Amend: - to permit retirement villages in all zones. - the threshold for 'other activities' to include peak hour movements only.
V1-0079	RVA	004	Oppose In Part	Amend: - to permit retirement villages in all zones. - the threshold for 'other activities' to include peak hour movements only.
V1-0102	CSI	FS052	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS052	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS038	Oppose	Disallow
V1-0114	CSI and RWRL	FS052	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS052	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0090	FENZ	005	Support In Part	Retain as notified.
V1-0101	Anne Finch	001	Oppose	Apply a qualifying matter particularly with relation to access from Cedar Park, Rolleston.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0113	Kāinga Ora	011	Oppose	Amend TRAN-R8 to delete all references to residential activities in TRAN-TABLE2
V1-0055	AgResearch	FS045	Support	Allow the submission
V1-0083	Waka Kotahi	FS028	Oppose	Reject the submission point
V1-0102	CSI	FS276	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS276	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS276	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS276	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	079	Oppose	Grant the relief sought in original and further submissions, and at the hearings on the objectives, policies, and rules of the Proposed Plan.
V1-0115	RIDL	006	Support In Part	Grant the relief sought in the submitter's original and further submissions, and at the hearings on the objectives.
V1-0021	Lincoln Voice	FS008	Oppose	<i>Disallowed in part</i> The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.

Analysis

- 9.3. Gary and Lynda Burgess¹⁵ and Eliot Sinclair¹⁶ hold a neutral provision in relation to TRAN-R8. I recommend this submission point is accepted as no change is sought through the Variation.
- 9.4. Ara Poutama Aotearoa¹⁷ submitted on all provisions of the PDP amended by Variation 1 to the PDP. They have a neutral position on these specific changes however wish for the amendments to be made to the PDP as sought in the primary submission. As the submitter did not submit on the TRAN-Chapter through the submission process following notification of the PDP, I recommend the submission point is rejected as no change is sought through the Variation.
- 9.5. Jocelyn Humphreys¹⁸ supports the provision as notified as she considers that as a result of MDRS, there will be increased movements of private vehicles which will place increased maintenance

¹⁵ V1-0029.025 Gary and Lynda Burgess

¹⁶ V1-0032.023 Eliot Sinclair

¹⁷ V1-0056.010 Ara Poutama Aotearoa

¹⁸ V1-0058.002 Jocelyn Humphreys

requirements on the road network. I recommend this submission point is accepted in part as I am recommending amendments to TRAN-R8.

- 9.6. MoE¹⁹ seek that the preschool and school thresholds for basic integrated transport assessments (ITA's) are raised as in their view these are too low. The notified PDP threshold for a basic ITA for preschools is 40 children and for a school is 70 students. The submitter seeks this is raised to 50 and 150 respectively. The submitter has not provided any evidence as to why the higher figures are more appropriate. It is noted that the notified figures were arrived at through the baseline assessment report authored by Abley²⁰ on the PDP after a range of scenarios were tested in the Selwyn context. The submission point also seems to apply to all zones rather than MRZ raising a potential scope issue. In the absence of further evidence as to why the higher figures are more suitable and given the potential scope issue, I recommend this submission point is rejected.
- 9.7. Jeremy Alsop²¹ seeks that the Variation is deleted. This appears to be a general submission that opposes the changes made to facilitate the Variation. I recommend this submission point is rejected as there is no avenue available to Council to reject the requirement under the RMA-EHS to introduce MDRS into qualifying areas of the Selwyn District.
- 9.8. Ryman²² and RVA²³ oppose the thresholds for ITA's in the Variation and seek that TRAN-R8 is amended to permit retirement villages in all zones, amend the basic and full ITA thresholds for 'other activities' to include peak hour movements only and amend the matters of discretion to focus on the particular effects of relevance to exceeding the standard. I note that both submitters submitted on TRAN-R8 through the PDP submission process. Both submitters wish to see retirement villages excluded from the list of high trip generating activities.
- 9.9. In the S42a report on the Transport Hearing topic for the notified PDP, I recommended that retirement villages were excluded from residential activities and only captured under 'other activities' based on peak hour thresholds²⁴. This was based on Abley's advice and NZ Transport Agency Research Report 453²⁵ that retirement villages appear to have units that have half the peak hour trip generation of a typical dwelling or unit and it would be unfair to apply the same threshold to retirement villages. I therefore recommend the submission points are accepted in part and that this amendment is also made through the Variation to exclude retirement villages from 'residential activities' in MRZ in TRAN-R8 and thus rely on 'peak hour' generation under the 'other activities' category.
- 9.10. FENZ²⁶ support the additional requirements for high trip generating activities including residential developments of more than 20 units. Under the amendments to TRAN-R8, it is proposed that 20 sites, or 60 units, require a basic ITA. I recommend this submission point is accepted in part as no change is requested although the proposed trigger is for 20 sites, not 20 units.

