

D12 14.12 Transportation

This report section is D12 of Part D Submissions Analysis of the section 42A report on the Infrastructure and Energy topic, Proposed Waikato District Plan.

Section 14.12 contains plan provisions for the management of transport across all zones, including management of roads, the design of sites including access and loading, and the traffic generation arising from activities. The plan provisions are as follows:

- 14.12.1 Permitted Activities
- 14.12.2 Restricted Discretionary Activities
- 14.12.3 Discretionary Activities
- 14.12.4 Non-complying Activities (placeholder)
- 14.12.5 Transportation tables and figures

I Introduction

1. The main themes in submissions on the Transportation section are:
 - a. Safety and sightline provisions
 - b. Vehicle access design requirements, including access by emergency services vehicles
 - c. Traffic generation/vehicle movement controls
 - d. Car parking requirements for various activities
 - e. Corrections and clarifications to wording and terminology
 - f. Consistency of technical rules with latest transport Standards, Manuals and guidance
 - g. A new zone and specific activity and development standards, including for transport, for a Kimihia Lakes Recreation and Events Park
 - h. Provisions for sensitive land uses close to major transport routes
 - i. Road hierarchy classifications.
2. *Watercare Services Limited has further submissions on many submission points, but is intending to provide a new set of provisions.* The Watercare further submissions are not shown against individual submission points in the analysis of submissions nor addressed directly, and should be accepted or rejected in accordance with the responses to the original submission points. Watercare further submissions are identified in Appendix I along with recommendations. The further submissions provide Watercare with standing on these issues, including the right to be heard and appeal rights.
3. Waikato Regional Policy Statement (RPS) on Transport

The PWDP is required to give effect to the RPS. The RPS identifies that development of the built environment including infrastructure has the potential to positively or negatively impact on the community's ability to sustainably manage natural and physical resources and provide for wellbeing. There is a focus on, amongst other things, i) the integrated relationship between land use and development, and the transport infrastructure network.
4. RPS Objective 3.12 Built environment states: "Development of the built environment (including transport and other infrastructure) and associated land use occurs in an integrated, sustainable and planned manner which enables positive environmental, social, cultural and economic outcomes."

5. RPS Policies on Air quality recognise the impacts of transport on air quality (emissions), and consequently promote the benefits of alternative modes of transport (including cycling and walking).
6. RPS Policies relating to the Built environment seek that planned and co-ordinated subdivision, use and development of the built environment, including transport, occurs in a planned and co-ordinated manner. This group of policies includes reverse sensitivity, advocacy and development manuals, and multi-modal transport links and connectivity, both within areas of new urban development, and to neighbouring areas and existing transport infrastructure; and how the safe and efficient functioning of existing and planned transport and other regionally significant infrastructure will be protected and enhanced. Co-ordinating growth and transport infrastructure is a particular focus of the built environment policy framework. Reviews of the Regional Land Transport Plan will align with the growth strategies (including Future Proof). The efficient and effective functioning of infrastructure, including transport corridors, will be maintained, along with the ability to maintain and upgrade that infrastructure.
7. The Proposed Waikato District Plan (PWDP) is required to give effect to the RPS through:
 - a. roading patterns and design that support the use of public transport;
 - b. walking and cycling facilities that are integrated with developments;
 - c. the different transport modes being well connected;
 - d. industry being located where there is good access to strategic transport networks and road, rail or freight hubs;
 - e. development maintaining and enhancing the safe, efficient and effective use of existing infrastructure and being integrated with future infrastructure needs where these can be determined;
 - f. development not adding to existing road safety risks and, where possible, reducing such risks;
 - g. development not unnecessarily preventing likely future network infrastructure improvements and upgrades;
 - h. development patterns supporting the use of rail or sea for freight movement;
 - i. provisions supporting the travel demand management components of the Regional Land Transport Plan; and
 - j. development recognising the transport hierarchy and manages effects on the function of transport infrastructure.
8. In addition, giving effect to the RPS requires addressing the following policies:

Policy 6.3.5: Transport planning - Waikato Regional Council will promote the integrated management of land use and transport through involvement with the management of national, regional, sub-regional and district transportation policies, actions and funding.

Policy 6.3.8: Integrated Transport Assessments - Territorial authorities should ensure an Integrated Transport Assessment is prepared to support a structure plan, plan change or resource consent application where the development may result in additional major trip-generating activities.

2 General on Transportation

Submission point	Submitter	Decision requested
588.57	Woolworths NZ Ltd	Retain restricted discretionary activity status for activities that infringe permitted activity standards in terms of transport, including the assessment criteria
695.145	Sharp Planning Solutions Ltd	Amend Section 14.12 Transportation, to change the driveway gradient from 12.5% maximum for a concrete drive to 20%.
FS1287.30	Blue Wallace Surveyors Ltd	<i>Supports 695.145, Submitter considers that this point appropriately advises users of the District Plan that demographic changes (i.e., growth) are not constant - but rather subject to population 'spikes' that cannot be accurately forecast. [Irrelevant or wrongly coded]</i>
697.80	Waikato District Council	<p>Add to Rule 14.12.1 Permitted Activities a new rule as follows:</p> <p><u>P10 Esplanade reserves and strips where a road is stopped</u></p> <p><u>14.12.1.10 (a) Where land comprising a stopped road or any part of a stopped road adjoins:</u></p> <p><u>(i) the mark of mean high water springs of the sea; or</u></p> <p><u>(ii) the bank of any river with an average width of 3 metres or more; or</u></p> <p><u>(iii) the margin of any lake with an area of 8 hectares or more</u></p> <p><u>Section 345(3) of the Local Government Act 1974 and section 118 of the Public Works Act 1981 will apply only where the land comprising the stopped road or part of the stopped road is identified:</u></p> <p><u>(iv) in Appendix 5 (Esplanade Priority Areas); or</u></p> <p><u>(v) on the planning maps as requiring an esplanade reserve, esplanade strip or access strip to be set aside.</u></p> <p>AND</p> <p>Add a new rule in Discretionary Rule 14.12.3 as follows:</p> <p><u>D3 Esplanade reserves where a road is stopped that does not comply with Rule 14.12.1.10</u></p>
184.10 260.10 335.11 584.10	Vera Wenekers: Pam Ferguson Charitable Trust and Allen Fabrics Limited; Willemien Wenekers; Allen Fabrics Limited	No specific decision sought, but the submissions note that the Regional Infrastructure Technical Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the Kimihia Lakes Recreation and Events Park.
372.15	Auckland Council	Retain Transportation 14.12.1 (a) Permitted Activities

749.75	HNZC	Retain Rule 14.12.1 Permitted Activities as notified.
FS1118.15; FS1304.8	Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart / Meremere Dragway Inc.	Opposes 749.75
986.87	KiwiRail	<p>Add a new Activity-specific condition to Rule 14.12.1.1 relating to PI Permitted activities as follows (or similar amendments to achieve the requested relief):</p> <p>(l) All activities must comply with the following vehicle access conditions:...</p> <p><u>(h) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in 14.12.5 Railway Level Crossing Sight Triangles and Explanations.</u></p> <p>AND</p> <p>Add new Railway Level Crossing Sight Triangles and Explanations to Rule 14.12.5 Transportation tables and figures. See Appendix 6 of original submission for details of the provisions sought and diagrams; [shown in full in Recommended Amendments section below]</p> <p>AND</p> <p>Add a new activity RD10 to Rule 14.12.2 Restricted Discretionary activities as follows:</p> <p><u>RD10 Buildings and structures within a road/rail level crossing sight triangle</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <u>1. The extent to which the safety and efficiency of rail and road operations will be adversely affected</u> <u>2. The outcome of any consultation with KiwiRail</u> <u>3. Any characteristics of the proposed use that will make compliance unnecessary.</u>

2.1 Analysis

9. **Woolworths NZ Ltd [588.57]** seeks to retain restricted discretionary activity status for activities that infringe permitted activity standards in terms of transport, including the assessment criteria. The submitter supports the assessment criteria associated with the restricted discretionary activity status within the Transport chapter, considering them well-drafted and appropriate.
10. I recommend acceptance of Woolworths NZ Ltd [588.57] because this is consistent with the s32 evaluation and the approach of the PWDP.
11. **Sharp Planning Solutions Ltd [695.145]** seeks to amend Section 14.12 Transportation, to change the driveway gradient from 12.5% maximum for a concrete drive to 20%. The submitter considers this is required to achieve sub-regional consistency (with Hamilton and Tauranga), as there is no reason for variation to occur.

12. The Operative Waikato District Plan requires that the driveway gradient be no steeper than 12° (approximately 20%) within 10m of a road. The Regional Infrastructure Technical Specifications (RITS) require residential roads to be no steeper than 12.5%, and urban residential private ways to be no steeper than 17%. In other district plans, 20% is a common maximum driveway gradient, and in some cases steeper sealed or concrete parts are permitted to 25%. Heavy vehicles would generally require a maximum gradient of 12.5%.
13. The vehicle access standards within the PWDP do not specify driveway gradient and therefore gradient is not a trigger for resource consent. Instead the PWDP identifies vehicle access design as a matter of discretion for subdivision, which is a restricted discretionary activity. I recommend no change unless comprehensive guidance is to be provided within the PWDP on different circumstances of vehicle access. The Council has adopted the Regional Infrastructure Technical Standards (RITS) and potential adverse safety effects due to driveway gradient are able to be considered at the time of subdivision.
14. The further submission from *FS/287.30 Blue Wallace Surveyors Ltd* relates to the submission by Heather Perring for BTW Company [445.4] on Policy 4.1.16 in Chapter 4 Urban Development. This further submission has been coded incorrectly to the infrastructure topic. I note that the submission point was dealt with in Hearing 3, which recommended that submission 445.5 be accepted.
15. **Waikato District Council** [697.80] seeks the addition of a new rule for esplanade reserves and strips where a road is stopped, and a discretionary activity for non-compliance with the standards.
16. The submitter proposes inclusion of a rule to clarify the situation for road stopping and esplanade reserves and strips. Even though this rule is regarding esplanade reserves, the submitter considers it would need to apply district-wide.
17. I recommend accepting Waikato District Council [697.80], as it will clarify when esplanade reserves and strips are created where a road is stopped. Rules will be numbered in sequence.
18. **Vera Wennekers** [184.10]; **Pam Ferguson Charitable Trust and Allen Fabrics Limited** [260.10]; **Willemien Wennekers** [335.11]; **Allen Fabrics Limited** [584.10]. These submissions note that the Regional Infrastructure Technical Specifications (RITS) and the Waikato Regional Council Regional Plan will be the relevant documents for some developments in the Kimihia Lakes Recreation and Events Park.
19. These submission points are part of a larger submission seeking a new zone and specific activity and development standards, for a Kimihia Lakes Recreation and Events Park. Waikato District Council has adopted the RITS and applies it as an infrastructure code of practice within the district. The District Plan will apply to land within Kimihia Lakes Recreation and Events Park. Regional plans also apply, such as in relation to any wetlands, the lake and lake bed, water takes and damming and diversions and any discharges to air, water or land, and stock exclusion. I recommend rejecting Vera Wennekers [184.10]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.10]; Willemien Wennekers [335.11]; Allen Fabrics Limited [584.10] as no specific decision was sought.
20. **Auckland Council** [372.15] seeks to retain Transportation 14.12.1 (a) Permitted Activities. The submitter considers that general alignment of the definition of "road network activities" will make

it more efficient for Auckland Transport to manage roading within Waikato District and across the common boundary.

21. I recommend accepting Auckland Council [372.15] because it addresses consistency of road network activities in relation to cross boundary issues in accordance with section 75(2)(f) of the Resource Management Act (RMA).
22. **HNZC** [749.75] seeks to retain Rule 14.12.1 as notified. The submitter supports the permitted activities with activity-specific conditions listed in 14.12.1.
23. *FS1118.15; FS1304.8 Gary Bogaart/Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart/Meremere Dragway Inc. opposes 749.75: Meremere Dragway seeks that the submission point be disallowed.* The further submitter's reasons for opposing the submission is that the traffic generation thresholds are overly restrictive and are not supported by the objectives and policies of Chapter 6.5.
24. Objective 6.5.1 deals with the land transport network and requires that it be integrated, including the management of adverse effects such as traffic generation. Policy 6.5.2 promotes the construction and operation of an efficient, effective and integrated, safe, resilient and sustainable land transport network. Rule 14.12.1 then sets out the permitted traffic generation thresholds for the different PWDP zones, triggering a restricted discretionary activity where these are exceeded. The permitted threshold has been determined as appropriate to provide for small to medium development, ensuring that the potential adverse effects of larger developments are considered through a resource consent process. I consider the permitted thresholds provide an appropriate balance of enabling development while still ensuring that the transport system is consistent with the objectives and policies that require an integrated land transport network.
25. I recommend accepting HNZC [749.75], noting support for permitted activities and their activity-specific conditions. I recommend rejecting *FS1118.15; FS1304.8 Gary Bogaart/Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart/Meremere Dragway Inc.*
26. **KiwiRail** [986.87] seeks the addition of new provisions to address sightlines for railway level crossings including a new activity specific condition to Rule 14.12.1.1 relating to PI that requires compliance standards for railway level crossing sight triangles in 14.12.5.
27. KiwiRail has developed a sight triangles standard which requires areas are kept free of physical obstructions (erected or placed) from the standards developed by NZTA, contained in the Traffic Control Devices Manual 2008, Part 9 Level Crossings, which prescribes the formula for sight lines. The submitter considers that including these diagrams in the District Plan addresses the need to avoid the poor location of land uses, which can obstruct the required safety sight lines for uncontrolled (i.e. no barriers) railway level crossings. The submitter notes that one of the key factors in maintaining safety is to ensure road vehicle drivers are presented with sufficient visibility along the rail tracks and obstructions do not block the visibility of level crossing signs or alarms to approaching driver. The submitter also states that Policy 6.5.2 – Construction and operation of the land transport network supports the inclusion of level crossing sightline diagrams in the Plan.
28. Currently the PWDP Chapter 14.12 does not include provisions relating to level crossings. I accept the concerns raised by KiwiRail and support the inclusion of provisions for level crossings, because it is consistent with Policy 6.5.2 of the PWDP. Policy 6.5.2 discourages the installation of new at-grade road and pedestrian level crossings by:

- a. *Controlling the location of buildings and other visual obstructions within the sightline areas of rail level crossings; and*
 - b. *Railway crossing design in accordance with the requirements of the rail operator.*
29. I support the inclusion of a specific condition in Rule 14.12.1.1(h) for vehicle accesses to ensure that, as a permitted activity, sight lines of the railway line are maintained free from buildings and structure. I also support the inclusion of a new Table 14.12.5.22 to demonstrate the sight line triangle requirements. In accordance with Rule 14.12.2 (RDI) a vehicle access that does not comply with the conditions in Rule 14.12.1.1 is a restricted discretionary activity.
30. I agree with KiwiRail's reasons for including a new activity in Rule 14.12.2 Restricted Discretionary Activities (RDI0), along with the matters of discretion to manage the effects of buildings and structures in the sight light triangle. I support the inclusion of a rule to manage buildings and structures within a road/rail level crossing sight triangle as a restricted discretionary activity.
31. The Hamilton District Plan contains similar provisions in Rule 25.14.4.4 Minimum Site Distances at Railway Level Crossings as a general transport standard. Therefore, the amended approach would be consistent.
32. I recommend accepting KiwiRail [986.87], for the reasons above and as provided by the submitter. I recommend the inclusion of a new Table 14.12.5.22.

2.2 Recommendations

33. For the reasons above, I recommend the Hearings Panel:
- a. Accept Woolworths NZ Ltd [588.57]
 - b. Reject Sharp Planning Solutions Ltd [695.145]; Reject *FS/287.30 Blue Wallace Surveyors Ltd*
 - c. Accept Waikato District Council [697.80]
 - d. Reject Vera Wennekers [184.10]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.10]; Willemien Wennekers [335.11]; Allen Fabrics Limited [584.10]
 - e. Accept Auckland Council [372.15]
 - f. Accept HNZC [749.75]; Reject *FS/118.15; FS/304.8 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart / Meremere Dragway Inc.*
 - g. Accept KiwiRail [986.87].

2.3 Recommended amendments

34. Amend 14.12.1.1 as follows:

Activity		Activity specific conditions
PI	Vehicle access for all activities	14.12.1.1 (1) All activities must comply with the following vehicle access conditions: (a) The site has a vehicle legal physical access to a formed road that is maintained by a road controlling authority; ¹ (b) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 14.12.5.1, Figure 14.12.5.2, Table 14.12.5.3 and Figure 14.12.5. Table 14.12.5.14 and Table 14.12.5.15 ² except:

¹ 742.95 NZTA

² 378.16 FENZ

		<p>i. Rule 14.12.1.1(1)(b) does not apply where the separation distance requirements of Table 14.12.5.1 and Figure 14.12.5.2 cannot be achieved on a site's road frontage due to existing vehicle accesses on adjacent sites;</p> <p>(c) No new vehicle access shall be created from Newell Road (south of Birchwood Lane);</p> <p>(d) No access, access leg or right-of-way shall run parallel to any road within 30m of the road, except:</p> <p>i. Rule 14.12.1.1(1)(d) does not apply to farm races, or unsealed internal rural accesses in sites within the Rangitahi Peninsula Structure Plan Area and Oporotou Road;</p> <p>(e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.12.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements);</p> <p>(f) New vehicle accesses/entrances are not to be constructed to any site from the following roads:</p> <p>i. Main Street, Huntly;</p> <p>ii. Jesmond Street, Ngaruawahia;</p> <p>iii. Bow Street, Raglan (James Street to Cliff Street);</p> <p>iv. George Street, Tuakau (Gibson Road to Liverpool Street);</p> <p>v. Great South Road, Pokeno (Selby Street to Market Street); and</p> <p>vi. Main Street, Te Kauwhata (Saleyard Road to Baird Avenue); and</p> <p>(g) No new vehicle access shall be created within 30 metres of a railway level crossing.</p> <p>(h) All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in Table 14.12.5.22.³</p> <p>(i) New vehicle access shall not be located within an Identified Area⁴</p> <p>Note: Any new vehicle access (or additional land use utilising an existing vehicle entrance) on a limited access road or state highway will require the approval of the NZTA, as the road controlling authority, and on a limited access road will require the approval of the road controlling authority.⁵</p>
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35. Add new Table 14.12.5.22 Railway Level Crossing Sight Triangles and Explanations to Transportation tables and figures:

[14.12.5.22 Railway Level Crossing Sight Triangles and Explanations](#)

[Level Crossing Sight Triangles and Explanations](#)

[Developments near Existing Level Crossings](#)

³ 986.87 KiwiRail

⁴ 81.246 Waikato Regional Council

⁵ 742.96 NZTA

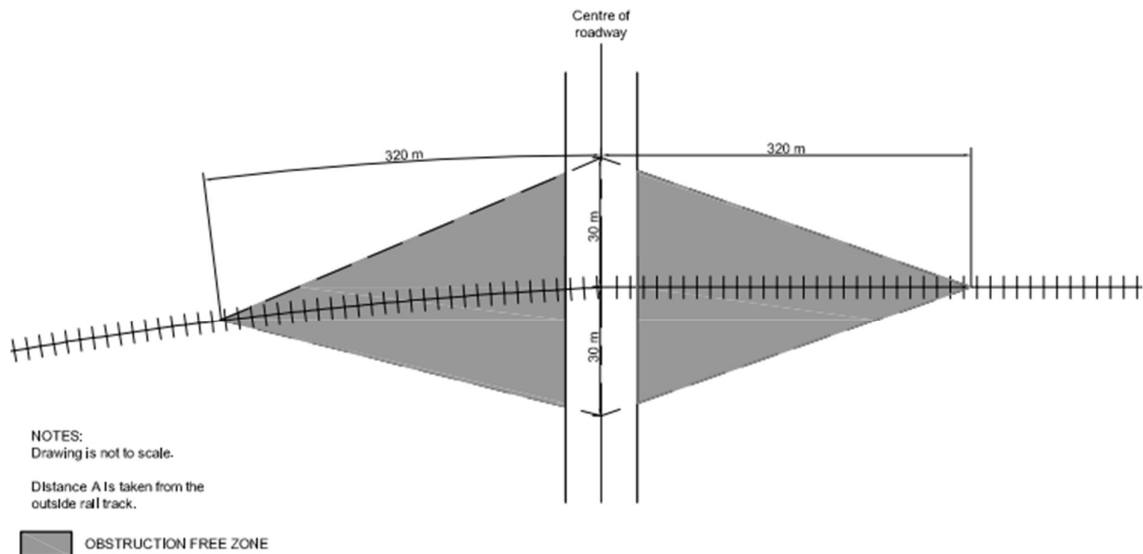
It is important to maintain clear visibility around level crossings to reduce the risk of collisions. All the conditions set out in this standard apply during both the construction and operation stages of any development.

Approach sight triangles at level crossings with Give Way signs

On sites adjacent to rail level crossings controlled by Give Way signs, no building, structure or planting shall be located within the shaded areas shown in 14.12.5.22 Figure 1. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway track.

14.12.5.22 Figure 1: Approach Sight triangles for level crossings with “Give Way” Signs

APPROACH SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



Advice Note:

The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Give Way signs so that a driver approaching a rail level can either:

- See a train and stop before the crossing: or
- Continue at the approach speed and cross the level crossing safely.

Of particular concern are developments that include shelter belts, tree planting, or series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

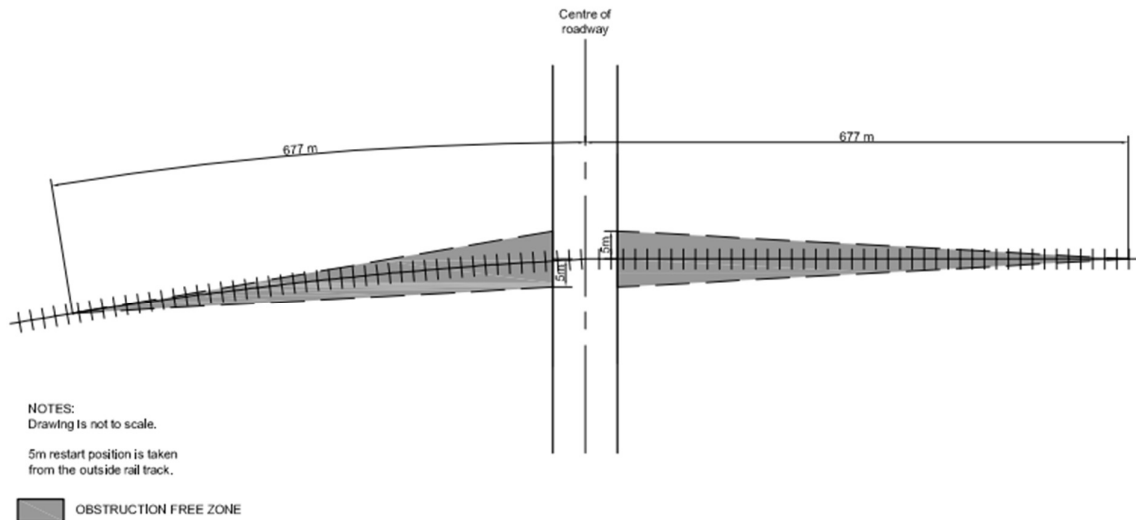
No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.

Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure or planting shall be located within the shaded areas shown in 14.12.5.22 Figure 2. These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control (14.12.5.22 Table 1).

14.12.5.22 Figure 2: Restart Sight Triangles for all Level Crossings (except those fitted with train activities barriers)

RESTART SIGHT TRIANGLES AT RAILWAY LEVEL CROSSINGS



14.12.5.22 Table 1: Required Restart Sight Distances for Figure 2

<u>Required approach visibility along tracks A (m)</u>		
<u>Signs only</u>	<u>Alarms only</u>	<u>Alarms and barriers</u>
<u>677 m</u>	<u>677 m</u>	<u>60m</u>

Advice Note:

The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.

Of particular concern are developments that include shelter belts, tree planting or a series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.

Notes:

1. 14.12.5.22 Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along-track distance in Figure 1, and 50 m to the along-track distance in Figure 2.

2. All figures are based on the sighting distance formula used in NZTA Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based; however, the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:

- train speed of 110 km/h
- vehicle approach speed of 20 km/h
- fall of 8 % on the approach to the level crossing and a rise of 8 % at the level crossing
- 25 m design truck length
- 90° angle between road and rail ⁶

36. Add a new activity RD9 to Rule 14.12.2 Restricted Discretionary activities as follows:

<u>RD9</u>	<u>Buildings and structures within a road/rail level crossing sight triangle</u>	<u>Discretion is restricted to:</u> <u>1. The extent to which the safety and efficiency of rail and road operations will be adversely affected</u> <u>2. The outcome of any consultation with KiwiRail</u> <u>3. Any characteristics of the proposed use that will make compliance unnecessary.</u> ⁷
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37. Add to Rule 14.12.1 Permitted Activities:

<u>P10</u>	<u>Esplanade reserves and strips where a road is stopped</u>	<u>14.12.1.10 (a) Where land comprising a stopped road or any part of a stopped road adjoins:</u> <u>(i) the mark of mean high water springs of the sea; or (ii) the bank of any river with an average width of 3 metres or more; or</u> <u>(iii) the margin of any lake with an area of 8 hectares or more, Section 345(3) of the Local Government Act 1974 and section 118 of the Public Works Act 1981 will apply only where the land comprising the stopped road or part of the stopped road is identified;</u> <u>(iv) in Appendix 5 (Esplanade Priority Areas); or</u> <u>(v) on the planning maps as requiring an esplanade reserve, esplanade strip or access strip to be set aside.</u> ⁸
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38. Add a new rule in Discretionary Rule 14.12.3:

<u>D3</u>	<u>Esplanade reserves where a road is stopped that does not comply with Rule (14.12.1.10)</u> ⁹
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2.4 Section 32AA evaluation

39. The following points evaluate the recommended changes under Section 32AA of the Act.

⁶ 986.87 KiwiRail

⁷ 986.87 KiwiRail

⁸ 697.80 Waikato District Council

⁹ 697.80 Waikato District Council

Other reasonably-practicable options

40. The recommended amendments address specific technical issues pertaining to sightlines for level railway crossings, and esplanade reserves and strips where roads are stopped.
41. A reasonably practicable option to the recommended amendments is to rely on the notified PWDP provisions. However, the PWDP does not address these technical issues and the submissions identify and respond to gaps.
42. The recommended amendments address statutory and technical requirements that have been adopted in various plans and standards and therefore should be reflected in the PWDP.

Effectiveness and efficiency

43. The esplanade reserves provision is a technical amendment. The permitted activity rule sets out the requirements for esplanade reserves and strips where a road is stopped in accordance with Section 345(3) of the Local Government Act 1974 and Section 118 of the Public Works Act 1981, which apply to road stoppings adjacent to rivers, lakes and the coast. The proposed provisions identify non-compliance with the permitted conditions as a discretionary activity reflecting the statutory requirement.
44. I consider the recommended provisions for esplanade reserves and strips to be effective and efficient because they clarify that only priority esplanade reserves will be created where a road is stopped adjacent to a river or lake or the coast. This provides certainty to the development process and alignment with statutory requirements.
45. The recommended amendments for sight line triangles for level railway crossings provide for the consideration of adverse safety effects associated with the potential obstructions to sight lines caused by buildings and structure. The provisions are efficient and effective because they provide for development as a permitted activity, enabling assessment of effects as a restricted discretionary activity where the sight line standards are not complied with.

Costs and Benefits

46. Any costs associated with provisions for esplanade reserves are considered negligible because they reflect a statutory requirement that is already in place. Benefits relate to certainty of requirements at the time of development.
47. The costs, of limiting use of adjacent land in order to achieve the sightlines, is outweighed by the safety benefits.

Risk of acting or not acting

48. The risk of not acting is that the PWDP will be inconsistent with statutory requirements for esplanade reserves and strips, and that development occurs within the sight line triangles for railway level crossings resulting in significant adverse safety effects.
49. The risk of acting is that there will be some additional consenting requirements to be considered at the time of development in specific locations affected by the recommended provisions.

Decision about most appropriate option

50. The recommended esplanade provisions are the more appropriate option for achieving Policy 8.1.3 which seeks to acquire esplanade reserves in high priority areas.

51. The recommended sightline provisions are the more appropriate option for achieving Policy 6.5.2 by controlling the location of buildings and structures within the sightline areas of rail level crossings.

3 Rule 14.12.1.1 PI Vehicle access for all activities

Submission point	Submitter	Decision requested
378.16	FENZ	Retain Rule 14.12.1.1 relating to PI Vehicle access, subject to the relief sought in relation to Tables 14.12.5.14 and 14.12.5.15, AND Amend Rule 14.12.1.1 relating to PI Vehicle access for all activities, as follows: 14.12.1.1 Vehicle access for all activities (1) All activities must comply with the following vehicle access conditions:... (b) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 14.12.5.1, Figure 14.12.52, Table 14.12.5.3 and Figure 14.12.5, <u>Table 14.12.5.14 and Table 14.12.5.15</u> except:
<i>FS1035.122</i>	<i>Pareoranga Te Kata</i>	<i>Supports 378.16</i>
742.95	NZTA	Amend Rule 14.12.1.1 PI (a) Vehicle access for all activities as follows: (1)(a) The site has a vehicle <u>legal physical</u> access to a formed road that is maintained by a road controlling authority;
751.37	Chanel Hargrave and Travis Miller	Vehicle access. Summary of submissions states that no specific decision is sought. However, the submitter states that the proposed access standards are excessive. The Submission states that "this table [Table 14.12.5.14?] should not form part of the Plan so that, if any amendment is made to the legislation, the plan does not need to be changed".
184.14 260.14 335.16 584.14	Vera Wennekens; Pam Ferguson Charitable Trust and Allen Fabrics Limited; Willemien Wennekens; Allen Fabrics Limited	Amend Rule 14.12.1 Activity specific conditions 14.12.1.1(1)(e) relating to PI Vehicle access for all activities, as follows: (1) All activities must comply with the following vehicle access conditions:... (e) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.2.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements) <u>except in the Kimihia Lakes Recreation and Events Zone where this rule does not apply.</u>
<i>FS1047.7</i>	<i>Murray and Jennifer Allen - Allen Fabrics Limited</i>	<i>Supports 184.14</i>
986.85	KiwiRail	Retain Activity-specific condition 14.12.1.1(g) relating to PI Permitted activities as notified
333.4	Russell Grey	No specific decision sought, but submission considers Horotiu Road should be the main vehicle access to 702 Horotiu Road, Te Kowhai, with the property having two road frontages.

<i>FS1335.15</i>	<i>Greig Metcalfe for CKL</i>	<i>Opposes 333.4</i>
742.96	NZTA	Amend Rule 14.12.1.1 Advice Note as follows: Any new vehicle access (or additional land use utilising an existing vehicle entrance) on a limited access road or state highway will require the approval of the NZ Transport Agency, as the road controlling authority.

3.1 Analysis

52. **FENZ** [378.16] supports Rule 14.12.1.1 relating to PI Vehicle access, subject to the relief sought, which includes references to additional tables.
53. Subject to relief sought in relation to Table 14.12.5.14 and Table 14.12.5.15, discussed later in this section, FENZ generally supports the access provisions in 14.12.1.1 as it recognises the need for suitable vehicle access for all activities within the District. The submitter considers vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1 should be a restricted discretionary activity.
54. In my opinion, Tables 14.12.5.14 and 14.12.5.15 should also apply to the Permitted Activity PI to provide certainty that standards for design vehicles (8m rigid truck), minimum ROW widths and seal widths for access legs to allotments, ROWs and access allotments such as Jointly Owned Access Lots (JOAL) apply.
55. *FS1035.122 Pareoranga Te Kata Supports 378.16: Fire safety and fire prevention to undertake training activities for fire fighters within the region.* Training activities for fire fighters have provided information on appropriate vehicle access standards.
56. I recommend accepting FENZ [378.16]; and accepting *FS1035.122 Pareoranga Te Kata* as support for 378.16.
57. **NZTA** [742.95] seeks to amend Rule 14.12.1.1 PI (a) Vehicle access for all activities to refer to “legal physical” access rather than “vehicle” access.
58. The submitter generally supports the conditions in 14.12.1.1, but considers that clarification is required for (l)(a) so that access should be both legal and physical. NZTA particularly supports the requirement that vehicle access should be to a road with the lowest available classification in the road hierarchy.
59. I recommend accepting NZTA [742.95] and consider this provides for clarification.
60. **Chanel Hargrave and Travis Miller** [751.37]. state that the proposed access standards are excessive. The submission states that “this table should not form part of the Plan so that, if any amendment is made to the legislation, the plan does not need to be changed”. I have taken that to mean the decision requested is to delete the parts of Table 14.12.5.14 dealing with access to properties that specify access and seal widths for private access and roads. The submitter’s reasons include that the access standard will result in inefficient use of land and prevent infill development. The submitter considers the extra seal width will also increase impervious surfaces and stormwater runoff without any benefits relating to traffic; and will add additional costs to developments. The submitter notes that there are national documents that cover access to properties.

61. The standards in the PWDP reflect the current provisions of the Operative Waikato District Plan (Part 3, A3, Table 4 Access and Road Performance Standards).
62. The minimum Right of Way (ROW) width and seal widths in Table 14.12.5.14 are as follows (Auckland Unitary Plan (AUP) and Hamilton District Plan (HDP) equivalent in brackets for comparison):

Access type	Number of allotments	Minimum ROW width	Minimum seal width
Access leg to an allotment (Residential, Village)	1	4m (AUP 3m) (HDP 3.6m)	N/A (AUP 2.5m) (HDP 3.0m)
Access leg to an allotment (Business and Industrial)	1	6m (AUP 3.5m one-way, 6m two-way) (HDP 6.0m)	N/A
Private access including ROWs and access allotments (Residential, Village)	2 to 4	8m (AUP 3.5m) (HDP 3.6m)	5m (AUP 3m) (HDP 3.0m)
Private access including ROWs and access allotments (Business and Industrial)	2 to 8	10m (AUP 7m) (HDP > 5 occupancies = 8.0m)	6m (AUP 6m)
Access allotments (Residential, Village)	5 to 8	8m (AUP 5.5m) (HDP > 6 = 6.0m)	5m (5.5m two-way or 2.75m with passing bays) (HDP > 6 = 5.5m)

63. In my opinion the PWDP minimum ROW and seal widths are not unreasonable. However, they are wider than some other District Plans. A 4m minimum ROW width is required for one allotment in the Residential and Village zones, which may hinder, if not prevent, infill housing where there is insufficient space available between an existing house and the boundary. As discussed above, I recommend that Table 14.12.5.14 also apply as a permitted activity condition. Therefore, if the minimum widths for ROW cannot be achieved a resource consent can be sought as a restricted discretionary activity.
64. Overly narrow driveways can have access implications for construction and service vehicles, furniture removals and emergency services. I have included the Auckland Unitary Plan and Hamilton District Plan equivalents in the table above, not necessarily as the best, solution but for comparison. The AUP allows more narrow access than the PWDP and one-way options. I note that submissions from FENZ and Counties Manukau Police have expressed concern at recent Auckland development ROW widths.
65. The width of an Access leg to an allotment (Residential, Village) for a single allotment should only be reduced if there is no capacity for later infill development to increase use of the ROW. Private access including ROWs and access allotments (Residential, Village) for 2 to 8 allotments could be reduced in width as a restricted discretionary activity if one-way circulation is proposed.
66. Unless further information is produced by the submitter, I support the notified access provisions in Table 14.12.5.14. Including the standards within the PWDP ensures that development appropriately addresses access widths including the ability to impact conditions. This approach is consistent with the examples above of AUP and HDP. The PWDP is designed to set standards and then allow effects-based assessment as a restricted discretionary activity to respond to

specific conditions when the standards are not necessary or able to be met. This PWDP provision, Table 14.12.5.14 and the Rural and Country Living Table 14.12.5.15, are further addressed later in this report, in the PWDP sequence of Tables 14.12.5.14 and 15. I recommend rejecting Chanel Hargrave and Travis Miller [751.37].

67. **Vera Wennekers** [184.14]; **Pam Ferguson Charitable Trust and Allen Fabrics Limited** [260.14]; **Willemien Wennekers** [335.16]; **Allen Fabrics Limited** [584.14] seek to amend Rule 14.12.1 Activity-specific conditions 14.12.1.1(1)(e) relating to PI Vehicle access for all activities, to exempt the Kimihia Lakes Recreation and Events Zone.
68. The submitters consider that new provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.
69. Rule 14.12.1.1(1)(e) is a permitted activity standard, establishing as-of-right activities. Alternative vehicle access can be provided by way of a resource consent, where the standard is not appropriate to the circumstances, and/or where effects can be managed. It is accepted that a popular recreation and events venue should have direct road access, although not to a state highway or arterial road, and not be diverted to a more minor road. However, the submission does not include an integrated transport assessment for the new zone, including road network and intersection capability.
70. *FS1047.7 Murray and Jennifer Allen - Allen Fabrics Limited supports 184.14: seeking amendments to Rule 14.12.1.1(e) PI so that this rule does not apply to the Kimihia Lakes Recreation and Events Zone.* Murray and Jennifer Allen for Allen Fabrics Limited have lodged the same submission. It is recognised that this is a larger group submission issue, seeking a new Zone and customised rules for Kimihia Lakes Recreation and Events Park. If a new specialised Zone is created it can include road access provisions. If a new specialised Zone is not created then the PWDP rules should not be changed. However, resource consent to establish the activities and intensity of activity at Kimihia Lakes Recreation and Events Park can manage the effects of direct road access for the site.
71. I recommend rejecting Vera Wennekers [184.14]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.14]; Willemien Wennekers [335.16]; Allen Fabrics Limited [584.14], as the Permitted Activity-specific conditions should apply, unless varied by resource consent, or a special zone can be supported by transport assessment. I also recommend rejecting *FS1047.7 Murray and Jennifer Allen - Allen Fabrics Limited*.
72. **KiwiRail** [986.85] seeks to retain Activity specific condition 14.12.1.1(g) relating to PI Permitted activities as notified. The submitter states the Rule is consistent with Part 9 of the NZTA Traffic Control Devices Manual, Section 7.8; and will ensure that the potential conflicts between new vehicle access ways and level crossings are avoided. The submitter states that level crossing accidents, whilst rare, are severe and as such, require strict safety design criteria. KiwiRail considers the 30 metre distance enables sufficient stacking distance between the level crossing and the adjacent access way and minimises the risk of traffic being stopped across the railway line.
73. I recommend accepting KiwiRail [986.85], because condition 14.12.1.1(g) is consistent with the requirements of Part 9 of the NZTA Traffic Devices Manual, Section 7.8 and will ensure that the potential safety impacts of any development area are adequately considered.
74. **Russell Grey** [333.4] considers Horotiu Road should be the main vehicle access to 702 Horotiu Road, Te Kowhai. The reasons given include that Horotiu Road is classified as an Arterial Road,

whereas Woolrich Road is a Local Road and thus the main access for the property. The submitter states Horotiu Road provides excellent linkage through to Limmer Road and SH39 and is fully road marked; and Woolrich Road has a sealed width of 5.5m with limited road markings and two sharp corners. The submitter has noted an increase in traffic flow resulting from more dwelling constructions on Woolrich, Bedford, Richards and Collie Road, all utilising Woolrich Road for SH39 access; and states there is still a number of vacant blocks yet to be developed, which would exacerbate traffic problems by using Woolrich Road for access. The submitter recommends no vehicle access from Woolrich Road for 702 Horotiu Road for safety reasons; and notes that Rule 14.12.5.1 requires the minimum sealed width for a road within such a development is 8m, greater than Woolrich Road's width.

75. *FS1335.15 Greig Metcalfe for CKL opposes 333.4 as the appropriate cross-section for Richards Road and Woolrich Road will depend, in part, on whether there is frontage access and if so, how much; that will in turn influence the speed limit that is applied and whether these roads are upgraded to an urban form or a more rural form; the latter seems probable for Woolrich Road, but Richards Road may be more suitable in an urban form given its proximity to the centre of Te Kowhai Village; it would, however, be recommended that both these roads be upgraded given the higher traffic volumes and possibility of cyclists.*
76. 702 Horotiu Road is in the Village Zone. The site is of sufficient area to accommodate substantial residential growth at the village density of 3,000m² minimum net site area per lot. The site is bounded by Woolrich Road, Richards Road and Horotiu Road. It may be appropriate for a new subdivision to be accessed from Horotiu Road, rather than from Woolrich Road. That should be determined as part of the subdivision and development consent, which will also ensure there is not a substantial number of new site accesses created onto Horotiu Road, and which can respond to any proposals for road upgrading.
77. Policy 6.5.3 of the PWDP establishes the need to identify a road hierarchy for different functions and modes of land transport, which is then set out in Table 14.12.5.5. It is appropriate to have a district-wide approach to the function of roads. It is necessary to manage the effects of development on the function of roads to ensure that the road network operates efficiently in accordance with Policy 6.5.2. Therefore, I support the retention of Rule 14.12.1.1(e) requiring that where there is access to two roads, the activity only accesses the road with the lower classification. AS part of any future subdivision consent at 702 Horotiu Road access will be assessed and this is the appropriate process to follow rather than changing the PWDP permitted activity rule.
78. I recommend rejecting Russell Grey [333.4], as there is no specific decision sought and the issue should be addressed by subdivision and development resource consent rather than a change to the PWDP. I recommend accepting *FS1335.15 Greig Metcalfe for CKL*, in that it opposes 333.4.
79. **NZTA** [742.96] supports the Advice Note for Rule 14.12.1.1(Pl), but seeks minor amendments to delete the reference to limited access roads. The submitter states that not all limited access roads are administered by the submitter and no works can be undertaken within a state highway without the prior approval of the submitter pursuant to section 51 of the Government Roding Powers Act 1989.
80. It is accepted that some limited access roads form parts of state highways, and not all limited access roads have NZTA as the road controlling authority. It is recommended that NZTA [742.96] be accepted in part, to the extent that other road-controlling authorities are recognised. Councils are also road-controlling authorities for some limited access roads.

3.2 Recommendations

81. For the reasons above, I recommend the Hearings Panel:

- a. Accept FENZ [378.16]; Accept *FS1035.122 Pareoranga Te Kata*
- b. Accept NZTA [742.95]
- c. Reject Chanel Hargrave and Travis Miller [751.37]
- d. Reject Vera Wenekers [184.14]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.14]; Willemien Wenekers [335.16]; Allen Fabrics Limited [584.14]; Reject *FS1047.7 Murray and Jennifer Allen - Allen Fabrics Limited*
- e. Accept KiwiRail [986.85]
- f. Reject Russell Grey [333.4]; Accept *FS1335.15 Greig Metcalfe for CKL* in that it opposes 333.4
- g. Accept in part NZTA [742.96], to the extent of recognising other road controlling authorities with limited access roads.

3.3 Recommended amendments

82. Amend 14.12.1 PI as follows:

Activity		Activity specific conditions
PI	Vehicle access for all activities	<p>14.12.1.1</p> <p>(2) All activities must comply with the following vehicle access conditions:</p> <p>(j) The site has a vehicle legal physical access to a formed road that is maintained by a road controlling authority;¹⁰</p> <p>(k) The site has a vehicle access that is constructed to comply with the relevant requirements of Table 14.12.5.1, Figure 14.12.5.2, Table 14.12.5.3 and Figure 14.12.5.4, Table 14.12.5.14 and Table 14.12.5.15¹¹ except:</p> <p>ii. Rule 14.12.1.1(1)(b) does not apply where the separation distance requirements of Table 14.12.5.1 and Figure 14.12.5.2 cannot be achieved on a site's road frontage due to existing vehicle accesses on adjacent sites;</p> <p>(l) No new vehicle access shall be created from Newell Road (south of Birchwood Lane);</p> <p>(m) No access, access leg or right-of-way shall run parallel to any road within 30m of the road, except:</p> <p>ii. Rule 14.12.1.1(1)(d) does not apply to farm races, or unsealed internal rural accesses in sites within the Rangitahi Peninsula Structure Plan Area and Oporouru Road;</p> <p>(n) On a site with legal access to two roads, the activity only accesses the road with the lower classification in the road hierarchy in Tables 14.12.5.5 and 14.12.5.6 (where the roads have the same classification, access is only to the road with the lower average daily traffic movements);</p> <p>(o) New vehicle accesses/entrances are not to be constructed to any site from the following roads:</p> <p>vii. Main Street, Huntly;</p> <p>viii. Jesmond Street, Ngaruawahia;</p> <p>ix. Bow Street, Raglan (James Street to Cliff Street);</p> <p>x. George Street, Tuakau (Gibson Road to Liverpool Street);</p>

¹⁰ 742.95 NZTA

¹¹ 378.16 FENZ

		<ul style="list-style-type: none"> xi. Great South Road, Pokeno (Selby Street to Market Street); and xii. Main Street, Te Kauwhata (Saleyard Road to Baird Avenue); and <p>(p) No new vehicle access shall be created within 30 metres of a railway level crossing.</p> <p>(q) <u>All existing and new accesses and roads that cross an operational rail network via a level crossing must be maintained in accordance with the sight line triangles provided in Table 14.12.5.22.</u>¹²</p> <p>(r) <u>New vehicle access shall not be located within an Identified Area</u>¹³</p> <p>Note: Any new vehicle access (or additional land use utilising an existing vehicle entrance) on a limited access road or state highway will require the approval of the NZTA, as the road controlling authority, <u>and on a limited access road will require the approval of the road controlling authority.</u>¹⁴</p>
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3.4 Section 32AA evaluation

83. The recommended amendments are for clarification only, and are not policy changes. A s32AA evaluation is not required.

4 Rule 14.12.1.2 P2 On-site parking and loading

4.1 Introduction

84. The National Policy Statement on Urban Development 2020 (NPSUD) was gazetted on 20 July 2020 and came into force on 20 August 2020. It replaces the National Policy Statement on Urban Development Capacity 2016. The application of the NPSUD is outlined in Section 1.3 as follows:

1.3 Application

- (1) This National Policy Statement applies to:

- (a) all local authorities that have all or part of an urban environment within their district or region (ie, tier 1, 2 and 3 local authorities); and
- (b) planning decisions by any local authority that affect an urban environment.

Section 1.4 defines “urban environment” to mean “any land (regardless of size, and irrespective of local authority or statistical boundaries) that:

- a. is, or is intended to be, predominately urban in character; and
- b. is, or is intended to be, part of a housing and labour market of at least 10,000 people.”

85. Waikato District Council is listed as a tier 1 local authority in relation to the tier 1 urban environment of Hamilton. The fact Waikato District Council is listed as a tier 1 local authority does not mean that the NPSUD automatically applies to it. The inclusion in Section 1.3 of the

¹² 986.87 KiwiRail

¹³ 81.246 Waikato Regional Council

¹⁴ 742.96 NZTA

words “(i.e. tier 1, 2 and 3 local authorities)” adds confusion. The NPSUD only applies if a Council has an “urban environment” within its district.

86. Significantly, none of the Waikato District towns qualify themselves as an ‘urban environment’, as they each have a population less than 10,000. It is possible that some people living within Waikato District are part of the housing and labour market of Hamilton, which might make their land part of the ‘urban environment’, either living on the rural fringe of the city (possibly to be incorporated into Hamilton City’s boundaries in future urbanisation) or commuting to work in Hamilton. This is because the definition of “urban environment” makes it explicit that the qualifying area applies “irrespective of local authority or statistical boundaries.” If the only urban environment within the Waikato District is that part of the land that is considered part of the Hamilton urban environment, then the issue is whether any Waikato District Council planning decision affects the urban environment of Hamilton. Section 1.3 makes it clear that both pre-conditions must apply before the NPSUD applies to a local authority.
87. As the NPSUD is very new, there is limited guidance on its application to date.
88. If the NPSUD applies to the Waikato District Council, Policy 11 is relevant to proposed Rule 14.12.1.2 P2. It relates to carparking and provides:
 - (a) the district plans of tier 1,2 and 3 territorial authorities do not set minimum car parking rate requirement, other than for accessible car parks.
89. Furthermore, Standard 3.38 (1) in subpart 8 of Part 3: Implementation, provides that tier 1 local authorities must change their district plans (without using the Schedule 1 process) to remove the effects of any objectives, policies, rules or assessment criteria that require a minimum number of carparks, other than accessible car parks. Policy 11 and Standard 3.38 only apply to the PWDP if both conditions in Section 1.3 are met. Even if the first condition is met in relation to the Hamilton urban environment, it is not clear how the minimum car parking requirements throughout the PWDP would affect the urban environment of Hamilton, including its housing and labour market.
90. If the NPSUD applies to Waikato District Council then to meet its requirements, I would have to recommend to the Hearings Panel that it deletes those parts of the objectives, policies, rules and assessment criteria in Chapters 6 and 14 that have the effect of requiring a minimum number of car parks for any activity, right across the District. The Building Code and the NZ and Australian Access Standards all require accessible parking spaces only in relation to a fraction of any ‘required’ overall car parking, although Building Code clause D1.3.6 states that accessible car parking must be “provided in sufficient numbers”.
91. It is possible that the application of the NPSUD car parking provisions will be clarified prior to the hearing.
92. However, in the absence of further guidance on this particular matter, it is my opinion that the NPSUD requirement to remove minimum car parking provisions does not apply to Waikato District, because the towns and villages do not meet the definition of Urban Environment in Section 1.4 and 2. Even if part of the district was interpreted to be included in the Hamilton urban environment, I do not consider the removal of the car parking provisions affects the Hamilton urban environment. There is physical separation between Waikato District Council’s closest town (Ngaaruawahia) and Hamilton. The Ministry’s Guidance document states on page 6 that “the removal of the minimum parking rates in district plans (Policy 11) seeks to improve land-use

flexibility in urban environments. It will allow more housing and commercial developments, particularly in higher density areas where people do not necessarily need a car to access jobs, services or amenities. Urban space can then be used for higher value purposes than car parking.” None of the areas in the Waikato District are high density and cars are generally required to access jobs and services within the district.

93. I therefore consider it to be appropriate to retain the car parking provisions and to consider the submissions and recommendations in this report as if the NPSUD minimum car parking provisions do not apply to Waikato District non-urban areas.
94. The NPSUD directs the timeframe for the removal of district plan minimum parking provisions. If the NPSUD is found to be applicable to the PWDP, the Waikato District Council would need to implement the direction within 18 months after the commencement date of 20 August 2020. If the Operative WDP is not replaced by that time, it would also need to be amended.

4.2 Submissions

Submission point	Submitter	Decision requested
184.15 260.15 335.17 584.15	Vera Wenekers; Pam Ferguson Charitable Trust and Allen Fabrics Limited; Willemien Wenekers; Allen Fabrics Limited	Add a new clause (2) to Activity-specific conditions 14.12.1.2 relating to P2 on-site parking and loading as follows: (1) All activities must comply with the following... (2) <u>In the Kimihia Lakes Recreation and Events Zone the above standards do not apply providing that:</u> (a) <u>A minimum of 1500 on-site parking spaces shall be provided except where activities are undertaken within the carpark area or where activity demand exceeds 1500 car parks, then the temporary alternative on-site parking shall be provided.</u>
FS1047.8	Murray and Jennifer Allen - Allen Fabrics Limited	Supports 184.15
742.97	NZTA	Amend Rule 14.12.1.2(1)(a)(ii) P2 Onsite parking and loading as follows: (1)(a)(ii) If the calculation results in a fraction, then that figure shall be rounded <u>up</u> to the nearest whole number;
742.98	NZTA	Delete Rule 14.12.1.2(1)(a)(iv) P2 On-site parking and loading.
697.62	Waikato District Council	Amend Rule 14.12.1.2(1)(a)(iv) Permitted Activities as follows: iv. The requirements of Table 14.12.5.7 do not apply to residential and rural activities;
697.63	Waikato District Council	Amend Rule 14.12.1.2 P2 (1)(c) Permitted Activities as follows: (c) Any on-site car parking spaces for non-residential activities within the Residential Zones must be set back at least 3m from the road boundary of the site and screened by planting or fencing <u>from being viewed from the road</u> ;
697.64	Waikato District Council	Amend Rule 14.12.1.2(1)(e) Permitted Activities On-site parking and loading as follows: (e) On-site car parking spaces and loading bays are formed <u>to be sealed if five or more parking spaces are required.</u>

FS1377.203	Havelock Village Limited	Opposes 697.64
FS1291.2	Havelock Village Limited	Opposes 697.64
697.65	Waikato District Council	Amend Rule 14.12.1.2 P2 (1)(g) Permitted Activities as follows: (g) On-site car parking spaces and loading bays are not to be located on any shared access or residential <u>living court</u> ;...
602.43	Greig Metcalfe	Amend Rule 14.12.1.2 P2(1)(i) On-site parking and loading, as follows: (i) On-site car parking spaces and loading bays are not required on sites with <u>sole frontages</u> to the following:...
588.8	Woolworths NZ Ltd	Amend Rule 14.12.1P2 On-site parking and loading activity-specific conditions 14.12.1.2(1)(i) as follows: (i) On-site parking spaces and loading bays are not required on sites with sole frontages to the following (<u>but for the avoidance of doubt, can still be provided without result in a non-compliance with this rule</u>): (i) Main Street, Huntly:...

4.3 Analysis

95. **Vera Wennekers** [184.15]; **Pam Ferguson Charitable Trust and Allen Fabrics Limited** [260.15]; **Willemien Wennekers** [335.17]; **Allen Fabrics Limited** [584.15] seek to add a new clause pertaining to Kimihia Lakes Recreation and Events Zone. The submitters consider that new provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.
96. I consider the Kimihia Lakes Recreation and Events Park could comply with on-site parking and loading standards, appropriate to development and use of the park. The quantum of parking should relate to the resource consents establishing the park activities and events, and management of transport effects.
97. *FS1047.8 Murray and Jennifer Allen - Allen Fabrics Limited supports 184.15: seeking amendments to Rule 14.12.1.2 P2, so that this rule does not apply to the Kimihia Lakes Recreation and Events Zone; and the addition of a new rule for Kimihia Lakes Recreation and Events Zone.* Murray and Jennifer Allen for Allen Fabrics Limited have lodged the same submission. It is recognised that this is a larger group submission issue, seeking a new Zone and customised rules for Kimihia Lakes Recreation and Events Park. If a new specialised Zone is created it can include parking and loading provisions. If a new specialised Zone is not created then the PWDP rules should not be changed. However, resource consent to establish the activities and intensity of activity at Kimihia Lakes Recreation and Events Park can manage the effects of parking and loading specific to the site and its activities and events. I recommend rejecting 184.15 Vera Wennekers; 260.15 Pam Ferguson Charitable Trust and Allen Fabrics Limited; 335.17 Willemien Wennekers; 584.15 Allen Fabrics Limited as insufficient reasons for alternative zone provision. I recommend rejecting *FS1047.8 Murray and Jennifer Allen - Allen Fabrics Limited*.
98. The creation of a new zone for the development of Kimihia Lakes will be addressed in Hearing 25 Zoning Extents, and any consequential amendments to the officers' recommendations (such as parking) will be addressed at that point. I considered it to be premature to make recommendations on parking in the absence of any consideration of the more fundamental request for a new zone to enable development.

99. **NZTA [742.97]** supports Rule 14.12.1.2.(1)(a)(ii), but considers an amendment is required for certainty of fractional carparking requirements.
100. I disagree; rounding should be up for fractions equal to or greater than half, and down for fractions less than half. That is the conventional meaning of “rounding”, although a half may sometimes be rounded down if the rule specifies. I therefore recommend rejecting NZTA [742.97].
101. **NZTA [742.98]** seeks to delete Rule 14.12.1.2(1)(a)(iv) P2 On-site parking and loading.
102. The submitter states that Rule 14.12.1.2(1)(a)(iv) refers to “rural activities”, which is not defined in the Plan; and considers that this could be interpreted as any activity occurring in a Rural Zone or any activity of a rural nature. The submitter identifies that the rule also states that the parking and loading requirements in Table 14.12.5.7 do not apply to “residential activities” (which is defined in the Plan). However, Table 14.12.5.7 includes figures for dwellings. It is unclear to the submitter why residential and rural activities would be exempt from the parking and loading space requirements, or why activities are included in Table 14.12.5.7 if they are exempt from Rule 14.12.1.2.
103. I recommend accepting in part NZTA [742.98], to the extent that residential activities are subject to the parking requirements in Tables 14.12.5.7 and 14.12.5.11. “Rural activities”, in its common meaning, does not have a Table 14.12.5.7 parking and loading requirement as those will relate to the specific functional needs, rather than a more general ‘farming’ activity. Therefore, it is appropriate that rural activities are not required to comply with Table 14.12.5.7.
104. **Waikato District Council [697.62]** seeks to amend Rule 14.12.1.2(1)(a)(iv) Permitted Activities to delete the exemption for residential activities because the tables relate to residential activities, and contain standards for residential activities.
105. I recommend accepting Waikato District Council [697.62] and consider this will clarify interpretation of the rule.
106. **Waikato District Council [697.63]** seeks to amend Rule 14.12.1.2 P2 (1)(c) Permitted Activities to prevent carparking from being viewed from the road. The submitter considers this will improve the clarity and measurability of this rule.
107. I recommend accepting Waikato District Council [697.63] as it will provide additional clarity.
108. **Waikato District Council [697.64]** seeks to amend Rule 14.12.1.2(1)(e) Permitted Activities On-site parking and loading to require sealing for five or more parking spaces. The submitter considers this will improve clarity and measurability of the rule.
109. *FS1377.203 and FS1291.2 Havelock Village Limited opposes 697.64 and seeks amendments to the plan to provide greater flexibility and development potential.* I note that flexibility and development potential can be considered as a restricted discretionary activity already, where standards are not met.
110. I recommend accepting Waikato District Council [697.64] so as to provide greater clarity, and that it is more important that larger parking spaces be sealed. I recommend rejecting *FS1377.203 and FS1291.2 Havelock Village Limited.*
111. **Waikato District Council [697.65]** seeks to amend Rule 14.12.1.2 P2 (1)(g) Permitted Activities to correct an error and refer to “living court” rather than “residential court”.