¹⁹ V1-0073.002 MoE

²⁰ https://www.selwyn.govt.nz/_data/assets/pdf_file/0010/354556/Technical-memo-Transport-Components-Integrated-Transport-Assessments-25-October-2019.pdf

²¹ V1-0074.009 Jeremy Alsop

²² V1-0077.004 Ryman

²³ V1-0079.004 RVA

²⁴ https://www.selwyn.govt.nz/_data/assets/pdf_file/0005/497165/Councils-s42A-Transport-Report.pdf P100

²⁵ <https://www.nzta.govt.nz/assets/resources/research/reports/453/docs/453.pdf>

²⁶ V1-0090.005 FENZ

- 9.11. Anne Finch²⁷ seeks that access to Cedar Park is made a qualifying matter. This is based on concerns that there are too many properties located up Cedar Park, a private accessway, and further intensification will lead to a range of issues including the safety of the accessway itself as well loss of sunshine, privacy and boundary setbacks. I recommend this submission point is rejected as the submitter has not provided enough evidence as to why Cedar Park should be a qualifying matter. I note a similar point was made and captured in the S42a report for the District Wide, Area Specific and Qualifying Matters topic where a similar conclusion was reached. I note that the Variation is proposing to restrict the number of residential units that can establish as of right down an existing accessway through TRAN-REQ7 to no more than six. Therefore, if this recommended amendment in the Variation remains, further residential dwellings accessing off Cedar Park will require a resource consent where the safety of the existing accessway will be considered.
- 9.12. Kainga Ora²⁸ seek that residential activities should be deleted from TRAN-R8 as in their view the PDP should be enabling of residential development and requiring an ITA for this type of development is onerous and unnecessary. Kainga Ora particularly oppose applying a lower threshold for ITA's in the MRZ than in other residential areas. I recommend this submission point is rejected for the following reasons:
- 9.12.1. The submitter made a similar submission on the notified PDP. Abley at the time disagreed with the premise that residential activities should be excluded from the requirement for ITA's. I agreed with this as residential activities generate traffic and these effects on the transport network need to be assessed and potentially mitigated in a similar manner for other activities.
- 9.12.2. In relation to applying lower thresholds to MRZ, Abley²⁹ recommend that a basic ITA is required at 60 residential units and a full ITA at 150 residential units. This is a greater threshold than other residential zones in the PDP where the threshold is 50 and 120 respectively. However, given the potential for three residential units per site, a site based threshold is also applied which is lower than the number of units (the number of units and sites for other residential zones is proposed to be the same).
- 9.12.3. It is intended that the requirement for an ITA is obviated where there is an encumbrance (such as a consent notice or restrictive covenant) placed on property titles to prevent the density provisions of MDRS from occurring. In the Variation, this is through consideration of an additional matter in TRAN-MAT8, which would require a land use resource consent being sought through TRAN-R8 first. However, this would not be a significant imposition as this consent would likely be applied for contemporaneously with a resource consent for subdivision and processed together. The processing planner would then have a clear line of sight between any conditions proposed to restrict MDRS on sites created through subdivision and the need (or lack thereof) for an ITA.

²⁷ V1.0101.001 Anne Finch

²⁸ V1-0113.011 Kainga Ora

²⁹ https://www.selwyn.govt.nz/_data/assets/pdf_file/0007/1055869/Abley-Variation-to-the-PDP-Transport.pdf

- 9.13. CSI and RWRL³⁰ and RIDL³¹ seek that relief is granted as per the original and further submissions on the PDP. I recommend this submission point is accepted in part to the extent that I am recommending changes based on these submissions and the relief sought is within the scope of the Variation.
- 9.14. It is also recommended that TRAN-R8 is restructured to separate out the requirements for ITA's arising from land use and subdivision activities. This recommended change is made as a Clause 16 (2) RMA amendment. A consequential Clause 99 RMA amendment is also recommended so that residential subdivision that exceeds the threshold retains the same application status as those that do not exceed the threshold provided an appropriate ITA is undertaken. In the MRZ, this results in a controlled activity status while in other residential zones, this is restricted discretionary status. In this way an appropriate matter of control or discretion can be included without affecting the overall activity status.

Recommendation and amendments

- 9.15. I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:
- a) Exclude retirement villages from 'Residential in MRZ' in TRAN-TABLE2.
 - b) Clause 16(2) amendments to the structure of TRAN-R8 and a Clause 99 amendment to the activity status of ITA requirements for subdivision in MRZ.
- 9.16. It is recommended that submissions are accepted, accepted in part or rejected as shown in **Appendix 1**.
- 9.17. The scale of the change requires a S32AA evaluation which is included below.

S32AA evaluation

- 9.18. The following points evaluate the recommended changes under S32AA of the RMA.

Effectiveness and efficiency

- 9.19. Excluding retirement villages from 'Residential' activities in MRZ recognises that, on balance, they have a lower trip generation profile than other residential activities. This still enables them to be evaluated under the peak hour vehicle threshold. This adopts a risk based, evidence led approach which is consistent with the approach taken in the recommended amendments to the PDP. This is an efficient and effective means of achieving the TRAN-Objectives and SD-UFD-O1.

Costs and benefits

- 9.20. The major benefit will be a reduced need for retirement villages to need an ITA. However the size and scale of some retirement villages will mean that an ITA is required, based on triggering the peak hour threshold.

³⁰ V1-0114.079 CSI and RWRL

³¹ V1-0115.006 RIDL

Risk of acting or not acting

9.21. The risks are relatively minor in acting as the peak hour threshold provides a 'safety net' to consideration of transport effects from retirement villages.

Conclusion as to the most appropriate option

9.22. Based on the above assessment, it is considered that removing 'retirement villages' from 'Residential Activities' in MRZ is the most effective and efficient method to meet the objectives of the TRAN Chapter and SD-UFD-01.