112. The submitter considers the terminology needs to be consistent, and notes “living court” is a term used within the PWDP.
113. I recommend accepting Waikato District Council [697.65] and consider that consistency throughout the PWDP is desirable.
114. **Greig Metcalfe** [602.43] seeks to amend Rule 14.12.1.2 P2(1)(i) On-site parking and loading, to delete the reference to “sole” frontage.
115. The submitter considers that corner sites in town centres should also be exempt from providing parking and loading as they benefit from on-street provisions in the same way as other main street properties.
116. The rule is intended to encourage sites with frontage only to the main street not to disrupt the pedestrian environment amenity with vehicle crossings and on-site parking and loading spaces, by not making such parking and loading mandatory. Corner sites may be able to provide access for parking and loading from the minor road, rather than the main street. In some cases, it may be appropriate for corner sites not to provide on-site parking and loading, for example, small retail sites that contribute to the main street amenity and/or cannot provide adequate access separation distance from the intersection. These matters can be addressed by way of a restricted discretionary resource consent. I recommend rejecting Greig Metcalfe [602.43].
117. **Woolworths NZ Ltd** [588.8] seeks to amend Rule 14.12.1 P2 conditions 14.12.1.2(1)(i) to clarify that carparking could be provided without resulting in non-compliance with the standard.
118. The submitter requires clarification to ensure that parking, loading and on-site manoeuvring and queuing space for sites on the listed streets are not precluded, but rather that their provision is optional in favour of urban design controls for those centres. The submitter considers that as it reads, it might suggest that provision for these matters on the identified streets would result in a non-compliance and a require a traffic assessment.
119. I disagree, the rule 14.12.1.2(1)(i) as worded is clear that on-site parking spaces and loading bays are not mandatory on sites with sole frontages to certain specified streets. There is no rule stating a non-compliance if provision is made for such matters on those sites. The traffic generation rules may require a traffic assessment for more intensive activities, to manage parking and loading, and potential effects on the road network. I recommend rejecting Woolworths NZ Ltd [588.8].

4.4 Recommendations

120. For the reasons above, I recommend the Hearings Panel:

- a. Reject Vera Wennekers [184.15]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.15]; Willemien Wennekers [335.17]; Allen Fabrics Limited [584.15]; Reject *FS1047.8 Murray and Jennifer Allen - Allen Fabrics Limited*
- b. Reject NZTA [742.97]
- c. Accept in part NZTA [742.98], only to the extent that residential activity will have a parking and loading requirement
- d. Accept Waikato District Council [697.62, 697.63, 697.64, 697.65]; Reject *FS1377.203 and FS1291.2 Havelock Village Limited*
- e. Reject Greig Metcalfe [602.43]
- f. Reject Woolworths NZ Ltd [588.8].

4.5 Recommended amendments

121. Amend 14.12.1.2 P2 as follows:

P2	On-site parking and loading	<p>14.12.1.2</p> <p>(I) All activities must comply with the following on-site parking and loading conditions:</p> <p>(a) The parking requirements in Table 14.12.5.7 and 14.12.5.11, noting:</p> <ol style="list-style-type: none"> i. When calculating the requirements for parking and loading on the basis of the prescribed floor area, the area for parking, loading and manoeuvring shall be excluded; ii. If the calculation results in a fraction, then that figure shall be rounded to the nearest whole number; iii. 90 percentile car dimensions in Figure 14.12.5.8 apply; iv. The requirements of Table 14.12.5.7 do not apply to residential and ¹⁵ rural activities; v. Parking spaces must comply with the New Zealand Building Code D1/AS1 New Zealand Standard for Design for Access and Mobility – Buildings and Associated Facilities (NZS: 4121-2001); vi. The number of accessible car park spaces required in Table 14.12.5.9 can be included in the number of car parking spaces required in Table 14.12.5.7. <p>(b) On-site bicycle space requirements in Table 14.12.5.10, except:</p> <ol style="list-style-type: none"> i. The requirements of Table 14.12.5.10 do not apply to residential and rural activities; <p>(c) Any on-site car parking spaces for non-residential activities within the Residential Zones must be set back at least 3m from the road boundary of the site and screened by planting or fencing from being viewed from the road; ¹⁶</p> <p>(d) On-site car parking spaces and loading bays are to be provided in accordance with the requirements of Table 14.12.5.7, Figure 14.12.5.8 and Table 14.12.5.11 and be located on the same site as the activity for which they are required;</p> <p>(e) On-site car parking spaces and loading bays are formed to be sealed if five or more parking spaces are required; ¹⁷</p> <p>(f) On-site car parking spaces and loading bays are to be permanently marked if five or more parking spaces are required;</p> <p>(g) On-site car parking spaces and loading bays are not to be located on any shared access or residential living ¹⁸ court;</p> <p>(h) Vehicles occupying any on-site car parking or loading spaces must have ready access to the road (or relevant access or right of way) at all times, without needing to move any other vehicle occupying other on-site car parking or loading spaces;</p> <p>(i) On-site car parking spaces and loading bays are not required on sites with sole frontages to the following:</p> <ol style="list-style-type: none"> i. Main Street, Huntly; ii. Jesmond Street, Ngaruawahia;
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¹⁵ 742.98 NZTA; 697.62 Waikato District Council

¹⁶ 697.63 Waikato District Council

¹⁷ 697.64 Waikato District Council

¹⁸ 697.65 Waikato District Council

		<ul style="list-style-type: none"> iii. Bow Street, Raglan (James Street to Cliff Street); iv. George Street, Tuakau (Gibson Road to Liverpool Street); v. Great South Road, Pokeno (Selby Street to Market Street); vi. Main Street, Te Kauwhata (Saleyard Road to Baird Avenue). <p>(i) <u>New on-site parking and loading bays shall not be located within an Identified Area</u>.¹⁹</p>
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4.6 Section 32AA evaluation

122. The recommended amendments are only for correction and clarification. Therefore, a s32AA evaluation is not required.

5 Rule 14.12.1.3 P3 On-site manoeuvring and queuing

Submission point	Submitter	Decision requested
123.1	Classic Builders Waikato Limited	Retain Rule 14.12.1.3(1)(a)(i) Permitted Activities – exemption of Local Roads within the Residential and Village Zones with a posted speed limit of less than 60km/h from providing on-site manoeuvring, as notified
FS1092.6	Garth & Sandra Ellmers	Supports 123.1
697.66	Waikato District Council	Amend Rule 14.12.1.3 P3 (1)(a) Permitted Activities as follows: (a) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse out from or to a road except...
742.99	NZTA	Amend Rule 14.12.1.3(1)(a)(i) P3 On-site manoeuvring and queuing, as follows: (1)(a)(i) Rule 14.12.1.3(1)(a) does not apply to Local Roads within the Residential and Village Zones with a posted speed limit of less than 60 kph km/h.
742.100	NZTA	New Zealand Transport Agency: Retain Rule 14.12.1.3(1)(b) P3 On-site manoeuvring and queuing, except for amending to correct “90 percentile” to “90 th percentile”, as follows: (b)A 90 th percentile car, as defined in Figure 14.12.5.8, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;
742.101	NZTA	Amend Rule 14.12.1.3(1)(c) P3 onsite manoeuvring and queuing, as follows: On-site manoeuvring space for any heavy vehicle shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and <u>the largest combination standard configuration heavy vehicle permitted on the road(s) to which the site has frontage trucks to be used</u>), as set out in the guideline RTS 18 – New Zealand on-road tracking curves for heavy motor vehicles (2007);

¹⁹ 81.246 Waikato Regional Council

588.9	Woolworths NZ Ltd	Amend Rule 14.12.1 P3 On-site manoeuvring and queuing activity-specific conditions 14.12.1.3(1)(f) as follows: (f) On-site manoeuvring and queuing spaces are not required on sites with vehicle accesses/entrances to the following <u>(but for the avoidance of doubt, can still be provided without resulting in a non-compliance with this rule);...</u>
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5.1 Analysis

123. **Classic Builders Waikato Limited** [123.1] seeks to retain Rule 14.12.1.3(1)(a)(i) Permitted Activities – exemption of Local Roads within the Residential and Village Zones with a posted speed limit of less than 60km/h from providing on-site manoeuvring, as notified. The submitter states that the currently operative District Plan requires that all sites provide on-site manoeuvring, and the submitters find that this requirement is very restrictive and results in poor outcomes where the functionality of the house and on-site amenity are sacrificed to cater to car parking and manoeuvring space. The submitter supports the proposed change to remove this requirement for residential properties in low speed environments.
124. *FS1092.6 Garth & Sandra Ellmers supports 123.1: The operative District Plan does not reflect the move to smaller homes and sections. NZ has an aging population so the residential housing rules must account for this. Many of the residential rules are not suitable for smaller lots, so need to be amended.*
125. By requiring space on-site to enable cars to turn around before exiting a site, Rule 14.12.1.1(1)(a) avoids vehicles reverse manoeuvring onto roads that would impact on the function of the road network. The safety impacts from reverse manoeuvring on Local Roads with speed limits less than 60kph within Residential and Village Zones are less significant and therefore excluded from this requirement. I recommend accepting Classic Builders Waikato Limited [123.1] and *FS1092.6 Garth & Sandra Ellmers*, noting their support for the provision.
126. **Waikato District Council** [697.66] seeks minor wording amendments for clarity.
127. I recommend accepting Waikato District Council [697.66] as a minor correction for the reason provided by the submitter.
128. **NZTA** [742.99] supports Rule 14.12.1.3(1)(a)(i), but seeks an amendment to ensure the correct abbreviation for speed is used.
129. I recommend accepting NZTA [742.99] as a minor correction. “km/h” is used consistently elsewhere in Chapter 14.
130. **NZTA** [742.100] seeks to retain Rule 14.12.1.3(1)(b) P3 On-site manoeuvring and queuing, except for amending to correct “90 percentile” to “90th percentile”,
131. I recommend accepting NZTA [742.100] as the minor correction is appropriate.
132. **NZTA** [742.101] seeks to amend Rule 14.12.1.3(1)(c) P3 onsite manoeuvring and queuing, to refer to the largest combination standard configuration heavy vehicle (i.e. heavy truck and trailer) permitted on the road(s) to which the site has frontage.
133. The submitter states that RTS 18 is a 2007 document and was produced before High Productivity Motor Vehicles (HPMV) were permitted on some roads; The submitter considers the Proposed

District Plan should refer to tracking curves for the largest combination standard configuration heavy vehicle permitted on the roads to which the site has frontage.

134. I recommend accepting NZTA [742.101], as updating the heavy vehicle tracking curve reference is appropriate.

135. **Woolworths NZ Ltd** [588.9] seeks to amend Rule 14.12.1 P3 On-site manoeuvring and queuing activity-specific conditions 14.12.1.3(1)(f) to clarify that on-site manoeuvring and queuing space for sites on the listed streets are not precluded, but rather that their provision is optional in favour of urban design controls for those centres. The submitter states that as it reads, it might suggest that provision for these matters on the identified streets would result in a non-compliance and require a traffic assessment.

136. I disagree as the rule 14.12.1.3(f) as worded is clear that on-site manoeuvring and queuing spaces are not mandatory on sites with sole frontages to certain specified streets. There is no rule stating a non-compliance, if provision is made for such matters on those sites. The traffic generation rules may require a traffic assessment for more intensive activities to manage potential effects on the road network, such as from access and queuing. I recommend rejecting Woolworths NZ Ltd [588.9].

5.2 Recommendations

137. For the reasons above, I recommend the Hearings Panel:

- a. Accept Classic Builders Waikato Limited [123.1] and FS1092.6 Garth & Sandra Ellmers
- b. Accept Waikato District Council [697.66]
- c. Accept NZTA [742.99]
- d. Accept NZTA [742.100]
- e. Accept NZTA [742.101]
- f. Reject Woolworths NZ Ltd [588.9]

5.3 Recommended amendments

138. Amend 14.12.1.3 P3 as follows:

P3	On-site manoeuvring and queuing	<p>14.12.1.3</p> <p>(1) All activities must comply with the following on-site manoeuvring and queuing conditions:</p> <p>(a) On-site manoeuvring space shall be provided to ensure that no vehicle is required to reverse onto from or to ²⁰ a road except;</p> <p>i. Rule 14.12.1.3(1)(a) does not apply to Local Roads within the Residential and Village Zones with a posted speed limit of less than 60 kph km/h. ²¹</p> <p>(b) A 90th ²² percentile car, as defined in Figure 14.12.5.8, can enter and exit all parking spaces without making more than one reverse movement, excluding spaces required for a dwelling;</p> <p>(c) On-site manoeuvring space for any heavy vehicle shall comply with the tracking curve (relevant for the type of activities to be carried out on the site and the largest combination standard configuration heavy vehicle permitted on the road(s))</p>
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²⁰ 697.66 Waikato District Council

²¹ 742.99 NZTA

²² 742.100 NZTA

		<p>to which the site has frontage trucks to be used); as set out in the guideline RTS 18 – New Zealand on-road tracking curves for heavy motor vehicles (2007),²³</p> <p>(d) On-site manoeuvring space shall be formed;</p> <p>(e) On-site queuing space shall be provided in accordance with Table 14.12.5.12 for vehicles entering and exiting any on-site car parking, loading or manoeuvring space, where:</p> <ol style="list-style-type: none"> Length is measured from the road boundary where vehicles first enter the site; and On-site queuing above must not encroach into the required on-site manoeuvring area; <p>(f) On-site manoeuvring and queuing spaces are not required on sites with vehicle accesses/entrances to the following:</p> <ol style="list-style-type: none"> Main Street, Huntly; Jesmond Street, Ngaruawahia; Bow Street, Raglan (James Street to Cliff Street); George Street, Tuakau (Gibson Road to Liverpool Street); Great South Road, Pokeno (Selby Street to Market Street); Main Street, Te Kauwhata (Saleyard Road to Baird Avenue). <p>(g) New on-site manoeuvring shall not be located within an Identified Area²⁴</p>
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5.4 Section 32AA evaluation

139. The recommended amendments are for minor corrections and clarifications only. The heavy vehicle provision is an update from the 2007 vehicle tracking curves to the larger standard configuration for heavy vehicles currently permitted on the road. Therefore, a s32AA re-evaluation is not required.

6 Rule 14.12.1.4 P4 Traffic generation

Submission point	Submitter	Decision requested
184.16 260.16 335.18 584.16	Vera Wennekers; Pam Ferguson Charitable Trust and Allen Fabrics Limited; Willemien Wennekers; Allen Fabrics Limited	Add clause (j) to Activity-specific condition 14.12.1.4(1) relating to P4 traffic generation as follows: (1) Any activity must comply with the following traffic generation conditions:... <u>(j) Within the Kimihia Lakes Recreation and Events Zone, there shall be no maximum traffic generation provided that:</u> <u>(a) A certified Traffic Management Plan (which shall include, but is not limited to, the provisions of a wide area assessment) shall be in place and implemented for all activities. The Traffic Management Plan shall:</u> <u>(i) Provide for the supervision and control of patrons entering and exiting the Kimihia Lakes Recreation and Events Park, and the transportation of patrons to and from the Park;</u>

²³ 742.101 NZTA

²⁴ 81.246 Waikato Regional Council

		<p>(ii) <u>Limit the speed of traffic within the Kimihia Lakes Recreation and Events Park to 30km/h</u></p> <p>(iv) <u>Provide for monitoring and reporting on the number of vehicle movements for all activities and events;</u></p> <p>(v) <u>Include protocols for undertaking reviews of the Traffic Management Plan by an Implementation Monitoring Committee consisting of the New Zealand Police, the Council and the Kimihia Lakes Recreation and Events Park operator</u></p> <p>(vi) <u>Be reviewed, certified and endorsed by Council, by (date) of each year.</u></p> <p>(b) <u>For any activity or event, or combination of activities and events where there is likely to be in excess of 5,000 people, the operator of the park shall advise the Council a minimum of 10 working days before the activity and event occurs of the details of the activity and event and the relevant provisions of the Traffic Management Plan that are to be implemented.</u></p>
FS1047.9; FS1047.10	Murray and Jennifer Allen - Allen Fabrics Limited	Supports 184.16 Supports 184.16
FS1202.72	NZTA	Opposes 584.16
697.68	Waikato District Council	Amend Rule 14.12.1.4 Permitted Activities Traffic generation as follows: (1) Any activity <u>Each site</u> must comply with the following traffic generation conditions:...
742.102	NZTA	Amend all references to "per day" in Rule 14.12.1.4(1) P4 Traffic generation to " <u>per site per day.</u> "
588.10	Woolworths NZ Ltd	Amend Rule 14.12.1 P4 Traffic generation activity-specific conditions 14.12.1.4(1) as follows: (1) Any activity must comply with the following traffic generation conditions:... (c) Within the Business Zone Tamahere, Business Zone or Business Town Centre Zone there is a maximum of 300 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements, <u>except for supermarkets which are governed by (c)(i) below:</u> <u>(c)(i) Supermarkets within the Business Zone or Business Town Centre Zone must not exceed traffic generation of 100 vehicles per hour (any hour) or must not exceed 1667m² gross floor area.</u>
633.17	Van Den Brink Group	Delete Rule 14.12.1 P4 (1)(c) Permitted Activities in its entirety.
FS1118.13	Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers	Supports 633.17
FS1304.6	Gary Bogaart / Meremere Dragway Inc.	Supports 633.17.

419.107	Hort NZ	Amend activity-specific condition 14.12.1.4 (1)(d)(i) in Rule 14.12.1 Permitted Activities, as it relates to P4 Traffic Generation, as follows: (d) Within the Rural Zone: (i) There is a maximum 200 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements; or <u>For activities directly associated with horticulture harvesting, a maximum of 300 vehicle movements [per day for up to a month] once in a 12-month period and no more than 33% of these vehicle movements are heavy vehicle movements; or...</u>
466.3	Balle Bros Group	Amend Rule 14.12.1.4 P4 Traffic Generation to enable annual exemption for horticultural activities during harvest time
<i>FS1302.12</i>	<i>Mercer Airport</i>	<i>Supports 466.3</i>
791.2	Meremere Dragway Inc	Amend Activity specific condition 14.12.1.4 (1)(d)(i) relating to P4, to increase the maximum vehicle movements per day from 200 to 350 vehicle movements per day with no more than 15% of these vehicle movements being heavy vehicles.
637.5 639.5	Livestock Improvement Corporation; Dairy NZ Incorporated	Retain Rule 14.12.1.4 (1)(d)(ii) Permitted Activities - Traffic Generation.
761.18	Lyndendale Farms Limited	Amend Rule 14.12.1.4(1)d)-Traffic Generation so that it does not apply to a retirement village at 180 Horsham Downs Road.
591.8	Stevenson Waikato Ltd	Amend Rule 14.12.1 P4 (1)(d) Traffic Generation, to add iii as follows: (d) Within the Rural Zone: (i) There is a maximum 200 vehicle movements per day and no more than 15% of these vehicle movement are heavy vehicle movements; or (ii) Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements per day; or <u>(iii) Within the Aggregate Extraction Areas or Aggregate Resource Areas identified on the planning maps there is a maximum of 400 vehicle movements per day including heavy vehicle movements.</u>
<i>FS1146.9</i>	<i>Gleeson Quarries Huntly Limited on behalf of</i>	<i>Supports 591.8</i>
<i>FS1345.3</i>	<i>Genesis Energy</i>	<i>Supports 591.8.</i>
723.9	Winstone Aggregates	Amend Rule 14.12.1.4 (1) (d) Permitted Activities relating to P4 Traffic Generation, as follows: (d) Within the Rural Zone:... <u>(iii) All traffic movements generated from sites identified on the planning maps as Aggregate Extraction Areas, there is a maximum of 400 vehicle movements per day; or</u>
<i>FS1345.144</i>	<i>Genesis Energy</i>	<i>Supports 723.9</i>
302.3	EnviroWaste	Delete Rule 14.12.1.4 P4 (1)(e) Permitted Activities.

FS1338.8	Combined Poultry Industry	Supports 302.3
581.22	Synlait Milk Ltd	Amend Rule 14.12.1.4 P4 (l)(e) Permitted Activities to increase the maximum number of vehicle movements per day and the maximum percentage of heavy vehicle movements. OR Delete Rule 14.12.1P4(l)(e) Permitted activities and replace with a new rule where developments over 10,000m ² trigger a requirement for an integrated transport assessment.
FS1341.39	Hynds Pipe Systems Limited	Supports 581.22
FS1306.32	Hynds Foundation	Supports 581.22.
821.14	The Poultry Industry Association NZ; Inghams Enterprises (NZ) Ltd; Brinks NZ Chicken; Egg Producers Federation NZ; Tegel Foods Ltd	Amend Rule 14.12.1 P4 (l)(e)(i) Permitted Activities relating to traffic generation, as follows: (e) Within the Industrial Zone and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry): (i) Maximum 250 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements; or...
FS1317.11	Quinn Haven Investments Limited and M & S Draper	Opposes 821.14
633.18	Van Den Brink Group	Delete Rule 14.12.1 P4 (l)(e) Permitted Activities in its entirety.
FS1118.14; FS1304.7	Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart / Meremere Dragway Inc.	Supports 633.18.
766.10	Holcim	Delete Rule 14.12.1 P4(e) Permitted Activities.
FS1118.12; FS1304.5	Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers; Gary Bogaart / Meremere Dragway Inc.	Supports 766.10
588.59	Woolworths NZ Ltd	Amend Rule 14.12.1 P4 Traffic generation activity-specific conditions 14.12.1.4 (l)(e) as follows: (e) Within the Industrial Zone and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry); (i) Maximum 250 vehicle movements per day 100 vehicles per hour (any hour) and no more than 15% of these vehicle movements are heavy vehicle movements
FS1345.134	Genesis Energy	Supports 588.59
924.28	Genesis Energy	Retain Activity specific condition 14.12.1.4 P4 (l)(f) - relating to - Traffic Generation as notified

697.67	Waikato District Council	Amend Rule 14.12.1.4 (1) Permitted activities as follows: (f) ... i. All traffic <u>vehicle</u> movements generated from all activities on the site combined (including those movements which were lawfully established prior to 5 December 2012), there is a maximum 750 vehicle movements per day; and ii. ... (g) ... i. All traffic <u>vehicle</u> movements generated from all activities on the site combined (excluding those movements which were lawfully established prior to 5 December 2012), there is maximum 350 vehicle movements per day;
823.3	NZTE Operations Limited	Amend Rule 14.12.1.4 - Permitted Activities relating to P4 Traffic generation, as follows;... (h) Within Precincts A and B of the Te Kowhai Airpark Zone there is a maximum 250 vehicle movements <u>per site</u> per day and no more than 15% of these vehicle movements are heavy vehicle movements. (i) Within Precincts C and D of the Te Kowhai Airpark Zone there is a maximum of 30 vehicle movements <u>per site</u> per day and no more than 4 of these vehicle movements are heavy vehicle movements except;...
FS1178.3	<i>Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson.</i>	Opposes 823.3
578.39	POAL	Retain Rule 14.12.1 Permitted Activities, except for amending activity-specific condition 14.12.1.4 relating to P4 Traffic Generation as follows: (1) Any activity must comply with the following traffic generation conditions:... (i) <u>from the Horotiu Industrial Park: does not exceed 15.4 trips/ha gross land area/peak hour.</u> Note: <u>Where the likely traffic generation rates or the actual generation rates of the actual activity are unknown, Table 14.12.5.13 provides indicative traffic generation rates for various activities.</u>

6.1 Analysis

140. There are 23 submission points and 34 further submissions on Rule 14.12.1 Permitted Activity P4 traffic generation and the associated conditions in Rule 14.12.1.4.

- a. Four submissions seek to add a new clause to support development at the Kimihia Lakes Recreation and Events Zone;
- b. Four submissions seek amendments to the rule to provide greater clarity including that it apply per site rather than per activity, and replacing the word “traffic movements” with “vehicle movements”;

- c. Two submissions on clause (c) business zones seek to include specific provisions for supermarkets, and to remove clause (c);
- d. Six submissions on clause (d) Rural Zone seek to include specific provision for horticultural harvesting and aggregate extraction areas, increase the maximum number of vehicle movements per day, retain of clause (d)(ii), and exclude a retirement village;
- e. Five submissions on clause (e) industrial zones seek to delete the rule, increase the maximum number of vehicle movements per day, and delete the limit on heavy vehicle movements.

141. **Vera Wennekers** [184.16]; **Pam Ferguson Charitable Trust and Allen Fabrics Limited** [260.16]; **Willemien Wennekers** [335.18]; **Allen Fabrics Limited** [584.16] seek to add clause (j) to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone.

142. *FS1047.9; FS1047.10 Murray and Jennifer Allen - Allen Fabrics Limited supports 184.16: seeking amendments to Rule 14.12.1.4 P4 Traffic Generation to include a new rule for Kimihia Lakes Recreation and Events Zone. FS 1047.10 Murray and Jennifer Allen - Allen Fabrics Limited Supports 184.16: seeking amendments to Rule 14.12.1.8 P8 Off-road pedestrian and Cycle Facilities to include a new rule for Kimihia Lakes Recreation and Events Zone. FS1202.72 NZTA opposes 584.16: stating the provisions requested in the submission relate to "special" or temporary events and are inappropriate for permitted activity criteria in this rule category.*

143. As discussed previously, matters relating to a Kimihia Lakes Recreation and Events Zone will be addressed comprehensively as part of the larger submission requesting the zone (Hearing 25 Zone Extents). I do not consider it appropriate to consider specific provisions until the larger issue of zoning has been determined. Consequential changes from the zoning decision will need to address traffic generation. In my view, a specific Zone is one way of establishing activities and events at Kimihia Lakes Recreation and Events Park, with customised infrastructure and transportation provisions. Alternatively, those could be established by resource consents. In all of those cases, evidence would be needed on the assessment of environmental effects and the nature and intensities of the activities proposed, including, but not limited to traffic generation, traffic management and parking. The submitters may be able to provide such comprehensive evidence to support a new Zone. However, the submission currently appears to not provide sufficient evidence, and is not supported by technical reporting on transportation, integrated transport assessment and traffic management. The submissions are based on a report by Louise Feathers Planning.

144. Given that the more substantive matter of the rezoning of Kimihia Lakes has not yet been considered, I recommend rejecting Vera Wennekers [184.16]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.16]; Willemien Wennekers [335.18]; Allen Fabrics Limited [584.16], as recreation and event activities could be established by resource consents, or by a more comprehensive approach to area-specific zoning. I also recommend rejecting *FS1047.9; FS1047.10 Murray and Jennifer Allen - Allen Fabrics Limited; FS1047.10 Murray and Jennifer Allen - Allen Fabrics Limited*; accept *FS1202.72 NZTA*.

145. **Waikato District Council** [697.67] seeks to amend Rule 14.12.1.4(1) Permitted activities to replace the word “traffic movements” with “vehicle movements” to provide consistency between the terms used. **Waikato District Council** [697.68], **NZTA** [742.102] and **NZTE Operations Limited** [823.3] seek amendments to Rule 14.12.1.4 Permitted Activities Traffic generation to clarify that the rule applies per site rather than per activity. NZTA supports Rule

14.12.1.4(1), which refers to a given number of vehicle movements per day in various zones. The submitter considers that the rule requires further clarity; that the threshold relates to vehicle movements per site rather than per zone.

146. *FSI 178.3 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson* states: *The proposed changes are severely impinging our rights to facilitate our development to its full potential whilst we have placed no restrictions on them; Its costly to move the runway to the south and bring noise control onto their property, they are therefore using our properties to achieve their proposed requirements when their property is able to contain the noise boundaries. Collectively we own approximately 750m along the airfield's northern boundary. We are directly next to the actual airstrip in Te Kowhai where the new owners are proposing to expand their operations to include Instrument Flight Rules (IFR) and all the accompanying changes that come with it, should it go ahead. Our submission considerations last October were based on the report from the acoustic specialist Hegley that was in the original proposed plan of NZTE with consultation based and discussed on their report. NZTE presented another proposal from Marshall Day acoustics which was dated 8/10/18 but not presented until mid-January 2019, which have damning effect over our property. They have entered this information by means of submitting on their plans which is where we are opposing this submission. We are especially concerned with the implications of this over our and neighbouring properties which would require building on land not owned by them to make us to have to apply for Resource consents to build and do not think we should have to. All for their business venture.*

147. **NZTE Operations Limited [823.3]** seeks that the Traffic Generation rule for Te Kowhai Airpark Zone should apply “per site per day” and not “total for the precinct per day”. The submitter states that Precincts A and B are limited to 250 vehicles and Precincts C and D are limited to 30 vehicles before a restricted discretionary status is triggered; however, it is not clear that these limits are per site limits and they could be interpreted as being limits that apply to the whole of the precincts. The submitter considers that the insertions will clarify that this limit does not apply for the whole of the precincts taken together. The further submission opposes the relief sought only as part of opposing the development of the Airpark. The Traffic Generation rule for the Te Kowhai Airpark Zone does not apply to the properties to the north of the Airpark, which have their own Traffic Generation rule related to their zonings.

148. I recommend accepting Waikato District Council [697.68], NZTE Operations Limited [823.3] and NZTA [742.102] as clarification that per day vehicle movement limits apply to each site rather than the Zone as a whole. I recommend that this change be made to each of Rules 12.12.1.4(1) (a) through to (i). I recommend rejecting *FSI 178.3 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson* for the reasons outlined above.

149. I recommend accepting Waikato District Council [697.67], because currently both terms are used and I consider it appropriate to use one term to provide greater consistency.

150. **Woolworths NZ Ltd [588.10]** seeks to amend Rule 14.12.1 P4 Traffic generation activity-specific conditions 14.12.1.4(1) to include specific traffic generation rates for supermarkets. The submitter considers the proposed traffic generation rates are too low and seeks the adoption of the standard employed within the Auckland Unitary Plan that requires a restricted discretionary activity for activities that exceed 100 vehicles per hour or for retail activities that exceed 1,667m² gross floor area.

151. **Van Den Brink Group [633.17]** seeks deletion of Rule 14.12.1 P4(c) Permitted Activities in its entirety. The submitter expresses concerns at the traffic generation threshold allowable for

the Business zone, being a maximum 300 vehicle movements per day and no more than 15% of these vehicle movements are heavy vehicle movements. The submitter considers that Business zones are characterised by heavy vehicle movements and to limit these to only 15% of the trips generated unnecessarily restricts business operations. The submitter further considers that the objectives and policies do not support this restriction on transportation.

152. *FS1118.13 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers supports 633.17: seeks that the submission points be allowed. FS1304.6 Gary Bogaart / Meremere Dragway Inc. supports 633.17: Traffic generation thresholds under the Proposed District Plan are overly restrictive and are not supported by the objective and policies of Chapter 6.5.*
153. Rule 14.12.1.4 P4 1(c) is for permitted activities to establish as-of-right within the Business Zone Tamahere, Business Zone or Business Town Centre Zone. Traffic generation that does not comply with one or more of the permitted activity conditions, such as more than 300 vehicle movements per day or 15% of vehicle movements being heavy vehicles, requires restricted discretionary resource consent. The matters of discretion for that resource consent are restricted to: the trip characteristics of the proposed activity on the site; safety design for vehicles and pedestrians; road network safety and efficiency, particularly at peak traffic times; and mitigation to address adverse effects. Mitigation may include contributing to improvements to the road network. Financial contribution conditions may apply to resource consents, although roads in industrial areas should be designed and constructed for heavy commercial vehicle traffic. Council could also require works on the road, as well as vehicle crossings and access to avoid, remedy or mitigate adverse environmental effects, or alternatively, development contributions or targeted rates outside the District Plan.
154. I do not consider it necessary to include specific traffic-generation thresholds for supermarkets or to delete the maximum threshold for vehicle movements in business zones. Activities with higher traffic generation and/or a high proportion of heavy vehicle traffic generation will require specific site access and internal circulation design and may have effects on the road structure and network. General infrastructure and transportation objectives and policies propose development, operation and maintenance of infrastructure to benefit the social, economic, cultural and environmental well-being of the district; and an integrated land transport network where all transport modes are accessible, safe and efficient, and adverse effects from the construction, maintenance and operation of the transport network are managed. This includes management of effects of traffic generation and heavy vehicle traffic.
155. Permitted activity thresholds for traffic generation are identified at a scale that would not have significant adverse effects on the transport network. Traffic generation that complies with the permitted activity thresholds can occur as of right without assessment of effects. In my opinion, it is appropriate for the effects of larger scale activities (over 300 vehicle movements per day and no more than 15% heavy vehicles movements) in business zones to be assessed as a restricted discretionary activity to ensure the efficiency and effectiveness of the transport network.
156. For the reasons above, I recommend rejecting Woolworths NZ Ltd [588.10] and Van Den Brink Group [633.17] as well as *FS1118.13 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers; FS1304.6 Gary Bogaart / Meremere Dragway Inc.*
157. **Hort NZ [419.107]** and **Balle Bros Group [466.3]** seek amendments to condition 14.12.1.4 (1)(d)(i) in Rule 14.12.1 Permitted Activities to provide for horticultural activities during harvest time. Hort NZ seeks specific vehicle movement standards for horticulture harvesting and Balle

Bros Group seeks an annual exemption from the condition. *FS1302.12 Mercer Airport supports 466.3.*

158. The submitters consider the proposed maximum permitted traffic movements for rural activities is sufficient for everyday horticultural operations, but that at harvest time the volume of product significantly increases and requires a considerably higher number of trucks to transport produce for processing and distribution. A limit of 15% maximum heavy vehicles equate to 30 trucks per day.
159. Hort NZ seeks an exemption to allow for an increased volume of traffic movements once every 12 months, and only associated with harvest time. A total of 50 trucks or 100 vehicle movements is sought to allow for the contingency. Balle Bros Group states that commercial vegetable growers do not want to be in a position that they require a consent to harvest.
160. I agree that there is a need for increased traffic generation for horticultural harvest, including for the heavy vehicles carting produce, and that commercial growers should not be required to seek consent for that. I have added for clarification, and within the scope of 466.3 Balle Bros Group Limited, that the exemption could be 'per day for up to a month', as many horticulture harvests will not be completed within one day. I recommend accepting Horticulture New Zealand [419.107] and Balle Bros Group [466.3], *FS1302.12 Mercer Airport* as an appropriate permitted activity.
161. **Meremere Dragway Inc** [791.2] seeks to amend Activity-specific condition 14.12.1.4 (1)(d)(i), relating to P4, to increase the maximum vehicle movements per day from 200 to 350 vehicle movements per day with no more than 15% of these vehicle movements being heavy vehicles. The submitter considers that 200 vehicle movements a day is overly restrictive within the Rural Zone. The submitter states that many activities within the Rural Zone are reliant upon vehicle movements and there are no other viable transport alternatives due to the distances involved. The submitter considers that 350 vehicle movements a day is more appropriate and accordingly seeks relief.
162. This rule is for permitted activities to establish as-of-right within the Rural Zone. Traffic generation that does not comply with one or more of the permitted activity conditions, such as more than 200 vehicle movements per day or more than 15% of vehicle movements being heavy vehicles, requires restricted discretionary resource consent. The matters of discretion for that resource consent are restricted to: the trip characteristics of the proposed activity on the site; safety design for vehicles and pedestrians; road network safety and efficiency, particularly at peak traffic times; and mitigation to address adverse effects, including contributing to improvements to the road network. Activities with higher traffic generation and/or a high proportion of heavy vehicle traffic generation will require specific site access and internal circulation design and may have effects on the road structure and network.
163. The Operative Waikato District Plan Rule 25.16 includes a permitted activity threshold of 200 vehicle movements per day in the Rural Zone. The Operative Franklin District Plan does not include performance standards for traffic generation in the Rural Zone other than for home occupations (Standard 23A.2.2.2.6). Therefore, application of the permitted threshold for traffic generation in the Rural Zone of what was previously Franklin, is new, but the PWDP is consistent with the existing requirements of the Waikato District.
164. A threshold of 200 vehicle movements per day is consistent with the scale of activities that are permitted in the Rural Zone, noting that traffic effects is a matter of discretion for restricted

discretionary activities. I acknowledge that the Meremere Dragway Activity is a permitted activity in accordance with Rule 22.1.2(P5). I do not consider increasing the permitted threshold across the Rural Zone to be the most appropriate method to implement objectives and policies for the land transport network, because it could result in significant cumulative traffic effects throughout the zone that are not anticipated by the transport network. As a permitted activity, there would be no opportunity to consider the effects of larger scaled activities.

165. Permitted activity thresholds for traffic generation are identified at a scale that would not have significant adverse effects on the transport network. Traffic generation that complies with the permitted activity thresholds can occur as of right without assessment of effects. In my opinion, it is appropriate for the effects of large scale activities (over 200 vehicle movements per day and no more than 15% heavy vehicles movements) in the Rural Zone to be assessed as a restricted discretionary activity to ensure the efficiency and effectiveness of the transport network.
166. I recommend rejecting Meremere Dragway Inc [791.2], as the traffic generation threshold for permitted activity in the Rural Zone is considered appropriate.
167. **Livestock Improvement Corporation** [637.5] and **Dairy NZ Incorporated** [639.5] seeks to retain Rule 14.12.1.4(d)(ii) Permitted Activities - Traffic Generation. The submitters state that the rule retains the permitted traffic movements for an Agricultural Research Centre from Schedule 25C of the Operative Waikato District Plan, which is supported.
168. The support for this provision is noted, and I recommend accepting Livestock Improvement Corporation [637.5] and Dairy NZ Incorporated [639.5].
169. **Lyndendale Farms Limited** [761.18] seeks to amend Rule 14.12.1.4(1)d), so that the permitted traffic generation thresholds do not apply to a retirement village at 180 Horsham Downs Road. The submitter considers that restrictions regarding vehicle movements should not apply to the proposed retirement village at 180 Horsham Downs Road.
170. The activity-specific conditions set out the traffic generation threshold at which an activity ceases to be a permitted activity and requires restricted discretionary resource consent. The resource consent is to manage traffic generation effects, not to prevent activities from occurring. The matters considered by that resource consent are restricted to: the trip characteristics of the proposed activity on the site; safety design for vehicles and pedestrians; road network safety and efficiency, particularly at peak traffic times; and mitigation to address adverse effects, including contributing to improvements to the road network. Activities with higher traffic generation and/or a high proportion of heavy vehicle traffic generation will require specific site access and internal circulation design and may have effects on the road structure and network.
171. I do not support providing an exemption to the traffic generation conditions for a specific site. The traffic generation thresholds are identified by zone to address a range of activities. The submitter is able to seek a resource consent as a restricted discretionary activity if the thresholds are exceeded, and I consider this to be appropriate to ensure that potential traffic effects are managed. I therefore recommend rejecting Lyndendale Farms Limited [761.18], as the rule should remain.
172. **Stevenson Waikato Ltd** [591.8] seeks to amend Rule 14.12.1 P4(d) Traffic Generation to add traffic generation standards for Aggregate Extraction Areas or Aggregate Resource Areas identified on the planning maps. **Winstone Aggregates** [723.9] seeks a similar amendment for Aggregate Extraction Areas.

173. *FSI 146.9 Gleeson Quarries Huntly Limited supports 591.8: We agree that the vehicle movements for extractive industries within Aggregate Extraction areas and Aggregate Resources areas needs to have a specific permitted traffic generation rule but is proposed that a maximum of 500 vehicle movements during peak hours is allowed for extractive industries. Increasing the maximum number of heavy vehicle movements assists with (a) meeting aggregate demand and supporting regional economic growth; (b) shortens the total life span of the quarry. A further submission is only able to support or oppose an original submission, and is unable to seek relief beyond that of the original submission. FSI 345.3 Genesis Energy supports 591.8: for the reasons presented in the submission. Genesis considers that this limit should be applied to all activities in the rural zone in addition to aggregate extraction activities. A further submission is only able to support or oppose an original submission, and is unable to seek relief beyond that of the original submission.*
174. *FSI 345.144 Genesis Energy Supports 723.9: For the reasons presented in the Winstone submission. However, Genesis considers that this should also apply to similar activities such as coal and ash management areas. I note that further submissions are only able to support or oppose an original submission, and are unable to extend the relief sought, for example, to include coal and ash management areas.*
175. *The submitters state that there is no provision in the permitted traffic generation rule for lawfully established extractive industry and their associated truck movements other than a specific provision for the "Huntly Quarry". The submitters note that most extractive industry sites are located in the Rural Zone; and the rule has a maximum of 200 vehicle movement of which no more than 15% can be heavy vehicle movements. The submitters state that quarries cannot comply with this rule and some lawfully established extractive industry can generate up to a maximum of 400 heavy vehicle movements a day; and consider that it cannot have been Council's intention to make all quarries non-compliant with regard to this rule.*
176. *The rule would apply to new quarries and intensification of use of existing quarries beyond their lawfully established activities and associated truck movements. It is a permitted activity rule for activities to establish as-of-right.*
177. *I refer to my assessment above in relation to the permitted activity thresholds for traffic generation in the Rural Zone. In my opinion, it is appropriate for the effects of large-scale activities, such as aggregate activities with over 200 vehicle movements per day, to be assessed as a restricted discretionary activity to ensure the efficiency and effectiveness of the transport network. For the reasons above, I recommend rejecting Stevenson Waikato Ltd [591.8] and Winstone Aggregates [723.9]; FSI 345.3 and FSI 345.144 Genesis Energy, FSI 146.9 Gleeson Quarries Huntly Limited.*
178. **EnviroWaste [302.3], Synlait Milk Ltd [581.22] The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brinks NZ Chicken; The Egg Producers Federation of New Zealand; and Tegel Foods Limited [821.14], Van Den Brink Group [633.18], and Holcim [766.10] Woolworths NZ Ltd [588.59]** submissions all address clause (e), and the relief sought ranges from deleting the rule, to deleting the limit of heavy vehicles, to having a 10,000m² trigger over which an ITA is required, and changing the threshold to 100 vehicles per hour.
179. *There are also a number of further submissions in support, including: FSI 338.8 Combined Poultry Industry supports 302.3 and agrees with the submitter's view that placing a restriction on the number of heavy vehicles to an industrial site is unwarranted, as the zone should be supportive of these activities and their anticipated effects. FSI 306.32 and FSI 341.39 Hynds Pipe Systems Limited supports 581.22.*

the industrial strategic growth node along McDonald Road and, in particular, the importance of appropriate land to enable heavy industrial use. Importantly, the submission seeks to protect the location of Heavy Industrial Zone land from encroachment by sensitive activities and proposal for residential rezoning. Hynds supports the submission as it relates to these matters, because it is also concerned that rezoning of land adjacent to the Heavy Industrial land will create reverse sensitivity effects on the existing and proposed industrial business operations. Ensuring there is no encroachment by sensitive activities on the heavy industrial land is the most appropriate way for the Council to exercise its functions and to ensure the efficiency and effectiveness of the proposed plan provisions. Requirement for an Integrated Traffic Assessment is an enabling approach that allows for activity-specific consideration. Refer to the Auckland Unitary Plan.

180. These submitters all consider the traffic generation thresholds in clause (e) to be overly restrictive, that the Industrial zones are characterised by heavy vehicle movements and to limit these to only 15% of the trip generations is unnecessarily restrictive on industrial operations. In general, submitters do not consider that the objectives and policies contained in Chapter 6.5 support this restriction on transportation. Synlait Milk Ltd indicates that any limit should reflect the types of activities anticipated in the zone, and that requiring larger scaled developments to undertake an integrated transport assessment will enable the specific traffic profile associated with larger scaled activities and the characteristics of the locality to be assessed. Woolworths NZ Ltd considers it is inconsistent that activities in the Industrial Zone have an even lower traffic generation permitted threshold than the Centre Zones, since the Industrial Zone is anticipated to accommodate heavy traffic and at greater volumes.
181. In my opinion, the threshold of 250 vehicle movements per day is consistent with the scale of activities that are permitted in the Industrial Zone. This is consistent with the Operative Waikato District Plan Rule 24.12.1(a). Industrial zones generally comprise of multiple sites and activities within a location. I do not consider increasing the permitted threshold across the Industrial Zone to be the most appropriate method to achieve objectives and policies for the land transport network because it could result in significant cumulative traffic effects throughout the zone that are not anticipated by the transport network. As a permitted activity there, would be no opportunity to consider the effects of larger scaled activities.
182. Permitted activity thresholds for traffic generation are identified at a scale that would not have significant adverse effects on the transport network. Traffic generation that complies with the permitted activity thresholds can occur as-of-right without assessment of effects. In my opinion, it is appropriate for the effects of large-scale activities (over 250 vehicle movements per day and no more than 15% heavy vehicles movements) in the Industrial Zone to be assessed as a restricted discretionary activity to ensure the safety, efficiency and effectiveness of the transport network in accordance with the objectives and policies for the land transport network (Objective 6.5.1 and Policy 6.5.2).
183. Rule 14.12.1 P4 (e) is for permitted activities to establish as-of-right. Traffic generation that does not comply with one or more of the permitted activity conditions, such as more than 15% of vehicle movements being heavy vehicles, requires restricted discretionary resource consent. The matters of discretion for that resource consent are restricted to: the trip characteristics of the proposed activity on the site; safety design for vehicles and pedestrians; road network safety and efficiency, particularly at peak traffic times; and mitigation to address adverse effects, including contributing to improvements to the road network. Activities with a high proportion of heavy vehicle traffic generation will require specific site access and internal circulation design and may have effects on the road structure and network. There are objectives and policies relevant to restricted discretionary control of high proportions of heavy vehicle traffic generation.

184. I recommend rejecting EnviroWaste [302.3], *FSI 338.8 Combined Poultry Industry*; Synlait Milk Ltd [581.22], *FSI 341.39 Hynds Pipe Systems Limited*; *FSI 306.32 Hynds Foundation*; The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brinks NZ Chicken; The Egg Producers Federation of New Zealand; and Tegel Foods Limited [821.14], Van Den Brink Group [633.18]; *FSI 118.14*, *FSI 304.7 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers*; *Gary Bogaart / Meremere Dragway Inc*; Holcim [766.10], and Woolworths NZ Ltd [588.59], as the rule establishes a permitted activity standard threshold for requiring resource consent to enable effects of high proportions of heavy vehicle traffic generation to be addressed.
185. *FSI 317.11 Quinn Haven Investments Limited and M & S Draper opposes 821.14: as it does not provide for future permitted, sensitive activities on abutting land, which may be afforded only a 50m setback and not a 300m setback, if the housed poultry farming activity is developed prior to a permitted sensitive activity on an adjoining site.* I note that the Industrial and Heavy Industrial Zones will provide for industrial activities. This rule is concerned with traffic generation, including heavy goods vehicles. Noise effects from Industrial sites and their heavy goods vehicle traffic are managed by the noise rules of that zone and those of the adjoining zone. I recommend rejecting *FSI 317.11 Quinn Haven Investments Limited and M & S Draper* as beyond scope.
186. *FSI 345.134 Genesis Energy supports 588.59: the intent of the submission but considers that if this be accepted it should be applied consistently across all traffic generation rules and apply to vehicle movements from all industrial/heavy industrial sites.* I note a further submission is only able to support or oppose an original submission, and cannot provide for changes beyond the scope of those sought in the original submission. I recommend rejecting *FSI 345.134 Genesis Energy* as beyond scope.
187. **Genesis Energy** [924.28] seeks to retain Activity specific condition 14.12.1.4 P4 (1)(f). The submitter supports retaining the specific permitted activity conditions for traffic generation from Huntly Power Station.
188. Clause (f) is consistent with the performance standards for permitted activities in the Industrial Zone of the Operative Waikato District Plan Rule 24.15.1, which contains the same standard for the Huntly Power Station. I consider it appropriate to retain the current approach to this specific activity, because the activity is already established and the effects are therefore understood. Accordingly, I recommend accepting Genesis Energy [924.28], noting support for the provision.
189. **POAL** [578.39] supports Rule 14.12.1 Permitted Activities, except for amending activity-specific condition 14.12.1.4 relating to P4 Traffic Generation but seeks specific standards for Horotiu Industrial Park.
190. The submitter draws attention to the fact that the Operative Waikato District Plan requires trip generation from the Horotiu Industrial Park not to exceed 15.4 trips per gross hectare of land during the peak hour, whereas the Proposed District Plan would result in the maximum permitted traffic generation being reduced to 250 vehicle movements per day. The submitter states that this will have implications on the operation of the Horotiu Industrial Park; and considers that such a control does not recognise the regional significance of the Horotiu Industrial Park. POAL considers clarification is required to the note that table 14.12.5.13 only applies where the likely traffic generation of the activity is unknown.
191. The PWDP alters the way in which traffic generation is controlled, from 15.4 trips per gross hectare of land during the peak hour (Operative District Plan), to P4 14.12.1.4(1)(i) Maximum 250 vehicle movements per day and no more than 15% of these vehicle movements are heavy

vehicle movements (Proposed District Plan). This would result in the maximum permitted traffic generation being reduced from potentially 1650 vehicle movements at the peak hour to 250 vehicle movements per day. The current trip generation is not known. However, the Industrial Park does not appear to be fully developed. As an exception to the general industrial activity, the Industrial Park inland port is to be a logistics and transport regional hub, and requires a significantly higher traffic generation limit. The trip generation Table 14.12.5.13 is indicative only, applying to generic industrial activity, and does not reflect the characteristics of an inland port. I recommend accepting POAL [578.39], and the Industrial Park trip generation limit be returned to the Operative District Plan limit, to enable operation of the Industrial Park.

6.2 Recommendations

192. For the reasons above, I recommend the Hearings Panel:

- a. Reject Vera Wennekers [184.16]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.16]; Willemien Wennekers [335.18]; Allen Fabrics Limited [584.16]. Reject *FS1047.9; FS1047.10 Murray and Jennifer Allen - Allen Fabrics Limited; FS1047.10 Murray and Jennifer Allen - Allen Fabrics Limited*; accept *FS1202.72 NZTA*
- b. Accept Waikato District Council [697.68]
- c. Accept NZTA [742.102]
- d. Reject Woolworths NZ Ltd [588.10]
- e. Reject Van Den Brink Group [633.17]; *FS1304.6 Gary Bogaart / Meremere Dragway Inc; FS1118.13 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers*
- f. Accept Hort NZ [419.107] and Balle Bros Group [466.3], *FS1302.12 Mercer Airport*
- g. Reject Meremere Dragway Inc [791.2]
- h. Accept Livestock Improvement Corporation [637.5] and Dairy NZ Incorporated [639.5]
- i. Reject Lyndendale Farms Limited [761.18]
- j. Reject Stevenson Waikato Ltd [591.8] and Winstone Aggregates [723.9]; Reject *FS1345.144 Genesis Energy, FS1146.9 Gleeson Quarries Huntly Limited, FS1345.3 Genesis Energy.*
- k. Reject EnviroWaste [302.3], *FS1338.8 Combined Poultry Industry*; Synlait Milk Ltd [581.22]; *FS1341.39 Hynds Pipe Systems Limited; FS1306.32 Hynds Foundation*; The Poultry Industry Association of New Zealand; Inghams Enterprises (NZ) Limited; Brinks NZ Chicken; The Egg Producers Federation of New Zealand; and Tegel Foods Limited [821.14]; *FS1317.11 Quinn Haven Investments Limited and M & S Draper*; Van Den Brink Group [633.18] and Holcim [766.10]; *FS1304.5; FS1304.7; FS1118.12; FS1118.14 Gary Bogaart / Meremere Dragway Inc for Brookfields Lawyers*
- l. Reject Woolworths NZ Ltd [588.59]; *FS1345.134 Genesis Energy*
- m. Accept Genesis Energy [924.28]
- n. Accept Waikato District Council [697.67]
- o. Accept NZTE Operations Limited [823.3]; Reject *FS1178.3 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson*
- p. Accept POAL [578.39]

6.3 Recommended amendments

193. Amend 14.12.1.4 P4 (1) as follows:

P4	Traffic generation	14.12.1.4 (1) Any-activity Each site ²⁵ must comply with the following traffic generation conditions:
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²⁵ 697.68 Waikato District Council

		<p>(a) Within the Residential, Village or Country Living Zones there is a maximum of 100 vehicle movements <u>per site</u>²⁶ per day, and no more than 15% of these vehicle movements are heavy vehicle movements; or</p> <p>(b) Within the Rangitahi Peninsula Zone there is a maximum of 200 vehicle movements <u>per site</u>²⁷ per day, and no more than 5% of these vehicle movements are heavy vehicle movements; or</p> <p>(c) Within the Business Zone Tamahere, Business Zone or Business Town Centre Zone there is a maximum of 300 vehicle movements <u>per site</u>²⁸ per day, and no more than 15% of these vehicle movements are heavy vehicle movements; or</p> <p>(d) Within the Rural Zone:</p> <ul style="list-style-type: none"> i. There is maximum 200 vehicle movements <u>per site</u>²⁹ per day and no more than 15% of these vehicle movements are heavy vehicle movements; or ii. <u>For activities directly associated with horticulture harvesting, a maximum of 300 vehicle movements per site per day for up to a month, once in a 12-month period and no more than 33% of these vehicle movements are heavy vehicle movements; or</u>³⁰ iii. Within the Agricultural Research Centres identified on the planning maps as a Specific Area there is maximum 3000 vehicle movements <u>per site</u>³¹ per day; or <p>(e) Within the Industrial and Heavy Industrial Zone (excluding the Huntly Power Station and Huntly Quarry site):</p> <ul style="list-style-type: none"> i. Maximum 250 vehicle movements <u>per site</u>³² per day and no more than 15% of these vehicle movements are heavy vehicle movements; or <p>(f) From the Huntly Power Station site as shown as the Industrial Zone Heavy³³ on the planning maps:</p> <ul style="list-style-type: none"> i. All traffic vehicle³⁴ movements generated from all activities on the site combined (including those movements which were lawfully established prior to 5 December 2012), there is a maximum 750 vehicle movements <u>per site</u>³⁵ per day; and ii. Maximum 300 of these vehicle movements are heavy vehicle movements; or <p>(g) From the Huntly Quarry site:</p> <ul style="list-style-type: none"> i. All traffic vehicle³⁶ movements generated from all activities on the site combined (excluding those movements which were lawfully established prior to 5 December 2012), there is maximum 350 vehicle movements <u>per site</u>³⁷ per day; and ii. No more than 150 of these vehicle movements are heavy vehicle movements, increasing to 200 once the
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²⁶ 742.102 NZTA

²⁷ 742.102 NZTA

²⁸ 742.102 NZTA

²⁹ 742.102 NZTA

³⁰ 419.107 Hort NZ; 466.3 Balle Bros Group

³¹ 742.102 NZTA

³² 742.102 NZTA

³³ 697.518 Waikato District Council

³⁴ 697.67 Waikato District Council

³⁵ 742.102 NZTA

³⁶ 697.67 Waikato District Council

³⁷ 742.102 NZTA

		<p>Huntly Bypass section of the Waikato Expressway is open for public use.</p> <p>(h) Within Precincts A and B of the Te Kowhai Airpark Zone ³⁸ there is a maximum 250 vehicle movements <u>per site</u> ³⁹ per day and no more than 15% of these vehicle movements are heavy vehicle movements.</p> <p>(i) Within Precincts C and D of the Te Kowhai Airpark Zone ⁴⁰ there is a maximum of 30 vehicle movements <u>per site</u> ⁴¹ per day and no more than 4 of these vehicle movements are heavy vehicle movements except:</p> <p>i. Movement restrictions do not apply if the activity is an event or promotion (including temporary events) in Precinct C or a community facility in Precinct C.</p> <p>(j) <u>From the Horotiu Industrial Park does not exceed 15.4 trips/ha gross land area/peak hour.</u> ⁴²</p> <p>Note: <u>Where the likely traffic-generation vehicle movement ⁴³ rates or the actual generation rates of the actual activity are unknown,</u> ⁴⁴ Table 14.12.5.13 provides indicative traffic generation rates for various activities.</p>
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6.4 Section 32AA evaluation

194. The following points evaluate the above recommended changes under Section 32AA of the Act. Recommended amendments include:

- a. corrections and clarification, of “per site” vehicle movements, and the indicative nature of the traffic generation table;
- b. provision for horticulture harvesting vehicle movements, to recognise efficiency of peak harvest traffic; and
- c. peak hour vehicle movements at Horotiu Industrial Park, to recognise logistics (inland port) activity.