10. Rule Requirements

Introduction

10.1. This section addresses submissions points on the rule requirements.

TRAN-REQ7

Submissions

10.2. 12 submission points and 19 further submission points were received on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	026	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	024	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS181	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS181	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS181	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS181	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0056	Ara Poutama Aotearoa	011	Neither Support Nor Oppose	Amend the PDP as set out in the original submission.
V1-0058	Jocelyn Humphreys	004	Support	Retain as notified.
V1-0074	Jeremy Alsop	010	Oppose	Delete as notified
V1-0077	Ryman	007	Oppose In Part	Amend to provide bespoke retirement village minimum requirements.
V1-0079	RVA	007	Oppose In Part	Amend to provide bespoke retirement village minimum requirements.
V1-0102	CSI	FS055	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS055	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0113	Kāinga Ora	FS041	Oppose	Disallow
V1-0114	CSI and RWRL	FS055	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS055	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0090	FENZ	006	Support In Part	Retain as notified.
V1-0112	Hughes	011	Support In Part	Amend as follows: 20. Where access is shared to more than <u>4 6</u> sites this shall be via a road. 21. Where access is shared to more than <u>6 10</u> sites this shall be via a road.
V1-0102	CSI	FS039	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS039	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS039	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS039	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	012	Oppose	Delete TRAN-REQ7.16-TRAN-REQ7.25 as notified.
V1-0055	AgResearch	FS046	Support	Allow the submission
V1-0102	CSI	FS277	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS277	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS277	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS277	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	082	Oppose	Grant the relief sought in original and further submissions, and at the hearings on the objectives, policies, and rules of the Proposed Plan.
V1-0115	RIDL	007	Support In Part	Grant the relief sought in the submitter's original and further submissions, and at the hearings on the objectives.
V1-0021	Lincoln Voice	FS009	Oppose	Disallowed in part The Council should recognise that it is clear that Rolleston Industrial Developments Limited (RIDL) could gain significant trade advantage from a number of changes that they propose to Variation 1. As such any

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
				<i>changes sought in their submission should be independently evaluated if they give a trade advantage, and if so declined.</i>

Analysis

- 10.3. Gary and Lynda Burgess³² and Eliot Sinclair³³ hold a neutral provision in relation to TRAN-REQ7. I recommend this submission point is accepted as no change is sought through the Variation.
- 10.4. Ara Poutama Aotearoa³⁴ have submitted on all provisions of the PDP amended by Variation 1 to the PDP. They have a neutral position on these specific changes however wish for the amendments to be made to the PDP as sought in the primary submission. As the submitter did not submit on the TRAN-Chapter through the submission process following notification of the PDP, I recommend the submission point is rejected as no change is sought through the Variation.
- 10.5. Jocelyn Humphreys³⁵ supports the provision as noted as she considers that as result of MDRS, there will be increased movements of private vehicles which will place increased maintenance requirements on the road network. I recommend this submission point is accepted.
- 10.6. Jeremy Alsop³⁶ seeks that the Variation is deleted. This appears to be a general submission that opposes the changes made to facilitate the Variation. I recommend this submission point is rejected as there is no avenue available to Council to reject the requirement under the RMA-EHS to introduce MDRS into qualifying areas of the Selwyn District.
- 10.7. Ryman³⁷ and RVA³⁸ seek that TRAN-REQ7 is amended to provide bespoke retirement village minimum requirements for shared accessways. In their view, those that are included in TRAN-TABLE3 are not fit for purpose for retirement villages. The submitters have not provided any evidence nor information on what standards are appropriate and why they should differ from those proposed in the Variation. I therefore recommend that the submission points are rejected.
- 10.8. FENZ³⁹ seek that TRAN-REQ7 is retained as notified. As I am not recommending any amendments, I recommend this submission point is accepted.
- 10.9. Hughes⁴⁰ seek that, in MRZ, up to six sites are a permitted activity under TRAN-REQ7 and up to 10 sites are a restricted discretionary activity. A similar submission was made on the notified PDP. In their view, restricting the number of sites accessed off a private accessway has led to poor development outcomes with roads being created where a right of way would be a more efficient use of the land. Increasing the number of allotments will provide greater efficiency in developing

³² V1-0029.026 Gary and Lynda Burgess

³³ V1-0032.024 Eliot Sinclair

³⁴ V1-0056.011 Ara Poutama Aotearoa

³⁵ V1-0058.004 Jocelyn Humphreys

³⁶ V1-0074.009 Jeremy Alsop

³⁷ V1-0077.007 Ryman

³⁸ V1-0079.007 RVA

³⁹ V1-0090.006 FENZ

⁴⁰ V1-0112.011 Hughes

land, removes the dominance of vehicles and garaging from the streetscape and is consistent with how other territorial authorities treat the issue.

10.10. I recommend this submission point is rejected for the following reason:

10.10.1. The S32 evaluation⁴¹ sets out the reasons why accessways servicing multiple sites is not desirable in the Selwyn context and why this has historically been problematic. Typically, they have been poorly designed with long accessways serving multiple sites which has created safety issues. Six sites served by an accessway is considered to be the maximum number desirable before vesting to Council as a road. The changes proposed through the Variation to lower this to four sites are necessary to manage the traffic and safety impacts of intensification on accessways, given the potential for multiple units as of right on single sites in MRZ.