Other reasonably-practicable options

195. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

196. The amendments address gaps identified in the management of traffic generation that need to be addressed to provide greater certainty and consistency. I consider the amendments to be effective and efficient because they provide certainty and consistency, but they also recognise the seasonal requirements of horticulture harvesting and the inland port at Horotiu Industrial Park.

Costs and benefits

³⁸ 697.519 Waikato District Council

³⁹ 742.102 NZTA; 823.3 NZTE Operations Limited

⁴⁰ 697.519 Waikato District Council

⁴¹ 742.102 NZTA; 823.3 NZTE Operations Limited

⁴² 578.39 POAL

⁴³ 781.8 Ministry of Education

⁴⁴ 578.39 POAL

197. The costs of not addressing these issues would result in additional consenting requirements and costs. I do not consider there to be any benefits of not addressing the gaps that have been identified.

Risk of acting or not acting

198. I do not consider there to be a risk of acting, as the amendments address certainty and consistency. The risk of not acting is a lack of clarity, particularly for horticulture harvesting activities that are seasonal and for the inland port in the Horotiu Industrial Park.

Decision about most appropriate option

199. I consider the amendments including corrections and clarifications to be the most appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2 to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

7 Rule 14.12.1.5 P5 Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities

Submission point	Submitter	Decision requested
559.204	Heritage NZPT	Retain activity specific conditions 14.12.1.5(1)(d) relating to P5 Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities
742.103	NZTA	Amend Rule 14.12.1.5(1) P5 Operation, maintenance and minor upgrading of existing public roads, as follows (subject to relief sought on Rule 14.3.1.3): Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities must comply with the following conditions: (a) The works occur within the road reserve or unformed road ; (b) Works within the road must be for the purpose of : (i) maintaining or improving effectiveness or efficiency consistent with the <u>Incidental to, and serve a supportive function of for</u> , the existing public road; or (ii) <u>Maintaining or improving safety for road users or adjacent properties</u> Required for the safety of road users; or iii. Required for the safety of adjacent landowners or occupiers;
986.84	KiwiRail	Amend Rule 14.12.1 P5 Permitted Activities as follows (or similar amendments to achieve the requested relief): Operation, maintenance and minor upgrading of existing public roads, State Highways, <u>rail corridors</u> , and associated <u>transport road</u> network activities AND Amend the Activity-specific conditions 14.12.1.5 relating to P5 Permitted activities as follows (or similar amendments to achieve the requested relief): (1) Operation, maintenance and minor upgrading of existing public roads, State Highways, <u>railways</u> and associated road network activities must comply with the following conditions:

		<p>(a) The works occur within the road or unformed road or railway corridor;</p> <p>(b) Works within the road or railway corridor must be:</p> <p>(i) Incidental to, and serve a supportive function for, the existing public road or railway corridor; or...</p>
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7.1 Analysis

200. **Heritage NZPT** [559.204] supports Permitted activity P5 and the activity-specific condition 14.12.1.5(1)(d), as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.
201. I support the retention of the clause (d), which requires any earthworks associated with the operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities comply with Rule 14.3.1.3. Specifically, clause (h) in Rule 14.3.1.3 requires that earthworks are not located within any Historic Heritage sites identified within Appendix 30.1. It is appropriate to cross-refer to the general infrastructure earthworks for consistency. I recommend accepting Heritage NZPT [559.204], noting their support for the provision.
202. **NZTA** [742.103] seeks to amend Rule 14.12.1.5(1) P5 to refer to works within the road being for the purpose of maintaining or improving effectiveness or efficiency consistent with the road's function.
203. The submitter opposes Rule 14.12.1.5(1)(b)(i) P5 as the term "supportive function" is not defined in the Plan so the rule is vague. The submitter states each road's function is defined by its categorisation in the road hierarchy, which is considered a clearer reference point; and notes this rule also requires compliance with Rule 14.3.1.3, which the Transport Agency has sought changes to elsewhere in the submission.
204. I agree the proposed amendments are clearer and more focussed on the road function. I recommend accepting NZTA [742.103].
205. **KiwiRail** [986.84] seeks to amend Rule 14.12.1 P5 to recognise the rail corridor.
206. The submitter considers there are many elements in the 14.12.1 Permitted Activities in the Transport section of Chapter 14, which could equally apply to railway corridor activities, and it should be amended so to make this clear.
207. I agree the references should include rail corridor as a transport network. It should be in addition to "road network activities", which is a defined term in the PWDP. I do not support replacing "road network activities" with "land transport network activities", but agree that rail should be included where that network is relevant. I recommend accepting, in part, KiwiRail [986.84] to the extent of adding rail corridor and rail network activities.

7.2 Recommendations

208. For the reasons above, I recommend the Hearings Panel:
- Accept Heritage NZPT [559.204]
 - Accept NZTA [742.103]

c. Accept, in part, KiwiRail [986.84] to the extent of adding rail corridor and rail network activities.

7.3 Recommended amendments

209. Amend 14.12.1.5 P5 as follows:

P5	Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities	<p>14.12.1.5</p> <p>(l) Operation, maintenance and minor upgrading of existing public roads, State Highways, rail corridors and associated rail network and⁴⁵ road network activities must comply with the following conditions:</p> <p>(a) The works occur within the road reserve or unformed road or railway corridor;⁴⁶</p> <p>(b) Works within the road or railway corridor must be for the purpose of;⁴⁷</p> <p>(i) Maintaining or improving effectiveness or efficiency consistent with the incidental to, and serve a supportive function of for,⁴⁸ the existing public road or railway corridor;⁹⁶ or</p> <p>(ii) Maintaining or improving safety for road users or adjacent properties Required for the safety of road users; or⁴⁹</p> <p>iii. Required for the safety of adjacent landowners or occupiers;⁹⁷</p> <p>Lighting shall be designed and located to comply with the Australia New Zealand Roadway Lighting Standard 1158, (series) – Lighting for Roads and Public Spaces: 2005; and</p> <p>(c) Any earthworks must comply with Rule 14.3.1.3.</p>
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7.4 Section 32AA evaluation

210. The following points evaluate the above recommended changes under Section 32AA of the Act.

Other reasonably-practicable options

211. Recommended amendments are for clarification and to add the rail corridor to road-focused provisions. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

212. The amendments address gaps identified in the management of the rail corridor that need to be resolved to provide greater certainty and consistency. I consider the amendments to be effective and efficient because they provide certainty regarding the application of the condition to the rail corridor.

Costs and benefits

⁴⁵ 986.84 KiwiRail

⁴⁶ 742.103 NZTA; 986.84 KiwiRail

⁴⁷ 742.103 NZTA; 986.84 KiwiRail

⁴⁸ 742.103 NZTA; 986.84 KiwiRail

⁴⁹ 742.103 NZTA

213. The costs of not addressing these issues are uncertainty and in relation to the management of effects relating to the rail corridor. I do not consider there to be any benefits of not addressing the gaps that have been identified.

Risk of acting and not acting

214. I do not consider there to be a risk of acting, as the amendments address certainty and consistency. The risk of not acting is a lack of clarity and therefore uncertainty regarding the management of the rail corridor.

Decision about most appropriate option

215. I consider amendments including corrections and clarifications to be the most appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2 to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

8 Rule 14.12.1.6 P6 New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities

Submission point	Submitter	Decision requested
297.49	Counties Manukau Police	Amend Rule 14.12.1.6 P6(1) Permitted Activities – New public roads as follows: New public roads, <u>and private access</u> , including where....
697.70	Waikato District Council	Amend Rule 14.12.1.6(1)(a) Permitted Activities New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities as follows: (a) The public road is located within road or unformed road <u>as shown on the planning maps</u> ;...
742.242	NZTA	Amend Rule 14.12.1.6(1) P6 New public roads as follows (subject to relief sought on Rule 14.3.1.3): (c)(i) Any national routes or regional arterial roads would <u>shall</u> be subject to Rule 14.12.2 (RD6) ... (d)(i) <u>Comply with the</u> The minimum widths specified in Figure 14.12.5.17;
697.69	Waikato District Council	Amend Rule 14.12.1.6(1)(d)(ii) Permitted Activities New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities as follows: ii. Have swale drains on both sides of the carriageway capable of collecting all road runoff and overland flow towards the road or right of way from a 20% Annual Exceedance Period <u>Probability</u> event; and...
299.16	2SEN Limited and Tuakau	Delete Rule 14.12.1.6(1)(d)(iii) Transportation – Permitted Activities

	Estates Limited	
368.17	Ian McAlley	Amend Rule 14.12.1.6(1)(f), to delete specific requirements for development within the Te Kauwhata Structure Plan area
<i>FS1061.6</i>	<i>Campbell Tyson</i>	<i>Supports 368.17</i>
559.205	Heritage NZPT	Retain activity-specific condition 14.12.1.6 (1)(g) relating to P6 New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities

8.1 Analysis

216. **Counties Manukau Police** [297.49] seeks to amend Rule 14.12.1.6 P6(1) to include private accesses.
217. The submitter considers that there must be an obligation to consider access of emergency services and other service vehicles. It is of specific concern to Police and has been problematic in some new developments under the authority of Auckland Council.
218. P6 only deals with public roads, with standards set out in Tables 14.12.5.14 and 14.12.5.15. Private access is addressed within PI Vehicle access for all activities and has standards set out in Tables 14.12.5.2, 14.12.5.3, 14.12.5.4 and 14.12.5.5. In my opinion, Tables 14.12.5.14 and 14.12.5.15 should also apply to Permitted Activity PI, as they include standards for design vehicles (8m rigid truck), minimum ROW widths and seal widths for access legs to allotments, ROWs and access allotments such as Jointly Owned Access Lots (JOAL). I recommend rejecting Counties Manukau Police [297.49], as the change should be made to PI activity-specific conditions, rather than P6, which deals with public roads. The submission from FENZ [378.16] seeks the proposed amendments to Rule 14.12.1.6 PI Vehicle access for all activities, which may go some way to addressing the submitters concerns.
219. **Waikato District Council** [697.70] seeks to amend Rule 14.12.1.6(1)(a) to clarify that the road or unformed road is shown on the planning maps.
220. I recommend accepting Waikato District Council [697.70] for clarification.
221. **NZTA** [742.242] seeks wording amendments to Rule 14.12.1.6(1) P6 as minor grammatical corrections. This rule also requires compliance with Rule 14.3.1.3, which the submitter has sought changes to elsewhere in the submission.
222. I recommend accepting NZTA [742.242] and consider the amendments to be appropriate.
223. **Waikato District Council** [697.69] seeks to amend Rule 14.12.1.6(1)(d)(ii) for consistency with defined terms; Annual Exceedance Probability being the term used within the PWDP.
224. I recommend accepting Waikato District Council [697.69] for consistent use of defined terms.
225. **2SEN Limited and Tuakau Estates Limited** [299.16] seeks deletion of Rule 14.12.1.6(1)(d)(iii) Transportation – Permitted Activities. The submitter considers that, whilst swales are not generally opposed as a method of stormwater management, they will not be suitable in all circumstances. The submitter further considers that the rule is not specific enough to be a permitted activity standard, for example terms are not defined or quantifiable (poor

drainage; infiltration system); and believes that this matter is more appropriately dealt with by an engineering code of practice requirement.

226. Rule 14.12.1.6(1)(d)(iii) applies as a permitted activity standard in the Tamahere Country Living Zone. Swales are considered to be a generally appropriate method of stormwater management in that area, and “poorly-drained soils” and “infiltration systems” are terms sufficiently certain to form part of a permitted activity standard, allowing a ‘deemed to comply’ approach to road drainage design. Resource consent can be sought as part of an application for subdivision if alternative methods of road drainage are proposed. I note that Rule 14.11.1 PI Stormwater systems for new development, also sets out performance standards for drainage and references the Regional Infrastructure Technical Specifications (RITS) as an engineering code of practice. I recommended rejecting 2SEN Limited and Tuakau Estates Limited [299.16], as Rule 14.12.1.6(1)(d)(iii) is considered appropriately worded.
227. **Ian McAlley** [368.17] seeks to amend Rule 14.12.1.6(1)(f) to delete specific requirements for development within the Te Kauwhata Structure Plan area. The submitter states that this area has not been defined in the Proposed Plan; in particular the existing site gradients have been found to be too steep for road-side swales to be provided without scour occurring. The submitter considers that unclear referencing to other documents not notified with the Proposed Plan creates uncertainty in terms of being able to effectively assess the issues associated with a particular project. The submitter states that certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that the relevant requirements of the District Plan can be administered with both efficiency and certainty.
228. Te Kauwhata Structure Plan area is not defined on the PWDP planning maps, which show the zones resulting from the structure plan. These are residential zones in Residential Ecological Te Kauwhata, Residential West Te Kauwhata, which are defined on the maps, and in Te Kauwhata South, a new residential area showing on the Te Kauwhata East and Te Kauwhata South maps. The Rule 14.12.1.6(1)(f) references to “Te Kauwhata Structure Plan area” can be amended to “Te Kauwhata Structure Plan area, being Residential Ecological Te Kauwhata, Residential West Te Kauwhata, and Residential Te Kauwhata South”. Figures 14.12.5.19,20 and 21 show proposed road cross-sections developed through the Te Kauwhata Structure Plan, with road-side or road-centre grass swales for stormwater management. Those figures can remain in the PWDP, and would be deleted after those areas have been developed with their roading infrastructure. In specific locations, where road-side swales cannot be designed and provided, without scour occurring, the subdivision and development resource consents should include alternative stormwater management to achieve equivalent stormwater run-off quality and flow.
229. *FS1061.6 Campbell Tyson Supports 368.17: The proposed access standards are excessive and will result in the inefficient use of the urban land resource.* I note that the access standards were developed as part of the structure planning process, were consulted on, and form part of the Operative District Plan, and include provision for stormwater management by swales. They can be varied by restricted discretionary activity resource consent, if, for example the road gradient means swales cannot be used without scouring.
230. I recommend accepting in part **Ian McAlley** [368.17] to the extent of defining “Te Kauwhata Structure Plan area”, but retaining the Rule 14.12.1.6(1)(f) and the capability of Rule 14.12.2 RD6 for managing effects of alternative stormwater drainage for roads. I recommend rejecting *FS1061.6 Campbell Tyson*.

231. **Heritage NZPT** [559.205] seeks to retain activity-specific condition 14.12.1.6 (1)(g), including where the road has been identified on the planning maps as an Indicative road, and associated road network activities. The submitter supports P6 and the activity-specific condition 14.12.1.5(l)(g) as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maori sites or areas of significance. Therefore, adverse impacts on heritage values will be avoided.
232. I support the retention of the clause (g), which requires that any earthworks associated with the new public roads comply with Rule 14.3.1.3. Specifically, clause (h) in Rule 14.3.1.3 requires that earthworks are not located within any Historic Heritage sites identified within Appendix 30.1. It is appropriate to cross-refer to the general infrastructure earthworks for consistency. I recommend accepting Heritage NZPT [559.205], and noting support for the provision.

8.2 Recommendations

233. For the reasons above, I recommend the Hearings Panel:

- a. Reject Counties Manukau Police [297.49]
- b. Accept Waikato District Council [697.70]
- c. Accept NZTA [742.242]
- d. Accept Waikato District Council [697.69]
- e. Reject 2SEN Limited and Tuakau Estates Limited [299.16]
- f. Accept in part Ian McAlley [368.17] to the extent of defining “Te Kauwhata Structure Plan area” as “Te Kauwhata Structure Plan area, being Residential Ecological Te Kauwhata, Residential West Te Kauwhata, and Residential Te Kauwhata South”, but retaining the Rule 14.12.1.6(1)(f); Reject *FS1061.6 Campbell Tyson*
- g. Accept Heritage NZPT [559.205]

8.3 Recommended amendments

234. Amend 14.12.1.6(1) P6 as follows:

P6	New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities	<p>14.12.1.6</p> <p>(1) New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities must comply with the following conditions:</p> <p>(a) The public road is located within road or unformed road as shown on the planning maps; ⁵⁰</p> <p>(b) The public road is not located within an Identified Area;</p> <p>(c) The design requirements of Table 14.12.5.14 or 14.12.5.15, based on their function within the Road Hierarchy as set out in Table 14.12.5.5, except:</p> <ol style="list-style-type: none"> i. Any National routes or Regional arterial roads would shall ⁵¹ be subject to Rule 14.12.2 (RD6); ii. The specified minimum Road/right of way reserve widths in Table 14.12.5.14 or 14.12.5.15 do not include any additional width required for a turning head; iii. Any private access, right of way or access allotment over 70m in length must be constructed to be in accordance with the highest dimensions required for an access allotment in Table 14.12.5.14 or 14.12.5.15; and
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⁵⁰ 697.70 Waikato District Council

⁵¹ 742.242 NZTA

		<p>iv. The requirements of Table 14.12.5.14 or 14.12.5.15 shall not apply to taxiways within the Te Kowhai Airpark Zone.</p> <p>(d) Within road or unformed road located within the Tamahere Country Living Zone, all roads must:</p> <ol style="list-style-type: none"> Comply with the The ⁵² minimum widths specified in Figure 14.12.5.17; and Have swale drains on both sides of the carriageway capable of collecting all road runoff and overland flow towards the road or right of way from a 20% Annual Exceedance Period Probability ⁵³ event; and In areas of poorly-drained soils, either the stormwater is to be directed to areas with higher infiltration, or infiltration systems are to be constructed. <p>(e) Within road or unformed road located within the Rangitahi Peninsula Zone, the relevant access and road requirements of the Rangitahi Structure Plan take priority over the conditions in Table 14.12.5.14 or 14.12.5.15 in the event of any conflict;</p> <p>(f) Within road or unformed road located within the Te Kauwhata Structure Plan area, being Residential Ecological Te Kauwhata, Residential West Te Kauwhata, and Residential Te Kauwhata South: ⁵⁴</p> <ol style="list-style-type: none"> All roads and vehicle accesses shall be constructed in accordance with Table 14.12.5.14 and Figures 14.12.5.18, 14.12.5.19 and 14.12.5.20; and Stormwater collection must be through grassed swales prior to reaching reticulated systems. <p>(g) Any earthworks must comply with Rule 14.3.1.3.</p> <p>Note: Where the conditions of Table 14.12.5.14 or 14.12.5.15 do not specify a specific dimension and, instead, state this aspect is subject to a specific design; this aspect of the road is considered to be exempt when determining a permitted activity under Rule 14.12.1.6(1). The design of that specific aspect of the road is therefore subject to a separate certification process by the relevant road-controlling authority.</p>
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8.4 Section 32AA evaluation

235. The recommended amendments are for clarification and correction, including identifying location of the Te Kauwhata Structure Plan Area. As such, a s32AA evaluation is not required.

9 Rule 14.12.1.7 P7 Access and New Roads – Te Kowhai Airpark Zone

Submission point	Submitter	Decision requested
559.206	Heritage NZPT	Retain activity-specific condition 14.12.1.7(4) relating to P7 Access and New Roads – Te Kowhai Airpark Zone
<i>FS1339.84</i>	<i>NZTE Operations Limited</i>	<i>Supports 559.206</i>

⁵² 742.242 NZTA

⁵³ 697.69 Waikato District Council

⁵⁴ 368.17 Ian McAlley

823.4	NZTE Operations Limited	Amend Rule 14.12.1.7 - Permitted Activities relating to P7 Access and New Roads – Te Kowhai Airpark Zone, as follows:… (2) Road alignment and the taxiway network within the Te Kowhai Airpark Zone shall be in <u>general</u> accordance with Appendix 9 – The Te Kowhai Airpark Framework Plan. (3) The western boundary of the Te Kowhai Airpark Zone shall provide for future connectivity options (vehicular and/or pedestrian) in <u>general</u> accordance with the location identified in Appendix 9 – The Te Kowhai Airpark Framework Plan.
FS1178.4	Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson.	Opposes 823.4

9.1 Analysis

236. **Heritage NZPT** [559.206] seeks to retain activity specific condition 14.12.1.7(4). The submitter supports Permitted activity P7 and the activity-specific condition 14.12.1.7(4), as this will ensure that works are not located within the Heritage items or, subject to the acceptance of the related Heritage New Zealand submission point, Maori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.
237. *FS1339.84 NZTE Operations Limited supports 559.206: to the extent that it is consistent with the relief sought in NZTE's submission and this further submission. 559.206 supports the activity-specific condition for the protection it provides to heritage items and Maori sites or areas of significance, with alternative road and access locations possibly affecting such sites. NZTE supports the PWDP provisions for Te Kowhai Airpark Zone, but also seeks some flexibility in the location of road and access.*
238. I recommend accepting Heritage NZPT [559.206] and *FS1339.84 NZTE Operations Limited*, noting their support for the provision.
239. **NZTE Operations Limited** [823.4] seeks to amend Rule 14.12.1.7 to require “general” accordance with Appendix 9. The submitter considers the rules are too prescriptive and will not allow for minor amendments in layout that are in general accordance with the road alignment and taxiway network detailed in Appendix 9.
240. I agree the rules could allow greater flexibility for minor amendments in layout. I note that the Earthworks rule 14.3.1.3 is recommended to be amended in response to a submission by Heritage NZ to protect Maori Sites and Areas of Significance as well as Heritage Items. Rule 14.12.1.7 P7 Access and New Roads – Te Kowhai Airpark Zone requires that earthworks must comply with Rule 14.3.1.3.
241. *FS1178.4 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson opposes 823.4, stating as above that: The proposed changes are severely impinging our rights to facilitate our development to its full potential whilst we have placed no restrictions on them. Its costly to move the runway to the south and bring noise control onto*

their property they are there for using our properties to achieve their proposed requirements when their property is able to contain the noise boundaries. Collectively we own approximately 750m along the airfields northern boundary. We are directly next to the actual airstrip in Te Kowhai where the new owners are proposing to expand their operations to include Instrument Flight Rules (IFR) and all that accompanying changes that come with it should it go ahead. Our submission considerations last October were based on the report from the acoustic specialist Hegley that was in the original proposed plan of NZTE with consultation based and discussed on their report. NZTE presented another proposal from Marshall Day acoustics which was dated 8/10/18 but not presented until mid January 2019, which have damning effect over our property. They have entered this information by means of submitting on their plans which is where we are opposing this submission. We are especially concerned with the implications of this over our and neighbouring properties which would require building on land not owned by them to make us to have to apply for Resource consents to build and do not think we should have to. All for their business venture. The further submission appears to relate to the development and intensification of activities within the Te Kowhai Airpark Zone, and the effects of noise from those activities requiring the further submitters to apply for resource consents to develop their own land. It is not directly relevant to this submission point 823.4 NZTE Operations Limited, which seeks flexibility for minor road alignment and taxiway network changes, and connectivity options at the Airpark western boundary.

242. I recommend accepting NZTE Operations Limited [823.4] for flexibility of road alignment, taxiway and boundary connectivity. I recommend rejecting FS1178.4 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson.

9.2 Recommendations

243. For the reasons above, I recommend the Hearings Panel:

- a. Accept Heritage NZPT [559.206] and FS1339.84 NZTE Operations Limited
- b. Accept NZTE Operations Limited [823.4]; Reject FS1178.4 Kristine Stead on behalf of Marshall & Kristine Stead, Lloyd Davis, Kylie Davis Strongwick, Jason Strongwick, Nicola and Kerry Thompson

9.3 Recommended amendments

244. Amend 14.12.1.7 P7 as follows:...

P7	Access and New Roads – Te Kowhai Airpark Zone ⁵⁵	<p>14.12.1.7</p> <p>(1) Airpark roads which are to be vested in Council must comply with the following conditions:</p> <p>(a) The design requirements of Table 14.12.5.14 or 14.12.5.15, based on their function within the Road Hierarchy as set out in Table 14.12.5.5, except:</p> <p>i. The requirements of Table 14.12.5.14 or 14.12.5.15 shall not apply to taxiways within Te Kowhai airpark.</p> <p>(2) Road alignment and the taxiway network within the Te Kowhai Airpark Zone⁵⁶ shall be in general⁵⁷ accordance with Appendix 9 – The Te Kowhai Airpark Zone⁵⁸ Framework Plan.</p>
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⁵⁵ 697.519 Waikato District Council

⁵⁶ 697.519 Waikato District Council

⁵⁷ 823.4 NZTE Operations Limited

⁵⁸ 697.519 Waikato District Council

		<p>(3) The western boundary of the Te Kowhai Airpark Zone⁵⁹ shall provide for future connectivity options (vehicular and/or pedestrian) in <u>general</u>¹⁰³ accordance with the location identified in Appendix 9 – The Te Kowhai Airpark Zone⁶⁰ Framework Plan.</p> <p>(4) Any <u>earthworks</u> must comply with <u>Rule 14.3.1.3</u>.</p>
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9.4 Section 32AA evaluation

245. The recommended amendments are to provide greater efficiency and flexibility to future road, taxiway and connectivity options at Te Kowhai Airpark and thus do not require a s32AA assessment.

10 Rule 14.12.1.8 P8 Off-road pedestrian and cycle facilities

Submission point	Submitter	Decision requested
184.17 260.17 335.10 584.17	Vera Wenekers; Pam Ferguson Charitable Trust and Allen Fabrics Limited; Willemien Wenekers; Allen Fabrics Limited	Add clause (b) to Activity-specific conditions 14.12.1.8 relating to P8 Off-road pedestrian and cycle facilities, as follows: <u>(b) In the Kimihia Lakes Recreation and Events Zone there shall be no activity-specific conditions.</u>
<i>FS1047.68</i>	<i>Murray and Jennifer Allen - Allen Fabrics Limited</i>	<i>Supports 184.17.</i>
697.71	Waikato District Council	Amend Rule 14.12.1 P8 Permitted Activities Off-road pedestrian and cycle facilities as follows: Off-road pedestrian and <u>cycleways</u> facilities AND Amend Rule 14.12.1.8(a) as follows: (a) Off-road pedestrian and <u>cycleways</u> cycling facilities that comply with all of the following conditions:...
742.243	NZTA	Amend Rule 14.12.1.8(a) P8 Off road pedestrian and cycle facilities, as follows (subject to relief sought on Rule 14.3.1.3): Off-road pedestrian and/or cycling facilities that comply with all of the following conditions:...
535.63	Hamilton City Council	Amend Activity-specific condition 14.12.1.8 (a)(i) relating to P8 Off-road pedestrian and cycle facilities to provide for instances when the minimum width of 2 metres is not appropriate. AND Amend Activity-specific condition 14.12.1.8 (a)(i) relating to P8 off-road pedestrian and cycle facilities, to define/clarify what is meant by "off-road pedestrian and cycling facilities".
<i>FS1269.147</i>	<i>HNZC</i>	<i>Opposes 535.63</i>

⁵⁹ 697.519 Waikato District Council

⁶⁰ 697.519 Waikato District Council

535.64	Hamilton City Council	Amend Activity-specific condition 14.12.1.8 (a)(iii) relating to P8 off-road pedestrian and cycle facilities, to clarify what effects this rule is managing
FS1269.148	HNZC	Supports 535.64.

10.1 Analysis

246. **Vera Wennekers** [184.17]; **Pam Ferguson Charitable Trust and Allen Fabrics Limited** [260.17]; **Willemien Wennekers** [335.10]; **Allen Fabrics Limited** [584.17] seek to add the Kimihia Lakes Recreation and Events Zone to Activity-specific conditions 14.12.1.8 relating to P8 Off-road pedestrian and cycle facilities, and consider that new provisions are required to support the establishment of a zone to enable development of the Kimihia Lakes Recreation and Events Zone. *FS1047.68 Murray and Jennifer Allen - Allen Fabrics Limited supports 184.17 seeking amendments to Rule 14.12.1.8 P8 to include a new rule for Kimihia Lakes Recreation and Events Zone.*
247. In relation to off-road pedestrian and cycle facilities at Kimihia Lakes Recreation and Events Park, the submitter provides no reason as to why the activity-specific conditions should not apply, such as width, formation and earthworks, and in relation to any Identified Areas. It is accepted that the proposed park does not include the actual Lake Kimihia, but is based on nearby farmland and rehabilitation of a disused coalmine.
248. As discussed previously, matters relating to a Kimihia Lakes Recreation and Events Zone will be addressed comprehensively as part of the larger submission requesting the zone (Hearing 25 Zone Extents). I do not consider it appropriate to examine specific provisions until the larger issue of zoning has been determined. Consequential changes of the zoning decision will need to address specific matters raised by the submission. Given that the more substantive matter of the rezoning of Kimihia Lakes has not yet been considered, I recommend rejecting Vera Wennekers [184.17]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.17]; Willemien Wennekers [335.10]; Allen Fabrics Limited [584.17]. I also recommend rejecting *FS1047.68 Murray and Jennifer Allen - Allen Fabrics Limited*.
249. **Waikato District Council [697.71]** seeks to amend Rule 14.12.1 P8 to use consistent terminology.
250. I recommend accepting Waikato District Council [697.71] for clarification and consistency of terminology, identifying “cycleways”.
251. **NZTA** [742.243] seeks to amend Rule 14.12.1.8(a) P8 to refer to off-road pedestrian “and/or” cycling facilities.
252. The submitter supports the intent of this rule, but suggests it should provide flexibility regarding pedestrian, cycle and shared facilities. Note, this rule also requires compliance with Rule 14.3.1.3, which the submitter has sought amendments to.
253. I recommend accepting NZTA [742.243] in order to provide flexibility for shared paths as well as pedestrian walkways and cycleways.
254. **Hamilton City Council** [535.63] seeks to amend Activity-specific condition 14.12.1.8 (a)(i) P8, to provide for instances when the minimum width of 2 metres is not appropriate, and to define/clarify what is meant by “off-road pedestrian and cycling facilities”. The submitter considers there are some circumstances when off-road pedestrian and cycle facilities need to be wider than 2 metres (such as along arterial corridors or when forming, or connecting to, part of a

wider network with a wider standard). The submitter considers shared facilities should be at least 2.5 metres and states that the rule is unclear as to whether the conditions only apply to facilities outside the road corridor or whether it also includes off-carriageway facilities located inside the road corridor.

255. *FS1269.147 HNZN opposes 535.63: the proposed amendment, to the extent it is inconsistent with HNZN primary submission.* HNZN primary submission both supports the permitted activity standards generally and opposes the minimum road and vehicle access widths. The submission from Hamilton City Council [535.63] may seek that cycleways and shared paths require wider road reserves. Note that the rule applies to “off-road pedestrian and cycle facilities” and not to facilities on the road.
256. The PWDP contains rules for the provision of off-road walkways as a restricted discretionary activity through subdivision within the Residential, Country Living, Village, and Rangitahi Peninsula zones (as discussed in report D12A), where these are identified on the planning maps. The subdivision conditions require the walkway to be at least 3m wide and designed and constructed for shared pedestrian and cycle use as per Rule 14.12.1 P8. The planning maps in the PWDP identify “Walkway Cycleway Bridleway”. I understand this to reflect that these pathways may provide facilities for one or all of these activities to be determined at the time of subdivision/implementation. I note that the s42A report for Hearing 10 recommended amendments to provide consistency between the subdivision rule and the planning maps, identifying “off-road walkways, cycleways and bridleways.”
257. I agree that the activity “off-road pedestrian and cycle facilities” is unclear. However, when considering the subdivision provisions for off-road walkways, it is clear that these are intended to provide for both pedestrians and cyclists. Greater clarity would be provided by amending the activity to identify that the activity is “off-road pedestrian walkways and cycleways”. Given that the construction of new roads would include the provision of pedestrian and cycling facilities within the road corridor, P8 specifically addresses the pedestrian walkways and cycleways located outside the road corridor or “off-road.”
258. I also agree there may be instances when the minimum width of two metres would be insufficient for a cycleway and particularly for any shared pedestrian/cycling paths. Although this provision establishes a minimum condition of 2m, I consider it appropriate to identify that a minimum of 2.5m is required along an arterial road or forming a shared path. This is consistent with Policy 6.5.2 as it promotes a land transport network including ‘provision for pedestrians and cyclists that addresses accessibility, including off-road facilities’. Consequential changes would also be required to Rule 14.2.2 RD8 for consistency.
259. I recommend accepting Hamilton City Council [535.63] as clarifying and amending the rule. I recommend rejecting *FS1269.147 HNZN* unless further information is provided to clarify concerns.
260. **Hamilton City Council [535.64]** seeks to amend Activity-specific condition 14.12.1.8 (a)(iii) P8 to clarify what effects this rule is managing. The submitter considers pedestrian and cycling facilities do not generate bulk or dominance-related effects; and that having to comply with a zone setback (particularly if off-road facilities are still within the road corridor) is an inefficient use of land. *FS1269.148 HNZN supports 535.64: the proposed amendment, to the extent it is consistent with HNZN primary submission.*

261. Bulk or dominance-related effects would generally not be generated by walking and cycling facilities, unless they were on viaducts. The building setbacks are only prompted by structures defined as buildings. Building setbacks for waterbodies are specifically exempt for any public walkway, cycleway, or bridleway, but in any case, would only have been triggered by a building. I had understood that the setback standards referred to are not those affecting building location. Other types of setbacks may apply to walking and cycling facilities, such as “earthworks fill material is setback 1.5m from all boundaries”, although I consider that should read as the verb “set back” rather than the noun “setback”. I have been unable to find other types of setback within the PWDP, such as landscape planting setback, or noise or security fencing setback.

262. I recommend accepting Hamilton City Council [535.64] and that the Rule 14.12.8.8 (a) iii be deleted because the facilities of pedestrian walkways and cycleways do not create any built form effects. I recommend accepting *FS1269.148 HNZC*.

263. **Heritage NZPT** [559.207] seeks to retain activity-specific condition 14.12.1.8(iv) and (v) relating to P8. The submitter supports P8 and condition 14.12.1.8(iv) and (v), as this will ensure that works are not located within the Heritage items or Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

264. I recommend accepting Heritage NZPT [559.207], and noting support for the provision.

10.2 Recommendations

265. For the reasons above, I recommend the Hearings Panel:

- a. Reject Vera Wennekers [184.17]; Pam Ferguson Charitable Trust and Allen Fabrics Limited [260.17]; Willemien Wennekers [335.10]; Allen Fabrics Limited [584.17]; Reject *FS1047.68 Murray and Jennifer Allen - Allen Fabrics Limited*
- b. Accept Waikato District Council [697.71]
- c. Accept NZTA [742.243]
- d. Accept Hamilton City Council [535.63]; Reject *FS1269.147 HNZC*
- e. Accept Hamilton City Council [535.64]; Accept *FS1269.148 HNZC*
- f. Accept Heritage NZPT [559.207]

10.3 Recommended amendments

266. Amend 14.12.1 P8 as follows:

P8	Off-road pedestrian <u>walkways</u> and <u>cycleways facilities</u> , ⁶¹ <u>being sections of the public walkway and cycleway network that are not located within the road network</u> ⁶²	14.12.1.8 (a) Off-road pedestrian <u>walkways</u> and/or <u>cycleways eyeing facilities</u> , ⁶³ that comply with all of the following conditions: i. Have a minimum 2.0m width <u>or 2.5m where alongside an arterial road or forming a shared path</u> ; ⁶⁴ ii. Are formed; iii. Comply with the relevant setback standards for the applicable zone; and ⁶⁵ —iv. Any earthworks must comply with Rule 14.3.1.3; and
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⁶¹ 697.71 Waikato District Council

⁶² 535.63 Hamilton City Council

⁶³ 697.71 Waikato District Council

⁶⁴ 535.63 Hamilton City Council

⁶⁵ 535.64 Hamilton City Council

		iv. Are not located within an Identified Area
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10.4 Section 32AA evaluation

267. The recommended amendments are to clarify off-road walkway and cycleway requirements, including recognition that they are not subject to setback standards. Therefore, a s32AA evaluation is not required.

11 Rule 14.12.1.9 P9 Stock underpasses located within Road and unformed road or Rural Zone

Submission point	Submitter	Decision requested
559.208	Heritage NZPT	Retain Activity-specific condition 14.12.1.9 (1)(a) and (b) relating to P9 Stock underpasses located within (a) Road and unformed road (b) Rural Zone
680.174	FFNZ	Delete Activity specific conditions 14.12.1.9 (1)(b) relating to P9 Stock underpasses located within: (a) Road and unformed road (b) Rural Zone

11.1 Analysis

268. **Heritage NZPT** [559.208] supports permitted activities P9 and activity-specific condition 14.12.1.9(a) and (b), as this will ensure that works are not located within the Heritage items or Maaori sites or areas of significance, and therefore adverse impacts on heritage values will be avoided.

269. I support the retention of the clauses (a) that require any earthworks associated with the stock underpasses comply with Rule 14.3.1.3, and (b) require that stock underpasses are not located within an Identified Area. As discussed previously, clause (h) in Rule 14.3.1.3 requires that earthworks are not located within any Historic Heritage sites identified within Appendix 30.1. It is appropriate to cross-refer to the general infrastructure earthworks for consistency, and that earthworks, as a permitted activity, avoid identified heritage sites as well as Identified Areas. I recommend accepting Heritage NZPT [559.208], and note support for the provision.

270. **FFNZ** [680.174] seeks deletion of Activity specific conditions 14.12.1.9 (1)(b). The submitter opposes Rule 14.12.1.9 and submits that restrictions on stock underpasses in the Rural Zone, that are aimed at managing visual amenity, should reflect the wide-open space scale and rural amenity character of rural areas. The submitter considers it is not appropriate to superimpose the same visual amenity values on structures in rural areas as in urban areas, noting that in rural areas, farmers typically have need of stock underpasses to augment the efficient and safe operation of farms. Further, the submitter states that imposing a requirement to trigger resource consent for stock underpasses in Identified Areas unfairly penalises farmers who have to rely on such facilities, for what amounts to little or no environmental benefit. FFNZ states that the efficiency and safety of farm operations can be compromised if farmers are required to have a high regulatory hurdle to overcome in order to be able to install practically-sized functional stock underpasses, for the sake of unnecessary visual amenity criteria.

271. Rule 14.12.1.9 permits stock underpasses in roads and unformed roads and the Rural Zone, provided they are not located within an Identified Area, or require earthworks located within a Historic Heritage site when they become a discretionary activity. Identified Areas include

Significant Natural Area; Outstanding Natural Feature; Outstanding Natural Landscape; Significant Amenity Landscape; Outstanding Natural Character; High Natural Character; Heritage Items; Maaori Sites and Areas of Significance; and Notable Trees. The effects considered would not be solely those on visual amenity, but could also include environmental effects on the feature's character, ecology, indigenous habitat, cultural values and historic heritage.

272. Whilst it is necessary and appropriate to provide for stock underpasses, it is important to consider the provision of such activities in relation to potential adverse effects on Historic Heritage and Identified Areas, which are recognised as matters of national importance in accordance with Section 6 of the Act. I therefore consider it appropriate for resource consent to be required as a discretionary activity in these locations. I recommend rejecting FFNZ [680.174].

11.2 Recommendations

273. For the reasons above, I recommend the Hearings Panel:

- a. Accept Heritage NZPT [559.208]
- b. Reject FFNZ [680.174].

12 Rule 14.12.2 Restricted Discretionary Activities

Submission point	Submitter	Decision requested
578.40	POAL	Retain Rule 14.12.2 Restricted Discretionary Activities, as notified
749.157	HNZC	Retain Rule 14.12.2 Restricted Discretionary Activities as notified

12.1 Analysis

274. **POAL** [578.40] and **HNZC** [749.157] support retaining Rule 14.12.2 Restricted Discretionary Activities, as notified.

275. I consider it appropriate for activities that do not comply with the permitted conditions to generally require consent as a restricted discretionary activity, where assessment is limited to the identified matters of discretion. This is the appropriate action, in my opinion, as the effects are limited to traffic related matters. I recommend accepting submissions POAL [578.40] and HNZC [749.157].

12.2 Recommendations

276. For the reasons above, I recommend the Hearings Panel:

- a. Accept POAL [578.40]
- b. Accept HNZC [749.157].

13 Rule 14.12.2 RDI Vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1

Submission point	Submitter	Decision requested
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297.51	Counties Manukau Police	Add a new matter of discretion to Rule 14.12.2 RDI Restricted Discretionary Activities as follows: (f) <u>the foreseeable needs for access by emergency services and their vehicles</u>
<i>FS1114.14</i>	<i>FENZ</i>	<i>Supports 297.51</i>
986.86	KiwiRail	Add a new matter of discretion to Rule 14.12.2 RDI Restricted Discretionary Activities as follows (or similar amendments to achieve the requested relief): (g) <u>The extent to which the safety and efficiency of rail and road operations will be adversely affected, including:</u> i. <u>The outcome of any consultation with KiwiRail.</u> ii. <u>Any characteristics of the proposed use that will make compliance unnecessary.</u>
378.17	FENZ	Amend Rule 14.12.2 RDI Restricted Discretionary Activities, as follows: Discretion is restricted to:... (e) Mitigation to address safety, <u>including access clearance requirements for firefighting purposes.</u>
<i>FS1035.123</i>	<i>Pareoranga Te Kata</i>	<i>Supports 378.17</i>
742.245	NZTA	Amend Rule 14.12.2 RDI Vehicle Access matters of discretion as follows: (c) <u>Safety for vehicles and pedestrians all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians;...</u> (e) <u>Mitigation to address safety and/or efficiency.</u>

13.1 Analysis

277. **Counties Manukau Police** [297.51] seeks the addition of a new matter of discretion to Rule 14.12.2 RDI for the foreseeable needs for access by emergency services and their vehicles.

278. The submitter seeks to ensure that there is an obligation to consider access of emergency services and other service vehicles. The submitter identifies that this is of specific concern and has been problematic in some new developments under the authority of Auckland Council; and that the minimum width required for a Fire and Emergency Service general appliance is 4 metres, while the minimum requirement for an aerial appliance is 6 metres.

279. *FS1114.14 FENZ supports 297.51, the amendment of this matter of discretion, as it supports FENZ's requirements of adequate accessibility to both the source of a fire and a fire fighting water supply for the efficient operation of FENZ. For fire appliances to access an emergency, adequate access width, height and gradient is necessary. This submission supports the intention sought in FENZ's submission point number 378.17.*

280. I recommend accepting Counties Manukau Police [297.51] and *FS1114.14 FENZ*, as this is a useful matter of discretion in considering alternative vehicle access proposals.

281. **KiwiRail** [986.86] seeks to add a new matter of discretion to Rule 14.12.2 RDI to consider the safety and efficiency of rail and road operations

282. The submitter states Rule 14.12.1.1(g) provides "No new vehicle access shall be created within 30 metres of a railway level crossing" and therefore seeks the addition of new matters of

discretion for new vehicle accesses within 30 metres of a railway level crossing, as the general matters identified in RDI do not address specific effects on the rail network.

283. I recommend accepting KiwiRail [986.86], as it identifies matters of discretion relevant to proposed vehicle crossings within 30 metres of a railway level crossing.
284. **FENZ** [378.17] seeks to amend Rule 14.12.2 RDI Restricted Discretionary Activities to require consideration of access clearance requirements for fire-fighting purposes.
285. FENZ generally supports the matters of discretion to the extent that it recognises that discretion is required for vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1. While discretion addresses matters in relation to mitigation to address safety, FENZ is concerned that access to a site for emergency purposes may be overlooked; FENZ seek clarity around the discretion Council have for access infringements, specifically in relation to access widths. *FS1035.123 Pareoranga Te Kata supports 378.17: as fire safety and fire prevention is to undertake training activities for fire fighters within the region.*
286. I recommend accepting FENZ [378.17] and *FS1035.123 Pareoranga Te Kata*, as clarification of safety mitigation to include access clearance requirements for firefighting purposes is appropriate.
287. **NZTA** [742.245] seeks to amend Rule 14.12.2 RDI to consider safety for all users of the access and/or intersecting road.
288. The submitter considers some minor changes are required to the matters of discretion. For example, it is not the safety of the vehicles that is of concern from a road safety perspective, but the safety of the vehicle occupants or riders.
289. I recommend accepting NZTA [742.245], for the reasons provided by the submitter.

13.2 Recommendations

290. For the reasons above, I recommend the Hearings Panel:

- a. Accept Counties Manukau Police [297.51] and *FS1114.14 FENZ*
- b. Accept KiwiRail [986.86]
- c. Accept FENZ [378.17] and *FS1035.123 Pareoranga Te Kata*
- d. Accept NZTA [742.245].

13.3 Recommended amendments

291. Amend 14.12.2 RDI as follows:

Activity	Matters of Discretion
Vehicle access that does not comply with one or more of the conditions of Rule 14.12.1.1	Discretion is restricted to: <ol style="list-style-type: none"> (a) Traffic generation by the activities to be served by the access; (b) Location, design, construction and materials of the vehicle access; (c) Safety for vehicles and pedestrians <u>all users of the access and/or intersecting road including but not limited to vehicle occupants or riders and pedestrians</u>; ⁶⁶ (d) Road network safety and efficiency; and

⁶⁶ 742.245 NZTA

	<p>(e) Mitigation to address safety <u>and/or efficiency, including access clearance requirements for fire-fighting purposes.</u>⁶⁷</p> <p>(f) <u>The foreseeable needs for access by emergency services and their vehicles</u>⁶⁸</p> <p>(g) <u>The extent to which the safety and efficiency of rail and road operations will be adversely affected, including:</u></p> <p style="padding-left: 40px;">i. <u>The outcome of any consultation with KiwiRail; NZTA; Waikato District Council, as the rail or road controlling authority.</u></p> <p style="padding-left: 40px;">ii. <u>Any characteristics of the proposed use that will make compliance unnecessary.</u>⁶⁹</p> <p>(h) <u>Management of effects on the values of the Identified Area</u>⁷⁰</p>
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13.4 Section 32AA evaluation

292. The following points evaluate the above recommended changes under Section 32AA of the Act.

Other reasonably-practicable options

293. Recommended amendments are for clarification to include additional matters of discretion to address gaps in the notified rule relating to access for emergency vehicles, and the safety and efficiency of rail and road operations. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

294. The recommended amendments are clarifications of safety and emergency service vehicle access requirements, and are for improved efficiency of the provisions.

Costs and benefits

295. The costs of not addressing these issues are uncertainty in relation to management of effects relating to access for emergency vehicles and safety of the transport network. I do not consider there to be any benefits of not addressing the gaps that have been identified.

Risk of acting and not acting

296. I do not consider there to be a risk of acting, as the amendments address certainty and consistency. The risk of not acting is a lack of clarity and therefore uncertainty regarding access for emergency vehicles and the safety and efficiency of the transport network.

Decision about most appropriate option

297. I consider the amendments be the most appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2 to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

⁶⁷ 378.17 FENZ

⁶⁸ 297.51 Counties Manukau Police

⁶⁹ 986.86 KiwiRail

⁷⁰ 81.246 Waikato Regional Council

14 Rule 14.12.2 RD2 On-site parking and loading that does not comply with one or more of the conditions of Rule 14.12.1.2

Submission point	Submitter	Decision requested
697.72	Waikato District Council	Amend Rule 14.12.2 RD2 Restricted Discretionary On-site parking and loading that does not comply with one or more of the conditions of Rule 14.12.1.2 by adding a new matter of discretion as follows: Discretion is restricted to:... <u>(f) Need for parking spaces.</u>
FS1340.114	TaTa Valley Limited	Supports 697.72
742.246	NZTA	Amend Rule 14.12.2 RD2 Onsite parking and loading matter of discretion (d) as follows: <u>(d) Safety for vehicles and pedestrians all users of the access and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u>
297.59	Counties Manukau Police	Add a new matter of discretion to Rule 14.12.2 RD2 Restricted discretionary activities as follows: <u>(f) the foreseeable needs for access by emergency services and their vehicles.</u>
FS1114.15	FENZ	Supports 297.59

14.1 Analysis

298. **Waikato District Council [697.72]** seeks to add a new matter of discretion to Rule 14.12.2 RD2 that requires consideration of the need for parking spaces.
299. *FS1340.114 TaTa Valley Limited supports 697.72: as some activities may not have a functional need for parking spaces, or may not need many parks, and as such this should be a matter of consideration.*
300. I recommend accepting Waikato District Council [697.72] and FS1340.114 TaTa Valley Limited, as addressing the need for parking spaces where a proposal does not comply with the parking rule is an appropriate addition. There may be circumstances where there simply is no need to provide the required parking spaces due to the nature of the activity.
301. **NZTA [742.246]** seeks to amend Rule 14.12.2 RD2 to refer to safety for all users of the access and/or intersecting road.
302. The submitter states it is not the safety of the vehicles that is of concern from a road safety perspective, but the safety of the vehicle occupants or riders and I agree.
303. **Counties Manukau Police [297.59]** seeks the addition of a new matter of discretion to Rule 14.12.2 RD2 to require consideration of the foreseeable needs for access by emergency services and their vehicles.
304. The submitter explains that this amendment is to ensure that there is an obligation to consider access of emergency services and other service vehicles. This is of specific concern to the

submitter and has been problematic in some new developments under the authority of Auckland Council; the minimum width required for a Fire and Emergency Service general appliance is 4 meters; the minimum requirement for an aerial appliance is 6 meters.

305. *FS1114.15 FENZ supports 297.59, the amendment of this matter of discretion as it supports FENZ's requirements of adequate accessibility to both the source of a fire and a fire-fighting water supply for the efficient operation of FENZ. For fire appliances to access an emergency, adequate access width, height and gradient is necessary. The requirements for fire-fighting access are set out in the Code of Practice and further detailed in FENZ's 'Emergency Vehicle Access Guidelines' (May 2015).*

306. I recommend accepting Counties Manukau Police [297.59] and *FS1114.15 FENZ*, and consider this addition is a useful matter of discretion in considering alternative vehicle access proposals.

14.2 Recommendations

307. For the reasons above, I recommend the Hearings Panel:

- a. Accept Waikato District Council [697.72] and *FS1340.114 TaTa Valley Limited*
- b. Accept NZTA [742.246]
- c. Accept Counties Manukau Police [297.59] and *FS1114.15 FENZ*.

14.3 Recommended amendments

308. Amend 14.12.2 RD2 as follows:

RD2	On-site parking and loading that does not comply with one or more of the conditions of Rule 14.12.1.2	Discretion is restricted to: <ol style="list-style-type: none"> (a) The number, area, type, location and marking of parking spaces; (b) The area, design, gradient, stormwater management, construction and materials of parking and loading spaces; (c) Accessibility of parking areas from on-site activities; (d) Safety for vehicles and pedestrians <u>all users of the access and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u>⁷¹ (e) Mitigation to address amenity and connectivity. (f) <u>Need for parking spaces.</u>⁷² (g) <u>The foreseeable needs for access by emergency services and their vehicles.</u>⁷³ (h) <u>Management of effects on the values of the Identified Area</u>⁷⁴
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14.4 Section 32AA evaluation

309. Recommended amendments are for clarification of safety and emergency service vehicle access.

The “Need for parking spaces” additional matter of discretion is to provide the reason for not meeting car parking standards, so the rule can operate within a cascade of permitted activity and restricted discretionary effects management. Therefore, I consider the amended provisions to be the more appropriate method to achieve Objective 6.5.1 and Policy 6.5.2 - to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

⁷¹ 742.246 NZTA

⁷² 697.72 Waikato District Council

⁷³ 297.59 Counties Manukau Police

⁷⁴ 81.246 Waikato Regional Council

15 Rule 14.12.2 RD3 On-site manoeuvring and queuing that does not comply with one or more of the conditions of Rule 14.12.1.3

Submission point	Submitter	Decision requested
742.104	NZTA	Amend Rule 14.12.2 RD3 On-site manoeuvring and queuing matter of discretion (c) as follows: (c) Safety design for vehicles and pedestrians <u>The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u>

15.1 Analysis

310. **NZTA** [742.104] seeks to amend Rule 14.12.2 RD3 (c) to consider the design of features intended to ensure safety for all users of the access site, and/or intersecting road.

311. The submitter supports the intent of matter of discretion (c), but seeks amendment to clarify the intention of the term "safety design".

312. I recommend accepting NZTA [742.104], and consider there is value in additional words that will clarify "safety design".

15.2 Recommendations

313. For the reasons above, I recommend accepting NZTA [742.104].

15.3 Recommended amendments

314. Amend 14.12.2 RD3 as follows:

RD3	On-site manoeuvring and queuing that does not comply with one or more of the conditions of Rule 14.12.1.3	Discretion is restricted to: <ul style="list-style-type: none"> (a) Location, area, design, construction and materials of the manoeuvring and queuing space; (b) Type and frequency of use; (c) Safety design for vehicles and pedestrians<u>The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u>⁷⁵ (d) Road network safety and efficiency. (e) <u>Management of effects on the values of the Identified Area</u>⁷⁶
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15.4 Section 32AA evaluation

315. The recommended amendment is intended to clarify that safety is required for people rather than vehicles. As such, a s32AA evaluation is not required.

⁷⁵ 742.104 NZTA

⁷⁶ 81.246 Waikato Regional Council

16 Rule 14.12.2 RD4 Traffic generation that does not comply with one or more of the conditions of Rule 14.12.1.4

Submission point	Submitter	Decision requested
742.105	NZTA	Amend the title of Rule 14.12.2 RD4 Traffic generation as follows: Traffic generation that does not comply with one or more of the conditions of Rule 14.12.1.4 <u>and that is subject of an Integrated Transport Assessment</u>
742.106	NZTA	Amend Rule 14.12.2 RD4 matter of discretion (a) Traffic generation as follows: (a) The trip characteristics of <u>associated with</u> the proposed activity on the site ;
742.107	NZTA	Amend Rule 14.12.2 RD4 matter of discretion (b) Traffic generation as follows: (b) Safety design for vehicles and pedestrians <u>The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u>
742.108	NZTA	Amend Rule 14.12.2 RD4 matter of discretion (c) Traffic generation as follows: (c) Road <u>Land transport</u> network safety and efficiency, particularly at peak traffic times <u>(of both the activity and road network);...</u>

16.1 Analysis

316. **NZTA** [742.105] seeks to amend the title of Rule 14.12.2 RD4 Traffic generation to include activities subject to an Integrated Transport Assessment (ITA). The submitter is concerned at the absence of provisions requiring an Integrated Transport Assessment, as these are necessary to understand the potential adverse transport effects associated with an activity.

317. The Waikato Regional Policy Statement identifies an ITA as – “a comprehensive review of all potential transport impacts of a development proposal”⁷⁷ and identifies it as a method when implementing Policy 6.3 Co-ordinated growth and infrastructure in relation to structure plans, plan changes and resource consents.

318. Activity RD4 addresses traffic generation, where the permitted conditions are exceeded. However, it does not specifically require an ITA, instead setting out the matters of discretion. Although I accept that an ITA would address the matters of discretion identified, I do not consider it necessary to require an ITA, simply because the permitted traffic generation thresholds have been exceeded. Instead, I consider an ITA is a suitable requirement for a more comprehensive review for larger development as expressed in the Regional Policy Statement glossary.

319. I recommend rejecting NZTA [742.105], as an Integrated Transport Assessment is not required to address the effects of activities that exceed the permitted traffic generation thresholds.

⁷⁷ Waikato Regional Policy Statement: Glossary, pg G-5

320. **NZTA** [742.106] seeks to amend Rule 14.12.2 RD4 matter of discretion (a). The matter of discretion (a) refers to trips "on the site", which the submitter considers could be confused with meaning the trips on the site, as opposed to the trips associated with the activity on the site.

321. I recommend accepting NZTA [742.106], as this amendment will remove ambiguity.

322. **NZTA** [742.107] seeks to amend Rule 14.12.2 RD4 matter of discretion (b) Traffic generation to consider the design of features intended to ensure safety for all users of the access site, and/or intersecting road.

323. The submitter supports the intent of matter of discretion (b), but seeks amendment to clarify the intention of the term "safety design". I recommend accepting NZTA [742.107], as this amendment will clarify "safety design".

324. **NZTA** [742.108] supports the intent of 14.12.2 RD4 matter of discretion (c), but seeks amendments to ensure that the term "peak traffic times" relates to the peak times for the activity and for the road to which vehicle movements associated with the activity connect.