10.11. Kainga Ora seek that TRAN-REQ7.16-25 is deleted as notified. This is on the basis that they consider that the provisions are onerous and unnecessary and do not enable residential development. I recommend this submission point is rejected for the following reasons:

10.11.1. In my view, the provisions are necessary to manage the traffic and safety impacts of intensification on accessways as detailed in the S32 evaluation report. It is intended that the more restrictive dimensions for accessways in MRZ are obviated where there is an encumbrance (such as a consent notice or restrictive covenant) placed on property titles. In the Variation, this is through consideration of an additional matter in TRAN-MAT2.8, which would require a resource consent being sought through TRAN-REQ7 first.

10.11.2. This would not be a significant imposition for new accessways proposed through subdivision as this consent would likely be applied for contemporaneously with a resource consent for subdivision and processed together. The processing planner would then have a clear line of sight between any conditions proposed to restrict MDRS on sites created through subdivision and a non-compliant accessway.

10.11.3. For existing accessways, it is reasonable to require resource consent for additional residential units beyond six, as most accessways in Selwyn District have been designed for vehicle movements from up to six residential units (being the maximum allowed before having to be vested as a road).

10.12. I also note that TRAN-REQ7.16-19 are outside the scope of the Variation as they deal with zones other than MRZ.

10.13. CSI and RWRL⁴² and RIDL⁴³ seek that relief is granted as per the original and further submissions on the PDP. I recommend this submission point is accepted in part to the extent that I am recommending changes based on these submissions and the relief sought is within the scope of the Variation.

⁴¹ https://www.selwyn.govt.nz/_data/assets/pdf_file/0009/1055934/Section-32-Report.pdf

⁴² V1-0114.082 CSI and RWRL

⁴³ V1-0115.007 RIDL

Recommendation

10.14. I recommend, for the reasons given above, that the Hearings Panel, retain TRAN-REQ7 as notified in the Variation.

10.15. It is recommended that submissions are accepted, accepted in part or rejected as shown in **Appendix 1**.

TRAN-REQ16

Submissions

10.16. One submission point was received on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0092	SDC	009	Support In Part	Insert as follows: <u>MRZ</u> <u>5. All activities shall provide sufficient on-site manoeuvring to ensure that vehicles do not reverse either onto or off a site which has access to a Collector Road.</u> <u>Activity status when compliance is not achieved:</u> <u>6. Activity status when compliance with TRAN-REQ16.5 is not achieved: DIS.</u> Or alternative relief to achieve the requested outcome.

Analysis

10.17. SDC⁴⁴ seek that a requirement for on-site manoeuvring space be included under MRZ. This is due to the reduced street setback and likelihood there will be less on-site manoeuvring space and therefore a greater risk of cars reversing onto collector roads which would create a safety hazard. Under the PDP, a resource consent is required where three or more on-site parking spaces are provided and sufficient manoeuvring space is not provided and the site is served by a collector road.

10.18. I agree with this reasoning as the reduced setback enabled by MRZ could result in less space for manoeuvring. Collector roads carry higher volumes of traffic than local roads where road speeds may be higher. This creates a safety risk and it is appropriate that resource consent be required in this instance. I therefore recommend this submission point be accepted.

Recommendations and amendments

10.19. I recommend, for the reasons given above that the Hearings Panel, as set out in **Appendix 2**:

- a) amend TRAN-REQ16 to include a requirement that sites in MRZ that are served by a collector road must provide sufficient on-site manoeuvring space or require a resource consent.

10.20. It is recommended that submissions are accepted in part as shown in **Appendix 1**.

10.21. A S32AA evaluation is included below.

⁴⁴ V1-0092.009 SDC

S32AA evaluation

10.22. The following points evaluate the recommended changes under S32AA of the RMA.

Effectiveness and efficiency

10.23. Requiring sufficient manouvering space (not limited to three or more parking spaces) for Collector Roads is appropriate as Collector Roads carry a higher level of traffic. The PDP requires greater setbacks in residential zones than prescribed in MRZ which allows for greater flexibility. Given the reduced street setback anticipated higher levels of traffic (motorised or otherwise), there is a greater risk of traffic reversing on to the street. This is inconsistent with (broadly) SD-UFD-O1, where urban environments must function to provide for the health and safety of people and the TRAN-Objectives through potentially compromising the safety and efficiency of land transport corridors.

Costs and benefits

10.24. The major benefit will be a reduction in the potential for accidents from reversing out onto Collector Roads. This could also impact on the efficiency, safety and performance of the Collector Road network where higher speeds and levels of service are expected. A cost would be the requirement to either provide the required manouvering space, potentially limiting density as buildings would need to be set further back from the street, or otherwise apply for resource consent. Overall, I consider that the costs outweigh the benefits.

Risk of acting or not acting

10.25. A risk of not acting would be the potential for a greater risk of accidents and a negative impact on the safety and performance of the Collector road network.

Conclusion as to the most appropriate option

10.26. Based on the above assessment, it is considered that the amendment is the most effective and efficient method to meet the objectives of the Plan, namely SD-UFD-O1 and the TRAN-Objectives.

11. Transport Matters for Control or Discretion

Introduction

11.1. This section addresses assessment matters for control or discretion.

TRAN-MAT2***Submissions***

11.2. Four submission points and six further submission points were received on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	048	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	025	Neither Support Nor Oppose	Not specified.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0102	CSI	FS182	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS182	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS182	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS182	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0058	Jocelyn Humphreys	007	Support	Retain as notified.
V1-0090	FENZ	007	Support In Part	Amend as follows: 1. Any effects on the ease and safety of vehicle manoeuvring <u>including on emergency access to the site and any firefighting water supplies</u>
V1-0077	Ryman	FS033	Oppose	Disallow the submission
V1-0079	RVA	FS033	Oppose	Disallow the submission

Analysis

- 11.3. Gary and Lynda Burgess⁴⁵ and Eliot Sinclair⁴⁶ hold a neutral provision in relation to TRAN-MAT2. I recommend this submission point is accepted as no change is sought through the Variation.
- 11.4. Jocelyn Humphreys⁴⁷ supports the provision as noted as she considers that as result of MDRS, there will be increased movements of private vehicles which will place increased maintenance requirements on the road network. I recommend this submission point is accepted as I am not recommending any changes to TRAN-MAT2 in the Variation.
- 11.5. FENZ⁴⁸ seek that TRAN-MAT2 explicitly refer to emergency access to the site and any firefighting water supplies in clause 1. This provision, which relates to all zones, is not within scope of the Variation. TRAN-MAT2.1-6 was addressed in Section 13 of the s42A report for the Transport chapter and therefore further amendments to this part of TRAN-MAT2 are out of scope. I therefore recommend that the submission point is rejected. I note that changes are sought by FENZ to increase accessway widths in TRAN-TABLE3 and this is discussed in more detail below.

Recommendations and amendments

- 11.6. I recommend, for the reasons given above, that the Hearings Panel retain TRAN-MAT2 as notified in the Variation.
- 11.7. It is recommended that submissions are either accepted, accepted in part or rejected as shown in **Appendix 1.**

⁴⁵ V1-0029.048 Gary and Lynda Burgess

⁴⁶ V1-0032.025 Eliot Sinclair

⁴⁷ V1-0058.007 Jocelyn Humphreys

⁴⁸ V1-090.007 FENZ

TRAN-MAT8***Submissions***

11.8. Nine submission points and 22 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	049	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	026	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS183	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS183	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS183	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS183	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0058	Jocelyn Humphreys	008	Support	Retain as notified.
V1-0077	Ryman	005	Oppose In Part	Amend the matters of discretion to include require consideration of whether the development generates the same or less traffic than anticipated by the site zoning.
V1-0077	Ryman	006	Oppose In Part	Amend as follows: 5. Whether the ITA has been prepared by a suitably qualified and experienced transport specialist and has been approved by SDC.
V1-0079	RVA	005	Oppose In Part	Amend the matters of discretion to include require consideration of whether the development generates the same or less traffic than anticipated by the site zoning.
V1-0102	CSI	FS053	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS053	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS039	Oppose	<i>Disallow</i>
V1-0114	CSI and RWRL	FS053	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS053	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0079	RVA	006	Oppose In Part	Amend as follows: 5. Whether the ITA has been prepared by a suitably qualified and experienced transport specialist and has been approved by SDC.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0102	CSI	FS054	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS054	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	FS040	Oppose	Disallow
V1-0114	CSI and RWRL	FS054	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS054	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0090	FENZ	008	Support In Part	Amend as follows: 1. Whether the provision of access and on-site manoeuvring areas associated with the activity, including vehicle loading, and servicing deliveries <u>and emergency access arrangements</u> , affects the safety, efficiency, accessibility (including for people whose mobility is restricted) of the site, and the land transport network (including considering the network classification of the frontage road).
V1-0077	Ryman	FS034	Oppose	Disallow the submission
V1-0079	RVA	FS034	Oppose	Disallow the submission
V1-0113	Kāinga Ora	013	Oppose	Delete TRAN-MAT8.6 as notified.
V1-0055	AgResearch	FS047	Support	Allow the submission
V1-0083	Waka Kotahi	FS029	Oppose	Reject the submission point
V1-0102	CSI	FS278	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS278	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS278	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS278	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Analysis

- 11.9. Gary and Lynda Burgess⁴⁹ and Eliot Sinclair⁵⁰ hold a neutral provision in relation to TRAN-MAT8. I recommend this submission point is accepted as no change is sought through the Variation.
- 11.10. Jocelyn Humphreys⁵¹ supports the provision as noted as she considers that as result of MDRS, there will be increased movements of private vehicles which will place increased maintenance

⁴⁹ V1-0029.048 Gary and Lynda Burgess

⁵⁰ V1-0032.025 Eliot Sinclair

⁵¹ V1-0058.007 Jocelyn Humphreys

requirements on the road network. I recommend this submission point is accepted as I am not recommending any changes to TRAN-MAT8 in the Variation.