325. I recommend accepting NZTA [742.108], as the amendment will clarify "peak traffic times" to relate to the activity and the road network.

16.2 Recommendations

326. For the reasons above, I recommend the Hearings Panel:

- a. Reject NZTA [742.105]
- b. Accept NZTA [742.106]
- c. Accept NZTA [742.107]
- d. Accept NZTA [742.108].

16.3 Recommended amendments

327. Amend 14.12.2 RD4 as follows:

RD4	Traffic generation that does not comply with one or more of the conditions of Rule 14.12.1.4	<p>Discretion is restricted to:</p> <ol style="list-style-type: none"> (a) The trip characteristics of associated with the proposed activity on the site; ⁷⁸ (b) Safety design for vehicles and pedestrians <u>The design of features intended to ensure safety for all users of the access site, and/or intersecting road including but not limited to vehicle occupants, vehicle riders and pedestrians;</u> ⁷⁹ (c) Road Land transport network safety and efficiency, particularly at peak traffic times (of both the activity and road network); ⁸⁰ (d) Mitigation to address adverse effects, such as: <ul style="list-style-type: none"> • Travel planning; • Providing alternatives to private vehicle trips, including accessibility to public transport; • Staging development; and • Contributing to improvements to the road network.
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⁷⁸ 742.106 NZTA

⁷⁹ 742.107 NZTA

⁸⁰ 742.108 NZTA

16.4 Section 32AA evaluation

328. The recommended amendments are for correction and clarification only, for trips associated with an activity, safety for users, and a land transport network broader than roads. I consider amendments be a more appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2 to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

17 Rule 14.12.2 RD5 Operation, maintenance and minor upgrading of existing public roads, State Highways and associated road network activities

Submission point	Submitter	Decision requested
559.209	Heritage NZPT	Retain matters of discretion 14.12.2(g) relating to RD5 Operation, maintenance and minor upgrading of existing public roads, State highways and associated road network activities that does not comply with one or more of the conditions of Rule 14.12.1.5.

17.1 Analysis / Recommendations

329. **Heritage NZPT** [559.209] supports activity RD5 and the matter of discretion (g), and consider that this is an appropriate level of resource consent activity with the provision of the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991.

330. I agree that this is an appropriate way to ensure the effects of values, qualities and characteristics of the site are considered. I therefore recommend accepting Heritage NZPT [559.209].

18 Rule 14.12.2 RD6 New public roads

Submission point	Submitter	Decision requested
559.210	Heritage NZPT	Retain Rule 14.12.2 RD6 Restricted Discretionary Activities.

18.1 Analysis / Recommendations

331. **Heritage NZPT** [559.210] supports activity RD6, as new roads are excluded from the restricted discretionary activity status where located within an Identified Area. The submitter considers this is appropriate, as new roads have the potential to cause significant adverse effects on heritage and cultural values and should be assessed with a more stringent level of resource consent activity to ensure the protection, as required under s6 of the Resource Management Act, is achieved. I agree that discretionary is an appropriate activity status for roads in identified areas. I therefore recommend accepting Heritage NZPT [559.210].

19 Rule 14.12.2 RD7 Access and New Roads – Te Kowhai Airpark Zone

Submission point	Submitter	Decision requested
559.211	Heritage NZPT	Amend matters of discretion 14.12.2(i) relating to RD7 Access and New Roads – Te Kowhai Airpark Zone that do not comply with one or more of the conditions of Rule 14.12.1.7 as follows: (i) <u>The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.</u>
FS1339.85	NZTE Operations Limited	Supports 559.211
742.109	NZTA	New Zealand Transport Agency: Add to Rule 14.12.2 RD7 Access and New Roads - Te Kowhai Airpark the following matter of discretion: (j) <u>adverse effects on the safety and efficiency of the land transport network.</u>
FS1339.86	NZTE Operations Limited	Supports 742.109

19.1 Analysis

332. **Heritage NZPT** [559.211] supports the restricted discretionary activity status of activity RD7 and the associated matters of discretion in part. The submitter considers that while this is an appropriate level of resource consent activity that provides the appropriate level of protection and assessment as required under section 6 of the Resource Management Act 1991, the matters of discretion need to be expanded by including the word “area”, as some sites are part of larger Maaori areas, and this larger context needs to be acknowledged and considered as part of the consenting process. *FS1339.85 NZTE Operations Limited supports 559.211: to the extent that it is consistent with the relief sought in NZTE's submission and this further submission.*
333. I recommend accepting Heritage NZPT [559.211] and *FS1339.85 NZTE Operations Limited*, for the reasons provided by the submitter.
334. **NZTA** [742.109] seeks a new matter of discretion to ensure that potential adverse effects on the safety and efficiency of the transport network are considered. *FS1339.86 NZTE Operations Limited supports 742.109: to the extent that it is consistent with the relief sought in NZTE's submission and this further submission.*
335. I recommend accepting NZTA [742.109] and *FS1339.86 NZTE Operations Limited*, as the proposed new matter of discretion (j) balances the PWDP matter of discretion (f) “The benefits provided by the activity, including safety and efficiency of the road network”.

19.2 Recommendations

336. For the reasons above, I recommend the Hearings Panel:
- Accept Heritage NZPT [559.211] and *FS1339.85 NZTE Operations Limited*

b. Accept NZTA [742.109] and FS/339.86 NZTE Operations Limited.

19.3 Recommended amendments

337. Amend 14.12.2 RD7 as follows:

RD7	Access and New Roads – Te Kowhai Airpark Zone ⁸¹ that do not comply with one or more of the conditions of Rule 14.12.1.7	Discretion is restricted to: <ul style="list-style-type: none"> (a) The extent to which the Te Kowhai Airpark Zone⁸² Framework Plan is not complied with; (b) The extent to which connectivity can safely and practically be achieved between Te Kowhai aerodrome and Te Kowhai village; (c) Adverse effects on amenity values, including construction effects such as vibration and noise; (d) Adverse operational effects, particularly on residential or other sensitive land uses, including effects of vibration, noise, glare and vehicle emissions; (e) Severance and changes to drainage patterns; (f) The benefits provided by the activity, including safety and efficiency of the road network; (g) Management of sediment and dust, including the staging of works; (h) The volume, extent and depth of the earthworks activities; (i) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area;⁸³ (j) <u>adverse effects on the safety and efficiency of the land transport network.</u>⁸⁴
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19.4 Section 32AA evaluation

338. The recommended amendments are technical adjustments to add safety and efficiency of the land transport network as matters for discretion and to broaden the scope of protection for historic areas, if there are any within the Te Kowhai Airpark Zone. The amendments improve the efficiency of the provisions. I consider amendments be the most appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2, to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network.

20 Rule 14.12.2 RD8 Off-road pedestrian and cycle facilities

Submission point	Submitter	Decision requested
559.212	Heritage NZPT	Add a new matter of discretion (e) to 14.12.2 relating to RD8 Off-road pedestrian and cycle facilities that do not comply with one or more of the conditions of Rule 14.12.1.8 as follows:... <u>(e) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.</u>

⁸¹ 697.519 Waikato District Council

⁸² 697.519 Waikato District Council

⁸³ 559.211 Heritage NZPT

⁸⁴ 742.109 NZTA

20.1 Analysis

339. **Heritage NZPT** [559.212] seeks to add a new matter of discretion (e) to 14.12.2 RD8 taking into account location and any effects on the values, qualities and characteristics of the site or area. The submitter is concerned that the matters of discretion for RD8 do not include any assessment related to the Identified Areas as found, for example, in Rule 14.12.2 Restricted Discretionary Activities RD7, matters of discretion (i).

340. The permitted activity conditions for off-road pedestrian and cycleways in Rule 14.12.1.8 requires that they are not located in Identified Areas and earthworks are not located in Historic Heritage Sites (as set out in Rule 14.3.1.3). A restricted discretionary activity is triggered where development is located in Identified Areas. Consideration of a restricted discretionary activity can only be assessed against the matters to which discretion have been restricted. Therefore, it is appropriate to include specific matters in Rule 14.12.2 RD8 that address the location and any effects on the values, qualities and characteristics of the site or area.

341. Where earthworks for off-road walkways and cycleways are located in Historic Heritage Sites it would not comply with Rule 14.3.1.3, requiring consent as a restricted discretionary activity in accordance with the matters of discretion in Rule 14.3.3 RD2. I therefore consider effects pertaining to Historic Heritage Sites to be addressed by this rule. Visual and amenity effects are included as a matter of discretion, but in order to fully address effects on Identified Areas and provide consistency, Rule 14.12.2 R8 should be amended to include the following matter of discretion:

- a. The location of the off-road pedestrian walkway and cycleway, taking into account any effects on the values, qualities and characteristics of the site;

20.2 Recommendations

342. For the reasons above, I recommend accepting Heritage NZPT [559.212].

20.3 Recommended amendments

343. Amend 14.12.2 RD8 as follows:

RD8	Off-road pedestrian and cycle facilities that do not comply with one or more of the conditions of Rule 14.12.1.8	Discretion is restricted to: <ol style="list-style-type: none"> (a) Design, construction and materials; (b) Safety for cyclists and pedestrians; (c) Connectivity with other off-road pedestrian and cycle facilities and the road network; and (d) Visual and amenity effects. <u>(e) The location of the earthworks activities, taking into account any effects on the values, qualities and characteristics of the site or area.</u>⁸⁵
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20.4 Section 32AA evaluation

344. The recommended amendment recognises that off-road walkways and cycleways may involve earthworks and proposed routes affecting Identified Areas and Historic Heritage Sites. Identified Sites are those identified in s6 of the Act to be matters of national importance. The proposed amendments are the most appropriate method for achieving natural environment objectives and

⁸⁵ 559.212 Heritage NZPT

policies, which seek to ensure that the values of the natural environment are recognised and provided for while enabling for some development.

21 Rule 14.12.3 DI Stock underpasses

Submission point	Submitter	Decision requested
680.175	FFNZ	Submission opposes Rule 14.12.3 Discretionary Activities as a consequence of relief sought in the submission to Rule 14.12.1 P9. Stock underpass in Rural Zone within an Identified Area should not be a discretionary activity.

21.1 Analysis

345. **FFNZ** [680.175] opposes Rule 14.12.3 in accordance with the relief sought in relation to Rule 14.12.1 regarding removal of any requirement that triggers a need for a resource consent for stock underpasses within an Identified Area in the Rural Zone, and submits that stock underpasses should not need resource consent due to being situated within an Identified Area, and there will be little or no environmental benefit to be obtained, and farmers will be unnecessarily subjected to costs and delays in order to get stock underpasses installed in roads.

346. Rule 14.12.1.9 P9 permits stock underpasses in roads and unformed roads and the Rural Zone generally as a permitted activity, and as a discretionary activity where there may be effects of earthworks or in an Identified Area. Identified Areas include Significant Natural Area; Outstanding Natural Feature; Outstanding Natural Landscape; Significant Amenity Landscape; Outstanding Natural Character; High Natural Character; Heritage Items; Maaori Sites and Areas of Significance; and Notable Trees. The effects considered would not be solely those on visual amenity, but could also include environmental effects on the feature's character, ecology, indigenous habitat, cultural values and historic heritage. I recommend rejecting FFNZ [680.175], and consider it is appropriate for a stock underpass in Rural Zone, locating within an Identified Area, to be a Discretionary Activity.

21.2 Recommendations

347. For the reasons above I recommend rejecting FFNZ [680.175].

22 14.12.5 Transportation Tables and Figures

23 General and Cross-table

Submission point	Submitter	Decision requested
368.18	Ian McAlley	Delete figures 14.12.5.19, 14.12.5.20 and 14.12.5.21 from the Proposed District Plan.
FS1061.7	Campbell Tyson	Supports 368.18

23.1 Analysis

348. **Ian McAlley** [368.18] seeks deletion of figures 14.12.5.19, 14.12.5.20 and 14.12.5.21 from the Proposed District Plan. The submitter states that the Te Kauwhata Structure Plan area has not been defined on the planning maps. Therefore, it is uncertain as to the applicability of these cross section requirements; instead the standard engineering provisions should apply. The submitter

also considers unclear referencing to other documents or areas not notified with the Proposed Plan creates uncertainty in terms of being able to effectively assess the issues associated with a particular project. The submitter states that certainty is required to enable appropriate planning to occur, both for Council and for private landowners/developers to ensure that the relevant requirements of the District Plan can be administered with both efficiency and certainty. *FS1061.7 Campbell Tyson supports 368.18: as the proposed access standards are excessive and will result in the inefficient use of the urban land resource.*

349. The figures refer to preferred road cross-sections in the Te Kauwhata Structure Plan Area, which is mentioned in the PWDP, but not defined on the Planning Maps. Rule 14.12.1.6 P6, *New public roads, including where the road has been identified on the planning maps as an Indicative road, and associated road network activities*, requires roads and vehicle accesses within the “Te Kauwhata Structure Plan Area” to be constructed in accordance with Table 14.12.5.14 and Figures 14.12.5.18, 14.12.5.19, and 14.12.5.20. That reference is recommended to be clarified, in response to another submission point of Mr McAlley, to define the “Te Kauwhata Structure Plan Area” as comprising Residential Ecological Te Kauwhata, Residential West Te Kauwhata, and Residential Te Kauwhata South. These areas and their preferred road cross-sections were prepared as part of the Te Kauwhata Structure Plan, and were incorporated into the Operative District Plan. Therefore, the PWDP is consistent with this earlier outcome.
350. I recommend rejecting Ian McAlley [368.18]; *FS1061.7 Campbell Tyson* as the areas are known and have been previously established under the Operative District Plan. The submitter may wish to re-litigate those road standards and their requirement for swale drainage, which is appropriately addressed by way of a resource consent.

23.2 Recommendations

351. For the reasons above, I recommend rejecting Ian McAlley [368.18] and *FS1061.7 Campbell Tyson*.

24 Table 14.12.5.1 - Separation distances of an access onto a road from an intersection or between accesses

Submission point	Submitter	Decision requested
749.76	HNZC	Retain Table 14.12.5.1 Separation distances as notified.
535.65	Hamilton City Council	Amend Table 14.12.5.1 - Separation distances, to require compliance with more onerous district plan provisions of an adjoining District Plan.
<i>FS1269.149</i>	<i>HNZC</i>	<i>Opposes 535.65</i>
679.7; 689.27; 690.6; 746.26	Greenways Orchards Limited; Greig Developments No 2 Limited; Paramjit & Taranpal Singh; and The Surveying Company	Amend Table 14.12.5.1 - Separation distances, by replacing with the Operative Waikato District Plan - Franklin Section rules in Part 9.5 Location of Vehicle Crossings for arterial and collector roads.

697.81	Waikato District Council	Amend Table 14.12.5.1 Separation distances by replacing the term “Speed Environment” with “Design Speed.”
742.110	NZTA	Amend Table 14.12.5.1 Separation distances, as per Attachment I to the submission. Refer to submission for full details, or to recommended mark-up version. The amendments include adding a “Posted speed (km/h)” column to the table, adding “National” routes and providing a row of information for 60 km/h posted speed areas and speed environments.

24.1 Analysis

352. In total, there are eight submissions points on Table 14.12.5.1. **HNZC [749.76]** seeks retention and supports the separation distances outlined in the table. The other submissions seek amendments as follows:

- a. **Hamilton City Council [535.65]** seeks amendments to require compliance with more onerous district plan provisions of an adjoining District Plan.
- b. **Greenways Orchards Limited [679.7]; Greig Developments No 2 Limited [689.27]; Paramjit & Taranpal Singh [690.6]; and The Surveying Company [746.26]** seek amendment by replacing with the Operative Waikato District Plan - Franklin Section rules in Part 9.5 Location of Vehicle Crossings for arterial and collector roads.
- c. **NZTA [742.110]** seeks amendment as per Attachment I to the submission to include adding a “Posted speed (km/h)” column to the table, adding “National” routes and providing a row of information for 60 km/h posted speed areas and speed environments.
- d. **Waikato District Council [697.81]** seeks amendments to replace the term “Speed Environment” with “Design Speed” to use more accurate terminology.

353. Hamilton City Council [535.65] considers amendments to require compliance with more onerous district plan provisions of an adjoining District Plan will improve consistency and avoid potential cross-boundary related effects, such as new vehicle accesses in the vicinity of an adjoining local authority. *FS1269.149 HNZC opposes 535.65: to the extent it is inconsistent with its primary submission.*

354. In the absence of national direction, such as a National Planning Standard, the access separation distances need to be consistent within a jurisdiction or district, and would potentially cause confusion if responding to the plan provisions of an adjoining District Plan. In determining which is the more onerous district plan provision, I note that the Hamilton City District Plan and the Waikato Proposed District Plan use different vehicle speed environments and measure the separation distances differently; one from the side and the other from the centre of the access. I recommend rejecting Hamilton City Council [535.65], and accepting *FS1269.149 HNZC* to the extent it opposes 535.65.

355. Submission points **Greenways Orchards Limited [679.7]; Greig Developments No 2 Limited [689.27]; Paramjit & Taranpal Singh [690.6]; and The Surveying Company [746.26]** consider that the section 32 analysis does not justify the separation distances set out in proposed Table 14.12.5.1. The submitters consider that for properties on roads listed at the top of the hierarchy, access is either restricted or strictly managed through design; in contrast, the objective is to maximise ease and access to properties located on local roads.

356. Operative District Plan Franklin Section Rule 9.5.1 Standards for the Location of Vehicle Crossings includes safe stopping distances and minimum sight distances for vehicle crossings. Where these standards are not complied with, a resource consent is required as a restricted discretionary activity, with assessment against matters that are relevant to the zone. Minimum distances apply in relation to sign-posted speed (km/h).
357. Operative District Plan Waikato Section - Part 3 Appendices - A Traffic - A3 Provision of Access on Subdivision - Table 5 Separation Distances controls separation distances based on vehicle speed environments and their safe stopping distances, as well as the road hierarchies (Arterial, Collector and Local roads). For properties on roads listed at the top of the hierarchy (Arterial or Regional Arterial), access to them is either restricted, where alternative access is available, or managed through design and separation distances. For Local Roads, while the objective is to maximise ease and access to properties, this is achieved in different ways depending on the vehicle speed environment - between urban 50 km/h roads and 80 to 100 km/h rural roads.
358. Table 14.12.5.1 is taken directly from Operative District Plan Waikato Section - Part 3 Appendices - A Traffic - A3 Provision of Access on Subdivision - Table 5 Separation Distances. The section 32 evaluation for the Proposed District Plan – Infrastructure and Energy – Section 32 (Transport) included evaluation of Rule 14.12.1 PI Vehicle access for all activities, which includes Table 14.12.5.1 – Separation Distances. Because the provision is operative, it was deemed to have met the requirements of section 32 for that Plan.
359. I consider Table 14.12.5.1 to clearly set out the required site distances focusing on the road classification (Regional Arterial/Arterial and Collector/Local), the speed environment reflecting that this varies across roads and illustrates different types of access by way of Figure 14.12.5.2. By addressing the road hierarchy, Table 14.12.5.1 is consistent with Policy 6.5.2 to promote an efficient and safe land transport network through the appropriate design and location of site accesses. I recommend rejecting Greenways Orchards Limited [679.7]; Greig Developments No 2 Limited [689.27]; Paramjit & Taranpal Singh [690.6]; and The Surveying Company [746.26].
360. **NZTA** [742.110] and amendments sought by NZTA will ensure that the values in Table 14.12.5.1 are commensurate with the Transit NZ Policy Planning Manual Table App5B/3, by including values for 60 km/h as well as reference to National Routes. The relief sought by NZTA is to amend Table 14.12.5.1 as follows (Appendix I to their submission):

Attachment 1: Table 14.12.5.1 – Separation distances

Note changes highlighted in red text

Posted speed (km/h)	Speed environment (km/h)	Distance (m)							
		P		K		M		N	
		National Regional Arterial	Collector Local	National Regional Arterial	Collector Local	National Regional Arterial	Collector Local	National Regional Arterial	Collector Local
100	110	800	500	500	100	60	60	200	100
80	100	550	305	305	80	60	60	100	80
70	80	220	200	220	30	45	45	40	30
60	70	160	160	160	30	20	20	20	20
50 or less	60	125	100	125	30	20	20	15	15

361. A number of further amendments are included in the updated Table 14.12.5.1 that are not explicitly discussed in the submission, including a new column for “Posted Speed” in addition to the speed environment. I understand this is to reflect the fact that the speed environment that roads are designed for are required to be higher than the Posted Speed. I recommend NZTA [742.110] be accepted because the amendments to Table 14.12.5.1 sought are an appropriate

way of providing for National routes and 60 km/h speed areas, as well as providing consistency with Transit NZ Policy Planning Manual Table App5B/3.

362. **Waikato District Council** [697.81] seek amendments to Table 14.12.5.1 to provide greater clarity in terms of terminology by replacing “Speed Environment” with “Design Speed”. I recommend Waikato District [697.81] be accepted, because it is consistent with the NZTA [742.110], that the speed environment reflects the design speed of the road rather than the posted speed. I therefore recommend accepting Waikato District Council [697.81].
363. HNZA [749.76], seeks retention of Table 14.12.5.1 as notified. The amendments discussed above do not alter the role or purpose of the notified table. I therefore recommend accepting in part HNZA [749.76], to the extent that additional material is added to the table in response to other submissions (Waikato District Council 697.81 and NZTA 742.110).

24.2 Recommendations

364. For the reasons above, I recommend the Hearings Panel:

- Reject Hamilton City Council [535.65], accept *FS1269.149 HNZA*
- Reject Greenways Orchards Limited [679.7]; Greig Developments No 2 Limited [689.27]; Paramjit & Taranpal Singh [690.6]; and The Surveying Company [746.26]
- Accept Waikato District Council [697.81]
- Accept NZTA [742.110]
- Accept in part HNZA [749.76], to the extent that additional material is added to the table in response to other submissions.

24.3 Recommended amendments

365. Amend Table 14.12.5.1 Separation distances, as per figure below:

Separation distance of an access onto a road from an intersection or between accesses									
Posted Speed Environment	Design Speed [697.81 Waikato District Council]	Distance (m)							
		P		K		M		N	
		National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road	National Regional Arterial and Arterial	Collector Road and Local Road
100 km/h	100 110 km/h	800	500	200 500	100	60	200	100	
80 km/h	100 100 km/h	550	200 305	120 305	80		100	80	
70 km/h	80 80 km/h	220	200	100 220	30	45	40	30	
60 km/h	70 70 km/h	160 160	160 160	160 160		20	20	15	
50 km/h or less	60 60 km/h	125	100	30 125		20			

[742.110 NZTA]

24.4 Section 32AA evaluation

366. The following points evaluate the above recommended changes under Section 32AA of the Act.

Other reasonably-practicable options

367. Recommended amendments are for clarification and consistency in terms of terminology and national guidelines for roads. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

368. The recommended amendments provide greater clarity regarding separation distances of accesses onto a road in terms of both posted and design speeds, the application to National Roads, and improved consistency with the Transit NZ Policy Planning Manual Table App5B/3. I therefore consider the amendments to provide greater effectiveness and efficiency.

Costs and benefits

369. There will be some costs where the standards are not met – requiring a consent application as a restricted discretionary. The benefits outweigh the costs because minimum separation distances ensure the safety and efficiency of the road network.

Risk of acting and not acting

370. I do not consider there to be a risk of acting, as the amendments address certainty and consistency. The risk of not acting is a lack of clarity and therefore uncertainty in relation to National Roads and roads where the posted speed limit is 60km/h, as well as the relationship between the Table 14.12.5.1 and the Transit NZ Policy Planning Manual Table App5B/3.

Decision about most appropriate option

371. I consider amendments be the more appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1, and Policies 6.5.2(a)(ii) and 6.5.7 to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network through the control, appropriate design and location of site accesses.

25 Figure 14.12.5.2 – Separation distances

Submission point	Submitter	Decision requested
742.111	NZTA	742.111 New Zealand Transport Agency: Retain Figure 14.12.5.2 Separation distances as notified

25.1 Analysis / Recommendations

372. **NZTA** [742.111] supports Figure 14.12.5.2 Separation distances as notified and considers Figure 14.12.5.2 is critical to the interpretation of Table 14.12.5.1.

373. I agree and for the reasons above, I recommend accepting NZTA [742.111].

26 Table 14.12.5.3 - Minimum sight distances from a vehicle entrance

Submission point	Submitter	Decision requested
535.66	Hamilton City Council	Amend Table 14.12.5.3 - Minimum sight distances, to require compliance with more onerous district plan provisions of an adjoining District Plan
<i>FS1269.150</i>	<i>HNZC</i>	<i>Opposes 535.66</i>

679.8; 689.28; 690.7; 746.27	Greenways Orchards Limited; Greig Developments No 2 Limited; Paramjit & Taranpal Singh; and The Surveying Company	Delete Table 14.12.5.3 - Minimum sight distances AND Add references to "RTS6 - Guidelines for visibility at driveways".
697.82	Waikato District Council	Amend Table 14.12.5.3 Minimum sight distances by replacing the term "Speed Environment" to "Design Speed"
697.83	Waikato District Council	Add to Table 14.12.5.3 Minimum Sight Distances, by including diagrams for design speeds of curved roads underneath Table 14.12.5.3
742.112	NZTA	Amend Table 14.12.5.3 minimum sight distances as shown in Attachment 2 to the submission AND Add definitions for "Rural Areas" and "Urban Areas" as referenced in Table 14.12.5.3

26.1 Analysis

374. There are seven submission points on Table 14.12.5.3 seeking the following amendments:

- a. **Hamilton City Council** [535.66] seeks amendments to require compliance with more onerous district plan provisions of an adjoining District Plan;
- b. **Greenways Orchards Limited** [679.8]; **Greig Developments No 2 Limited** [689.28]; **Paramjit & Taranpal Singh** [690.6]; and **The Surveying Company** [746.27] seek deletion of the table and to add references to "RTS6 - Guidelines for visibility at driveways";
- c. **NZTA** [742.112] seeks amendments that provide certainty and consistency with the Transit NZ Policy Planning Manual, and to add definitions for "Rural Areas" and "Urban Areas"; and
- d. **Waikato District Council** [697.82 and 83] seeks amendments to replace the term "Speed Environment" with "Design Speed" to use more accurate terminology, and to include a diagram to provide greater clarity for implementation.

375. **Hamilton City Council** [535.66] seeks to amend Table 14.12.5.3 to require compliance with more onerous district plan provisions of an adjoining District Plan. The submitter considers the amendment will improve consistency and avoid potential cross-boundary related effects, such as new vehicle accesses in the vicinity of an adjoining local authority. *FS1269.150 HNZN opposes 535.66: HNZN opposes the proposed amendment, to the extent it is inconsistent with its primary submission.* HNZN primary submission supports the retention of 14.12.1 Permitted Activities and activity-specific conditions as notified.

376. In the absence of national direction, such as a National Planning Standard, the access separation distances need to be consistent within a jurisdiction or district, and would potentially cause confusion if responding to the plan provisions of an adjoining District Plan. In determining which is the more onerous district plan provision, I note that the Hamilton City District Plan and the Waikato Proposed District Plan use different vehicle speed environments and measure the

separation distances differently, one from the side and the other from the centre of the access. I recommend rejecting Hamilton City Council [535.66], and accepting *FSI 269.150 HNZC*.