- 11.11. Ryman⁵² and RVA⁵³ seek that matters of discretion include consideration of whether the development generates the same or less traffic than anticipated by the site zoning by clarifying the meaning of ‘additional traffic’ (TRAN-MAT8.3). This provision, applicable to all zones, is not within scope of the Variation. TRAN-MAT8.1-5 was addressed in Section 13 of the s42A report for the Transport chapter for the PDP Hearings and therefore further amendments to this part of TRAN-MAT8 are out of scope. I therefore recommend that the submission point is rejected. I note that I am recommending changes to TRAN-R8 to exclude ‘retirement villages’ from ‘residential activities’ in MRZ which may provide some relief to the submitter.
- 11.12. Ryman⁵⁴ and RVA⁵⁵ seek that TRAN-MAT8.5 is amended to delete the reference to Council ‘approving’ an ITA. This provision, applicable to all zones, is not within scope of the Variation. TRAN-MAT8.1-5 was addressed in Section 13 of the s42A report for the Transport chapter in the PDP Hearings and therefore further amendments to this part of TRAN-MAT8 are out of scope. I therefore recommend that the submission point is rejected. I note that my recommendation in the S42a report for the TRAN chapter for the PDP transport hearing was that this requirement be deleted.
- 11.13. FENZ⁵⁶ seek that TRAN-MAT8.1 is amended to include a requirement to consider emergency access arrangements in an ITA. This provision, applicable to all zones, is not within scope of the Variation. TRAN-MAT8.1-5 was addressed in Section 13 of the s42A report for the Transport chapter and therefore further amendments to this part of TRAN-MAT8 are out of scope. I therefore recommend that the submission point is rejected.
- 11.14. Kainga Ora⁵⁷ seek that TRAN-MAT8.6 is deleted as they object to residential activities being considered as high trip generating activities. I recommend this submission point is rejected consistent with my recommendation for a similar submission point made by the submitter on TRAN-R8.
- 11.15. It is recommended that TRAN-MAT8 is reconfigured to improve readability. This change is recommended as a Clause 16(2) RMA amendment.

Recommendation

- 11.16. I recommend, for the reasons given above, that the Hearings Panel, retain TRAN-MAT8 as notified in the Variation (aside from reconfiguring TRAN-MAT8 to improve readability without changing the content).
- 11.17. It is recommended that submissions are accepted, accepted in part or rejected as shown in **Appendix 1**.

⁵² V1-0077.005 RVA

⁵³ V1-0079.005 Ryman

⁵⁴ V1-0077.006 RVA

⁵⁵ V1-0079.006 Ryman

⁵⁶ V1-0090.008 FENZ

⁵⁷ V1-0113.013 Kainga Ora

12. Transport Schedules

Introduction

12.1. This section of the report addresses submission points on the Transport Schedules.

TRAN-TABLE3

Submissions

12.2. Eight submission points and 17 further submissions were received on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	050	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	027	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS184	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS184	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS184	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS184	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0058	Jocelyn Humphreys	005	Support	Retain as notified.
V1-0077	Ryman	008	Oppose In Part	Amend TRAN-TABLE3 to provide bespoke retirement village minimum requirements.
V1-0079	RVA	008	Oppose In Part	Amend to provide bespoke retirement village minimum requirements.
V1-0102	CSI	FS056	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS056	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	FS042	Oppose	Disallow
V1-0114	CSI and RWRL	FS056	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS056	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0090	FENZ	009	Oppose In Part	Amend all carriageway widths currently less than 4.0m wide to a minimum of 4.0m wide.
V1-0113	Kāinga Ora	015	Support In Part	Amend TRAN-TABLE3 as per original submission point (DPR-0414.042).

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0102	CSI	FS280	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS280	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS280	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS280	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0113	Kāinga Ora	016	Oppose	Amend TRAN-TABLE3 to remove reference to MRZ
V1-0102	CSI	FS281	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0103	CGPL	FS281	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0114	CSI and RWRL	FS281	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>
V1-0115	RIDL	FS281	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Analysis

- 12.3. Gary and Lynda Burgess⁵⁸ and Eliot Sinclair⁵⁹ hold a neutral provision in relation to TRAN-TABLE3. I recommend this submission point is accepted as no change is sought through the Variation.
- 12.4. Jocelyn Humphreys⁶⁰ supports the provision as noted as she considers that as result of MDRS, there will be increased movements of private vehicles which will place increased maintenance requirements on the road network. I recommend this submission point is accepted in part as I am recommending an amendment to TRAN-TABLE3.
- 12.5. Ryman⁶¹ and RVA⁶² seek that TRAN-TABLE3 is amended to provide bespoke retirement village minimum requirements for shared accessways. In their view, those that are included in TRAN-TABLE3 are not fit for purpose for retirement villages. The submitters have not provided any evidence nor information on what standards are appropriate and why they should differ from those proposed in the Variation. I therefore recommend that the submission points are rejected.
- 12.6. FENZ⁶³ seek that all carriageway widths are amended to a minimum of 4m wide to enable a fire appliance to access the driveway and properties in an emergency. Whilst the FENZ relief seeks this

⁵⁸ V1-0029.050 Gary and Lynda Burgess

⁵⁹ V1-0032.027 Eliot Sinclair

⁶⁰ V1-0058.005 Jocelyn Humphreys

⁶¹ V1-0077.008 Ryman

⁶² V1-0079.008 RVA

⁶³ V1-0090.009 FENZ

for all accessways, in the body of their submission FENZ indicates this should apply to accessways over 90m in length. They note that even where the legal width is wider than the carriageway width, this might be taken up by landscaping which could further restrict a fire appliance.

- 12.7. I note that the submitter made a similar submission on the PDP in relation to access for firefighting. In their expert evidence to support the S42a report, Abley recommended a requirement for vehicle accesses to be wide enough to accommodate a fire appliance where the access is too long to be served by road. I accepted this advice and recommended the submission point was accepted and that it applies to accessways more than 90m in length.
- 12.8. Similarly, for the Variation, I agree that for reasons of health and safety, a fire appliance must be able to access properties. Therefore, I recommend that the submission point is accepted and that TRAN-TABLE3 is amended to require that 4m carriageway widths are obtained for accessways that are proposed to be more than 90m in length. The scope for this change is restricted to the MRZ, noting that its application to other residential zones has been addressed in Section 14 of the s42A report for the TRAN chapter.
- 12.9. Kainga Ora⁶⁴ seek that TRAN-TABLE3 is amended as per submission point DPR-0414.042 on the PDP. This sought that a higher threshold would apply to accessway dimensions so that the requirement for 4-6 sites instead applies to 4-9 sites and a new 10+ site standard is created. Kainga Ora also object to turning areas being required as they consider that these should be assessed on a case-by-case basis. Finally, they seek that 'MRZ' is deleted from TRAN-TABLE3 and the same standard is applied across all residential zones. I recommend this submission point is accepted in part for the following reasons:
- 12.9.1. I do not agree with the higher thresholds sought by the submitter for reasons previously discussed. Where there are more than six sites to be served by an accessway, a discretionary rather than non-complying activity as originally notified in the PDP is recommended for MRZ as this is more consistent with the objectives and policies of the TRAN Chapter.
- 12.9.2. In relation to turning areas, Abley noted in their technical note accompanying the S42a on the PDP Transport Hearing that individual driveways that branch off accessways can be readily used for turning for smaller vehicles. I noted that whilst this is reliant on using private property to turn around, accessways are themselves private and in reality, users of them are likely to be the property owners themselves or visitors rather than general traffic. As such requiring any turning areas on residential accessways can be seen as unnecessary and therefore Abley recommend they could be optional regardless of the length. Consistent with this advice, I recommend that turning areas are optional on residential accessways for 3-4 sites, over 50m in length.
- 12.9.3. In relation to applying the same accessway standard across all residential areas, I also do not agree with this for reasons previously discussed concerning access and safety.

⁶⁴ V1-0113.015 and 016 Kainga Ora

Recommendations and amendments

12.10. I recommend, for the reasons given above that the Hearings Panel, as set out in **Appendix 2**:

- a) amend TRAN-TABLE3 so that all accessways in MRZ have a minimum carriageway width of 4m, where greater than 90m in length to accommodate fire appliances.
- b) amend TRAN-TABLE-3 so that turning areas are optional where accessways serve 3-4 sites and are over 50m in length.

12.11. It is recommended that submissions are accepted in part as shown in **Appendix 1**.

12.12. A S32AA evaluation is included below.

S32AA evaluation

12.13. The following points evaluate the recommended changes under S32AA of the RMA.

Effectiveness and efficiency

12.14. Requiring adequate accessway widths for fire appliances is more effective and efficient as it will provide for the health and safety of communities. Optional, rather than required, turning areas is also efficient as it provides greater flexibility, while still being effective at protecting health and safety. This is consistent with objectives SD-UFD-O1 and the objectives within the TRAN Chapter.

Costs and benefits

12.15. The major benefit will be for FENZ to be able to access rights of way to attend emergency incidents. A cost would be developers having to provide wider accessways.

Risk of acting or not acting

12.16. A risk of not acting would be the potential for a greater risk of harm from fires and other emergencies.

Conclusion as to the most appropriate option

12.17. Based on the above assessment, it is considered that the amendment is the most effective and efficient method to meet SF-UFD-O1 and the objectives within the TRAN Chapter.

TRAN-TABLE7

Submissions

12.18. Seven submission points and 12 further submission points were received in relation to this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0029	Gary and Lynda Burgess	051	Neither Support Nor Oppose	Not specified.
V1-0032	Eliot Sinclair	028	Neither Support Nor Oppose	Not specified.
V1-0102	CSI	FS185	Support	<i>Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.</i>

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0103	CGPL	FS185	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS185	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS185	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0058	Jocelyn Humphreys	006	Support	Retain as notified.
V1-0090	FENZ	010	Support	Retain as notified
V1-0092	SDC	008	Oppose	Amend TRAN-TABLE7 to include a new road classification - Local Road (Major) or similar relief that achieves a category of road between a local road and collector road in MRZ.
V1-0113	Kāinga Ora	017	Oppose	Delete TRAN-TABLE7 and undertake a full review of the table so that the standards are more appropriately set to effectively manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.
V1-0102	CSI	FS282	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS282	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS282	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS282	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0113	Kāinga Ora	018	Oppose	Delete TRAN-TABLE7 and undertake a full review of the table so that the standards are more appropriately set to effectively manage the safety and efficiency of the transport network, while recognising and providing for residential intensification.
V1-0102	CSI	FS283	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0103	CGPL	FS283	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0114	CSI and RWRL	FS283	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.
V1-0115	RIDL	FS283	Support	Adopt to the extent the relief sought is consistent with the relief sought by the Submitters.

Analysis

- 12.19. Gary and Lynda Burgess⁶⁵ and Eliot Sinclair⁶⁶ hold a neutral provision in relation to TRAN-TABLE7. I recommend this submission point is accepted as no change is sought through the Variation.
- 12.20. Jocelyn Humphreys⁶⁷ supports the provision as notified as she considers that as result of MDRS, there will be increased movements of private vehicles which will place increased maintenance requirements on the road network. I recommend this submission point is accepted in part as I am recommending an amendment to TRAN-TABLE7.
- 12.21. FENZ⁶⁸ seek that TRAN-TABLE7 is retained as notified. I recommend this submission point is accepted in part as I am recommending an amendment to TRAN-TABLE7.
- 12.22. SDC⁶⁹ seek that TRAN-TABLE7 is amended to include a new road classification – ‘Local Road (Major)’ - so that there is a category of road between local and collector road as presently there is a large gap in provision between these two categories. No suggestion has been made in the submission as to what the dimensions of this proposed classification should be.
- 12.23. A ‘Local Road (Major)’ classification is present in the Operative District Plan. The dimensions of this roading classification are 16-20m legal width and a carriageway width of 8.5-9m. Under the PDP Variation, whilst carriageway widths are to remain the same, it is proposed to have wider legal widths for the Local Roading category in MRZ of between 15-17m to accommodate additional walking and cycling opportunities and parking lanes in the future if necessary. A Collector Road in MRZ is proposed to be between 20-25m legal width with a carriageway width of between 13-14m.
- 12.24. It is unclear why ‘Local Road (Major)’ was discontinued between the Operative District Plan and the PDP as I understand it does ‘fill a gap’ where it is unnecessary or undesirable to provide a collector road. As discussed, in MRZ, due to the potential for intensification, wider road widths may be necessary to accommodate additional services, footpaths and the like. A Local Road (Major) provides more flexibility for developers to provide an intermediate roading category between a local road and collector road which may be necessary in MRZ. I also understand that Council’s preference is to have a footpath on both sides for this category (as per the Selwyn Engineering Code of Practice). I therefore recommend the submission point is accepted and the standards for Local Road (Major) in the Operative District Plan are incorporated into the Variation (with the additional requirement for a footpath on both sides).
- 12.25. Kainga Ora⁷⁰ seek that TRAN-TABLE7 is deleted and a full review of the table is undertaken so that standards are more appropriately set to effectively manage the safety and efficiency of the transport network while recognising and providing for residential intensification. The submitter is opposed to the provision of more onerous road formation standards in MRZ than other residential zones. I recommend this submission point is rejected. The S32 report⁷¹ articulated why wider legal road widths were necessary in order to futureproof the transport network to enable Council to

⁶⁵ V1-0029.050 Gary and Lynda Burgess

⁶⁶ V1-0032.027 Eliot Sinclair

⁶⁷ V1-0058.005 Jocelyn Humphreys

⁶⁸ V1-0090.010 FENZ

⁶⁹ V1-0092.008 SDC

⁷⁰ V1-0113.017 and 018 Kainga Ora

⁷¹ https://www.selwyn.govt.nz/__data/assets/pdf_file/0009/1055934/Section-32-Report.pdf

provide future walking and cycling opportunities, parking lanes and servicing corridors and, if necessary, widen carriageways to accommodate public transport.

Recommendations and amendments

12.26. I recommend, for the reasons given above, that the Hearings Panel, as set out in **Appendix 2**:

- a) Include a Local Road (Major) Category in MRZ with dimensions that are the same as in the Operative District Plan (with the additional requirement for a footpath on both sides).

12.27. It is recommended that submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

12.28. A s32AA evaluation is included below.

S32AA evaluation

12.29. The following points evaluate the recommended changes under S32AA of the RMA.

Effectiveness and efficiency

12.30. The amendments would more effectively and efficiently meet the TRAN-Objectives by ensuring that roads are designed to the appropriate level of service for MRZ.

Costs and benefits

12.31. The major benefit will be ensuring there is suitable space for servicing, landscaping and to accommodate all forms of traffic generated by MRZ. The amendment allows more flexibility to provide an intermediate category of road between 'local' and 'collector'.

Risk of acting or not acting

12.32. A risk of not acting would be less flexibility to provide an appropriate roading design in MRZ.

Conclusion as to the most appropriate option

12.33. Based on the above assessment, it is considered that the amendment is the most effective and efficient method to meet the objectives of the Plan, namely the TRAN-Objectives.

13. New Provisions

Introduction

13.1. This section addresses proposed new provisions.

Submissions

13.2. One submission point and two further submission points were received on this subtopic.

Submitter ID	Submitter Name	Submission Point	Position	Decision Requested
V1-0046	Denise Carrick	005	Support	Seeks that Council include some off-street parking requirements for medium density developments.
V1-0077	Ryman	FS028	Oppose	Disallow the submission
V1-0079	RVA	FS028	Oppose	Disallow the submission

Analysis

- 13.3. Denise Carrick⁷² seeks that Council include some off-street parking requirements for medium density development. I recommend this submission point is rejected. Under cl3.38 of the NPS-UD, district plans are not able to specify minimum car parking levels for development activities. Council must instead ensure that these effects are managed through comprehensive parking management plans.

Recommendations and amendments

- 13.4. I recommend, for the reasons given above, that the Hearings Panel make no amendment to the Variation with respect to this submission point.
- 13.5. It is recommended that submissions are either accepted, accepted in part or rejected as shown in **Appendix 1**.

14. Conclusion

- 14.1. For the reasons set out in the Section 32AA evaluations and included throughout this report, I consider that the recommended amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of this plan and other relevant statutory documents.

⁷² V1-0046.005 Denise Carrick