377. **Greenways Orchards Limited** [679.8]; **Greig Developments No 2 Limited** [689.28]; **Paramjit & Taranpal Singh** [690.7]; and **The Surveying Company** [746.27] seek deletion of Table 14.12.5.3, because the section 32 analysis does not justify the proposed minimum sight distances and there are national documents that already address this matter. The submitter does not consider the District Plan needs to specify different standards. Instead, a reference should be included to "RTS6 - Guidelines for visibility at driveways.
378. **NZTA** [742.112] supports Table 14.12.5.3, but seeks amendments to provide greater certainty, because Rural and Urban Areas are defined and the sight distances are not aligned with Appendix 5B of the Transit NZ Policy Planning Manual. The relief sought in the submission is to add definitions for "Rural Areas" and "Urban Areas" as referenced in Table 14.12.5.3 and amend the table as set out below (Attachment 2 to their submission):

Attachment 2: Table 14.12.5.3 – Minimum sight distances

Note changes highlighted in red text

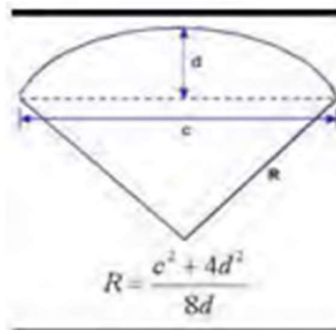
Speed environment (km/h)	From a vehicle entrance generating up to and including 40 vehicle movements per day	From a vehicle entrance generating more than 40 vehicle movements per day	
		Rural Areas	Urban Areas
40	65 m	75 m	65 m
50	90 m	100 m	90 m
60	115 m	125 m	115 m
70	140 m	150 m	140 m
80	180 m	180 m	170 m
90	215 m	215 m	
100	250 m	250 m	
110	290 m	290 m	
120		330 m	

379. NZTA considers there is no clear correlation between the distances in Table 14.11.5.3 and other sight distance sources. NZTA considers it is important to provide certainty, perhaps by reference to the posted speed limit (e.g. urban areas being defined as anywhere with a posted speed limit of 70 km/h or below).
380. The section 32 evaluation for the Proposed District Plan – Infrastructure and Energy – Section 32 (Transport) included evaluation of Rule 14.12.1 PI *Vehicle access for all activities*, which includes Table 14.12.5.3 – Minimum Sight Distances. RTS 6 was published in 1993 by the land Transport Safety Authority and is provided as guidance on the NZTA web-site. In its introduction it states: "These guidelines are for all road controlling authorities covering rural, small urban and large urban areas. Some of the guidelines given, e.g. typical traffic volumes, low and high volume driveway definitions, may not be fully applicable to specific authorities. These can be amended locally for inclusion in district plans." Submission 742.112 NZTA seeks amendments to Table 14.12.5.3 to align with Appendix 5B of the Transit New Zealand Policy Planning Manual, which I consider to be the most appropriate national policy guidance. I recommend rejecting Greenways Orchards Limited [679.8]; Greig Developments No 2 Limited [689.28]; Paramjit & Taranpal Singh [690.7]; and The Surveying Company [746.27], as an amended table 14.12.5.3 is considered to provide appropriate sight distance guidance.
381. I recommend accepting NZTA [742.112], amending the sight distance table to align with those in Appendix 5B of the Transit NZ Policy Planning Manual, and defining 'urban area' and 'rural area' within the terms of Table 14.12.5.3.

382. **Waikato District Council** [697.82] seeks to amend Table 14.12.5.3 by replacing the term “Speed Environment” to “Design Speed” as this is more accurate terminology. As discussed above, the term “Design Speed” more accurately reflects the speed environment and the amendment is consistent with recommended amendments to Table 14.12.5.1. **Waikato District Council** [697.83] also seeks to include the following additional table and diagram underneath Table 14.12.5.3 to include design speeds for road curves:

<u>Road Centreline Radius</u>	<u>Approx. Design Speed</u>
<u>0 - 45m</u>	<u>50 kmh</u>
<u>45 - 60m</u>	<u>60 kmh</u>
<u>60 - 80m</u>	<u>65 kmh</u>
<u>80 - 100m</u>	<u>70 kmh</u>
<u>100 - 120m</u>	<u>75 kmh</u>
<u>120 - 150m</u>	<u>80 kmh</u>
<u>150 - 200m</u>	<u>85 kmh</u>
<u>200 - 300m</u>	<u>95 kmh</u>
<u>300 - 400m</u>	<u>100 kmh</u>
<u>>400m</u>	<u>110kmh</u>

Curve radius can be determined using the following formula:



383. Table 14.12.5.3 currently identifies minimum sight distances based on the speed environment and rural or urban area. However, it does not recognise that there could be a curve in the road that may affect visibility and therefore safety. I support the amendments because they will provide consistency with the changes recommended to Table 14.12.5.1 “Design Speed” and they ensure that the appropriate speed limits apply to curves. I recommend accepting Waikato District Council [697.82 and 83].

26.2 Recommendations

384. For the reasons above, I recommend The Hearings Panel:

- Reject Hamilton City Council [535.66], accept *FS1269.150 HNZC*
- Reject Greenways Orchards Limited [679.8]; Greig Developments No 2 Limited [689.28]; Paramjit & Taranpal Singh [690.7]; and The Surveying Company [746.27]
- Accept Waikato District Council [697.82]
- Accept Waikato District Council [697.83]
- Accept NZTA [742.112].

26.3 Recommended amendments

385. Amend Table 14.12.5.3 as follows:

Design Speed (km/h)[697.82 Waikato District Council]	Environment	From a vehicle entrance generating up to and including 40 vehicle movements per day	
		Rural Areas	Urban Areas
40		40m-65m	60m-65m
50		60m-90m	80m-90m
60		80m-115m	105m-115m
70		100m-140m	130m-140m
80		130m-180m	165m-170m
90		160m-215m	
100		200m-250m	
110		240m-290m	
120			

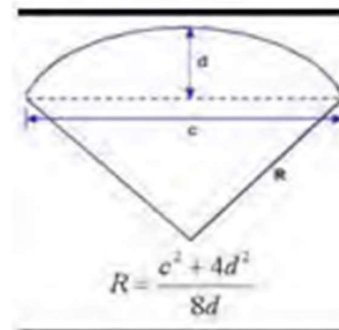
[742.112 NZTA]

Note: Urban areas being those with a posted speed limit of 70 km/h or below. [742.112 NZTA]

386. Add the following table and figure under Table 14.12.5.3 as follows:

Road Centreline Radius	Approx. Design Speed
0 - 45m	50 km/h
45 - 60m	60 km/h
60 - 80m	65 km/h
80 - 100m	70 km/h
100 - 120m	75 km/h
120 - 150m	80 km/h
150 - 200m	85 km/h
200 - 300m	95 km/h
300 - 400m	100 km/h
>400m	110km/h

[697.83 Waikato District Council]



Curve radius can be determined using the following formula:

[697.83 Waikato District Council]

26.4 Section 32AA evaluation

387. The following points evaluate the above recommended changes under Section 32AA of the Act.

Other reasonably-practicable options

388. Recommended amendments are for clarification and consistency in terms of terminology and national guidelines for roads. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

389. The recommended amendments provide greater clarity regarding minimum sight distances for accessways in terms of Design Speeds, improved consistency with the Transit NZ Policy Planning Manual Table App5B/3, and recognition of appropriate speeds where there is a curve in the road. I therefore consider the amendments to provide greater effectiveness and efficiency.

Costs and benefits

390. There will be some costs where the standards are not met – requiring a consent application as a restricted discretionary. The benefits outweigh the costs because minimum sight distances ensure the safety and efficiency of the road network.

Risk of acting and not acting

391. I do not consider there to be a risk of acting, as the amendments address certainty and consistency. The risk of not acting is a lack of clarity and therefore uncertainty in relation to the design speed, sight distances where roads are curved, and the relationship between the Table 14.12.5.3 and the Transit NZ Policy Planning Manual.

Decision about most appropriate option

392. I consider amendments be the more appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2(a)(ii) to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network through the appropriate design and location of site accesses.

27 Figure 14.12.5.4 - Minimum sight distances

Submission point	Submitter	Decision requested
742.113	NZTA	Replace Figure 14.12.5.4 Minimum sight distances with Perspective A diagram from Appendix 5b of Transit NZ Planning Policy Manual (2007).

27.1 Analysis

393. **NZTA** [742.113] considers Figure 14.12.5.4 is critical to interpretation of Table 14.12.5.3, but requires amendment to ensure it is consistent with the Transit NZ Planning Policy Manual and Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections (2017 Edition) (from where the PWDP Figure 14.12.5.4 was adapted).

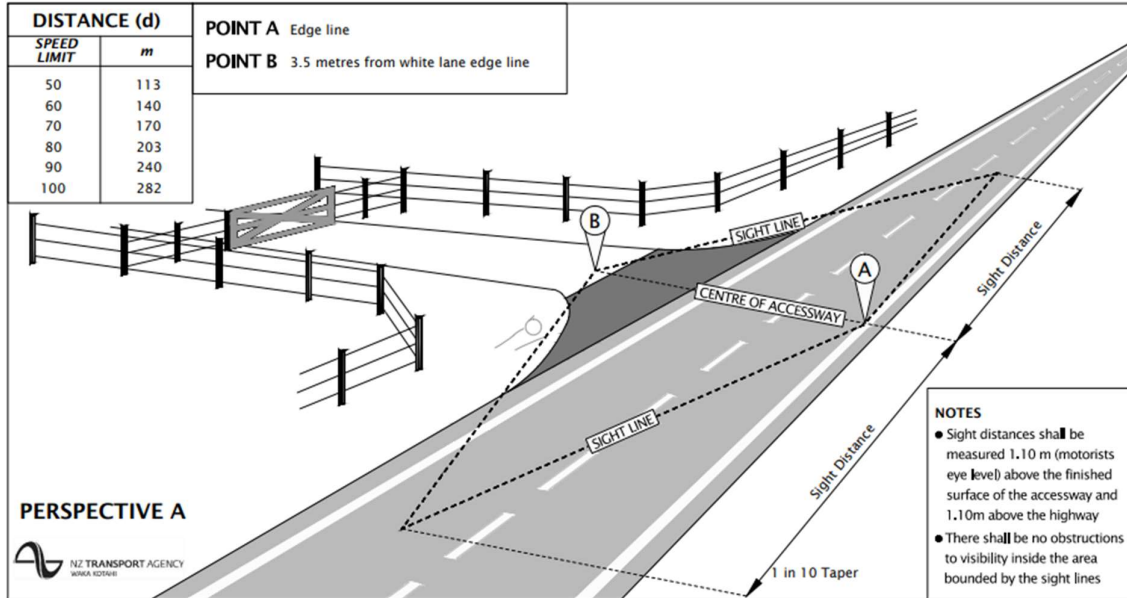
394. I note that Figure 14.12.5.1 has been rolled over from the Operative District Plan Waikato Section (Part 3 – Appendix A3 – Figure 9. I consider it appropriate for Figure 14.12.5.1 to be consistent with national guidance on minimum sight distances. I recommend accepting NZTA [742.113], amending the sight distance diagram to align with Perspective A diagram from Appendix 5b of Transit NZ Planning Policy Manual (2007).

27.2 Recommendations

395. For the reasons above I recommend accepting NZTA [742.113].

27.3 Recommended amendments

396. Replace Figure 14.12.5.4 with the following figure:



[742.113 NZTA]

27.4 Section 32AA evaluation

397. In my opinion, amending Figure 14.12.5.4 is effective and efficient because it provides both consistency with national guidelines on minimum sight distances and certainty regarding implementation. The risk of not acting is uncertainty for implementation, resulting in additional regulatory costs.

398. I consider the amendments be the more appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2(a)(ii) to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network through the appropriate design and location of site accesses.

28 Table 14.12.5.5 - Functions of roads within the Road Hierarchy

Submission point	Submitter	Decision requested
742.114	NZTA	Retain Table 14.12.5.5 Functions of roads within the Road Hierarchy as notified

28.1 Analysis / Recommendations

399. **742.114 NZTA:** seeks to Retain Table 14.12.5.5 Functions of roads within the Road Hierarchy as notified. The submitter considers the description of the functions of the various categories of road is important when the focus is on protecting those functions, and that Council should ensure that terms and abbreviations are consistent throughout the Plan.

400. For the reasons above, I recommend accepting NZTA [742.114].

29 Table 14.12.5.6 - Road Hierarchy list

Submission point	Submitter	Decision requested
367.19	Liam McGrath for Mercer Residents and Ratepayers Committee	Add Koheroa Road as an Arterial Road to Transportation tables and figures 14.12.5.
<i>FS1302.2</i>	<i>Mercer Airport</i>	<i>Supports 367.19.</i>
535.67	Hamilton City Council	Amend Table 14.12.5.6 - Road Hierarchy list, as follows: Clarifying whether the "Gordonton Road" length identified as a regional arterial is different to, or a duplicate of, the "Gordonton Road" length identified as an arterial; Adding the following roads as arterials: Kay Road (River Road to Borman Road (west)), Horsham Downs Road (Kay Road to Waikato Expressway/HCC boundary); Adding these roads as collectors: Exelby Road (SH39 to Hamilton City Council boundary), Rotokauri Road (Bagust Road to Hamilton City Council boundary), Kay Road (Borman Road (west) to Horsham Downs Road), Brymer Road (Rotokauri Road to Hamilton City Council boundary).
742.115	NZTA	Retain Table 14.12.5.6 Road hierarchy list as notified

29.1 Analysis

401. There are three submissions on Table 14.12.5.6 Road Hierarchy list: **NZTA** [742.115] supports retention of the table as notified; **Liam McGrath for Mercer Residents and Ratepayers Committee** [367.19] seeks inclusion of Koheroa Road as an Arterial Road; and **Hamilton City Council** [535.67] seeks clarification on Gordonton Road as well as the inclusion of additional roads.
402. **Liam McGrath for Mercer Residents and Ratepayers Committee** [367.19] seeks the identification of Koheroa Road as an Arterial Road, because it was defined as a Collector Road in the Operative District Plan Franklin Section (Part 9 - Transportation, Para 9.4 - Roading Hierarchy). The submitter indicates that Koheroa Road is well used by other activity organisers for day outings, the main arterial for tourists and users of Mercer Airport, and the main access to Glass Road (used for Mercer School and Cemetery). Due to its significance and users, the submitter considers it needs to be incorporated in the Proposed District Plan; and notes this is the major alternative road for detours as a result of accidents on State Highways 1 and 2.
403. *FS1302.2 Mercer Airport supports 367.19: as the submission point is consistent with the submission made by Mercer Airport to include Mercer Airport as a 'specific zone' in Chapter 9 of the Proposed District Plan. Mercer Airport supports the proposal to make Koheroa an Arterial Road. The operations undertaken at the airport are proposed to be expanded and rely on Koheroa Road for access.*
404. Koheroa Road does not appear to meet the criteria to be classified as an Arterial Road within the Waikato District road hierarchy. I accept that it does provide access to Mercer from the East, and to the School and airfield, and can serve as a detour as a result of accidents on State Highways 1 and 2. However, overall traffic carried (volume and types) is not that of an Arterial Road. Table 14.12.5.5 describes the function of each level of road within the hierarchy. I recommend rejecting Liam McGrath for Mercer Residents and Ratepayers Committee [367.19] and *FS1302.2 Mercer*

Airport, as Koheroa Road does not meet the criteria (traffic volume and types) to be classified Arterial within the Waikato District road hierarchy.

405. **Hamilton City Council** [535.67] seeks to amend Table 14.12.5.6 - Road Hierarchy list to clarify whether the Gordonton Road length, identified as a regional arterial, is different to, or a duplicate of, the Gordonton Road length identified as an arterial; and to include a number of roads as arterial and collector roads to align with the road hierarchy in Hamilton City as set out below:

Hierarchy	Roads to Add
Arterials	<ul style="list-style-type: none"> • Kay Road (River Road to Borman Road (west)) • Horsham Downs Road (Kay Road to Waikato Expressway/HCC boundary)
Collectors	<ul style="list-style-type: none"> • Exelby Road (SH39 to Hamilton City Council boundary) • Rotokauri Road (Bagust Road to Hamilton City Council boundary) • Kay Road (Borman Road (west) to Horsham Downs Road) • Brymer Road (Rotokauri Road to Hamilton City Council boundary)

406. Gordonton Road from State Highway 1 to Taylor Road is the State Highway 1B, which is a Regional Arterial. Gordonton Road from Taylor Road to Hamilton City boundary (Borman Road) is identified as an Arterial. There is no duplication between the two extents of Gordonton Road.

407. Policy 6.5.3 requires the provision of a road hierarchy of different functions and modes of land transport, while recognising the nature of the surrounding land use within the district. Table 14.12.5.5 describes the function of each road category – National routes, Regional arterial routes, Arterial roads, Collector roads, Local roads, and Cul-de-sacs and no-exit roads. Applying the function or criteria to roads throughout the district Table 14.12.5.5 then identifies these down to Collector function. There are variations in the way that some rules and conditions apply, according to the road hierarchy; for example, Table 14.12.5.1 Separation distances.

408. I do not consider it necessary for the classifications of roads in the Waikato District to automatically align with the classification of roads in Hamilton City, because the function may be different, as well as the rules that apply. Some of the roads on the periphery of Hamilton City will accommodate urban expansion and will need to change their classification when that occurs. Advice from the Council Road Safety Engineer, having assessed the appropriate road hierarchy classifications for the roads identified by Hamilton City, supports identifying Exelby Road, Rotokauri Road and Kay Road (Borman Road West to Horsham Downs Road) as Collector Roads in Table 14.15.5.6.

409. I recommend accepting NZTA [742.115], noting support for road hierarchy, and accept in part Hamilton City Council [535.67] to include three additional Collector Roads in Table 14.12.5.6.

29.2 Recommendations

410. For the reasons above, I recommend the Hearings Panel:

- a. Reject Liam McGrath for Mercer Residents and Ratepayers Committee [367.19] and *FS/302.2 Mercer Airport*
- b. Accept in part Hamilton City Council [535.67]
- c. Accept NZTA [742.115].

29.3 Recommended amendments

411. Amend Table 14.12.5.6 as follows:

Add the following rows to the Collector table:

<u>Exelby Road</u>	<u>State Highway 39</u>	<u>Hamilton City boundary</u>
<u>Rotokauri Road</u>	<u>Bagust Road</u>	<u>Hamilton City boundary</u>
<u>Kay Road</u>	<u>Borman Road (west)</u>	<u>Horsham Downs Road</u>

[535.67 Hamilton City Council]

29.4 Section 32AA evaluation

412. State Highways are classified within the road hierarchy by NZTA, as the road controlling authority. Waikato District roads are classified in accordance with the road functions of the Waikato District Road Hierarchy, as set out in Table 14.12.5.5. The road hierarchy and its classifications influence road planning and funding. They also have a district plan planning function, determining priority of access to land and through traffic, traffic management, access for freight and for a range of transport modes and intensities.

413. Road classification needs to be efficient and effective for each road. As the road hierarchy is a district plan rule, a variation or plan change process would be required if the classification of a road is to be changed.

414. The recommended amendments identify three additional roads as Collectors, reflecting the existing function in accordance with Table 14.12.5.5. I consider the amendments to be efficient and effective, and to be in accordance with Policy 6.5.3 providing a hierarchy of roads, and Policy 6.5.4 ensuring that construction, maintenance and operation of roads is consistent with their function in the road hierarchy.

30 Table 14.12.5.7 Required parking spaces and loading bays

30.1 Introduction

415. The topic of required car parking spaces is discussed above in relation to Rule 14.12.1.2 P2 On-site parking and loading. The NPSUD 2020 appears to require the deletion of all minimum car parking provisions from district plans in relation to urban areas. Submissions on required car parking spaces are addressed in this report as Waikato District does not have 'urban areas' and can retain minimum required car parking space provisions in the district plan, except where there is any planning impact on the urban environment of Hamilton. If the NPSUD 2020 does actually require deletion of minimum car parking space provisions from the whole of Waikato District, then the PWDP minimum car parking space provisions can be deleted without a Schedule 1 process.

416. There are a total of 28 submission points and nine further submission on Table 14.12.5.7. Four submissions seek retention of Table 14.12.5.7 in relation to residential activities and emergency services facilities. The majority of submissions (24) seek specific amendments to the minimum parking spaces and loading bays required, including for residential activities, industrial activities, coolstores, workers accommodation, retirement villages, supermarkets, and retail activities (excluding Te Kauwhata Lakeside, indoor sports facilities, health facilities, and education facilities).

30.2 Submissions

Submission point	Submitter	Decision requested
386.15	Pokeno Village Holdings Limited	Amend Rule 14.12.1 Permitted Activities, so that the minimum parking requirement in the Residential Zone is for one car park per dwelling.
<i>FS1202.71</i>	<i>NZTA</i>	<i>Supports 386.15</i>
<i>FS1269.119</i>	<i>HNZC</i>	<i>Supports 386.15</i>
123.2	Classic Builders Waikato Limited	Retain Rule 14.12.5.7 Required parking spaces and loading bays which requires two car parks per dwelling, as notified
281.11	Zeala Ltd trading as Aztech Buildings	Zeala Ltd trading as Aztech Buildings: Amend Table 14.12.5.7 Required parking spaces and loading bays – Industrial activities as follows: 1 car space per 100m ² GFA for the <u>first 500m² of any tenancy and thereafter 1 space per 500m².</u>
<i>FS1353.9</i>	<i>Tuakau Proteins Limited</i>	<i>Supports 281.11</i>
378.18	FENZ	Retain Table 14.12.5.7 Required parking spaces and loading bays relating to emergency service facilities
<i>FS1035.124</i>	<i>Pareoranga Te Kata</i>	<i>Supports 378.18</i>
419.108	Hort NZ	Add provisions to Table 14.12.5.7 Required parking spaces and loading bays, as follows: <ul style="list-style-type: none"> • <u>Coolstores 1 space per 1000m² GFA</u> <u>Workers' accommodation 1 space per 12 workers accommodated</u>
<i>FS1370.1</i>	<i>Aztech Buildings for Zeala Limited</i>	<i>Supports 419.108</i>
578.41	POAL	Amend Table 14.12.5.7 Required parking spaces and loading bays to allow industrial activities to have one parking space per 0.7 FTE employees
<i>FS1374.1</i>	<i>Zeala Limited trading as Aztech Buildings</i>	<i>Supports 578.41</i>
579.54; 579.55	Lakeside2017; Lakeside2017	Amend Table 14.12.5.7 Required parking spaces and loading bays by annotating the control on dwellings with a sentence as follows: <u>except in Te Kauwhata Lakeside on sites 300m² or less.</u> Add a new line within Table 14.12.5.7 Required parking spaces and loading bays as follows: <u>Te Kauwhata Lakeside dwelling on sites of 300m² or less - minimum of one car parking space per dwelling plus on-street parking at a ratio of 0.7 carparking spaces per allotment, or...</u>
579.56; 579.57	Lakeside2017; Lakeside2017	Amend Table 14.12.5.7 Required parking spaces and loading bays by annotating the control on retirement villages as follows: <u>except in Te Kauwhata Lakeside.</u> Add a new line within Table 14.12.5.7 Required parking spaces and loading bays as follows: <u>Te Kauwhata Lakeside Retirement Village - 0.5 car parking spaces per independent living unit and one visitor space for every 10 residents</u>

588.11	Woolworths NZ Ltd	Amend Table 14.12.5.7 - Required parking spaces and loading bays as follows:		
		Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
		Supermarket	1 car space per 25m ² GFA	2 HGV Under 2500m ² GFA - 1 HGV Over 2500m ² GFA - 2HGV
602.45	Greig Metcalfe	Amend Table 14.12.5.7 - Required parking spaces and loading bays, so that the calculation for the minimum required parking spaces for a retailing activity reads, as follows: Retail activity 1 car space per 30m² 45m ² GFA, including indoor and outdoor retail area.		
602.58	Greig Metcalfe	Retain the provisions for dwellings in Table 14.12.5.7 Required Parking Spaces and loading bays.		
602.59	Greig Metcalfe	Retain the provisions for multi-unit development in Table 14.12.5.7 Required for parking spaces and loading bays.		
697.73	Waikato District Council	Amend Table 14.12.5.7 Required parking spaces and loading bays to add two new activities as follows:		
		Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
	
		Dwellings located within the Lakeside Te Kauwhata Precinct	1 car space per dwelling on a site less than 300m ² in area	Nil
Retirement villages located within the Lakeside Te Kauwhata Precinct	0.5 car spaces per independent dwelling or unit and 1 visitor car space per 10 residents	Nil		
697.74	Waikato District Council	Amend Table 14.12.5.7 Required parking spaces and loading bays in the activity for "Heath facility, veterinary and personal services", the minimum required parking spaces (second column) to read: 3 car spaces per professional full-time staff equivalent		
697.75	Waikato District Council	Amend Table 14.12.5.7 Required parking spaces and loading bays in the activity for "Indoor sports facility", the minimum required parking spaces (second column) as follows: 4 car spaces per sports court or 1 car space per 4 persons provided for in the design, whichever is the greater number of carparks		
FS1340.115	TaTa Valley Limited	Supports 697.75		
697.76	Waikato District Council	Amend Table 14.12.5.7 Required parking spaces and loading bays by replacing throughout the table, "HGV" with "heavy goods vehicle"		
749.77	HNZC	Amend Table 14.12.5.7 Required parking spaces and loading bays as follows:		
		Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
		Bulk retail and car yards
Minor dwelling	1 car space per dwelling	Nil		

		Dwelling	2 car spaces are required for dwellings with 2 or more bedrooms and one car space is required for studio or 1 bedroom residential units <u>1 car space per dwelling or unit</u>	Nil
		Retirement village	1 car space per dwelling or unit	1 HGV
		<u>Boarding houses / boarding establishments</u>	<u>1 car space per three units</u>	Nil
		Multi-unit development	<u>0.5 space per dwelling or unit with only one bedroom, 1 car space per dwelling or unit with two or more bedrooms</u>	Nil
		Emergency service facilities ...		
761.17; 765.17; 765.18; 769.17; 769.18	Lyndendale Farms Limited; Tamahere Eventide Home Trust on behalf of Atawhai Assisi Retirement Village; Tamahere Eventide Trust on behalf of Tamahere Eventide Retirement Village	Amend the following standards from Table 14.12.5.7- Required parking spaces and loading bays:		
		Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
		Retirement Village	1 car space per dwelling or unit 1 car space per 4 occupants that the facility can accommodate and one per dwelling or freestanding unit	1 HGV
		Housing for the elderly/residential care	1 car space per 4 occupants	Nil
		Hospital or care facilities associated with retirement village	2 car spaces per 3 patients accommodated plus 1 per 2 full-time staff equivalents	1 HGV
780.13; 825.13	Whaingaroa Environmental Defence Incorporated Society; John Lawson	Amend Table 14.12.5.7 Required parking spaces and loading bays - to provide for an option for developments to meet much lower standards of provision for parking, etc, depending on the extent to which they provide for use of public transport, walking, or cycling by people using the site.		
<i>FS1269.67</i>	<i>HNZC</i>	<i>Supports 780.13</i>		

FS1093.6	Garth & Sandra Ellmers	Supports 825.13								
781.7	Ministry of Education	Amend Table 14.12.5.7 - Required parking spaces and loading bays, so that it reads as follows: <table border="1"> <thead> <tr> <th>Activity</th> <th>Minimum Required Parking Spaces</th> </tr> </thead> <tbody> <tr> <td>Child care Early Childhood Education facility</td> <td>1 car space per every full-time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u></td> </tr> <tr> <td>School</td> <td>Primary 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated. Secondary 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13 <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u></td> </tr> <tr> <td>Tertiary education facilities</td> <td>1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution 1 space per 50m² of GFA; plus 1 space per staff. <u>Except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriate qualified engineer and/or transportation planner, that a lesser level is appropriate.</u></td> </tr> </tbody> </table>	Activity	Minimum Required Parking Spaces	Child care Early Childhood Education facility	1 car space per every full-time staff equivalent plus 1 car space per 5 children that the facility is designed to accommodate <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u>	School	Primary 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated. Secondary 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13 <u>2.5 car parks per new classroom or classroom equivalent (to be allocated as visitor parking plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u>	Tertiary education facilities	1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution 1 space per 50m² of GFA; plus 1 space per staff. <u>Except where the Council accepts, on the basis of a specifically commissioned parking study by an appropriate qualified engineer and/or transportation planner, that a lesser level is appropriate.</u>
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30.3 Analysis

417. **FENZ** [378.18] seeks to retain Table 14.12.5.7. FENZ supports the parking requirements in Standard 14.12.5.7 that require emergency service facilities to provide one car space per on-duty staff person, plus sufficient space for all the emergency vehicles that use the site; this is considered an effective and practical standard for emergency facilities. *FS1035.124 Pareoranga Te Kata supports 378.18: for fire safety and fire prevention to undertake training activities for fire fighters within the region.* I recommend accepting FENZ [378.18] and *FS1035.124 Pareoranga Te Kata*, noting support for emergency services parking requirements.

418. **Classic Builders Waikato Limited** [123.2] and **Greig Metcalfe** [602.58] seeks retention of the provisions for dwellings; and **Greig Metcalfe** [602.59] seeks retention of the provisions for multi-unit developments in Table 14.12.5.7. The submitters consider the notified parking requirements are appropriate, and that requiring more than two carparks is excessive, results in poor outcomes for the site, and is counterproductive to encouraging the use of public transport.

419. **Pokeno Village Holdings Limited** [386.15] seeks to amend Rule 14.12.1 Permitted Activities, so that the minimum parking requirement in the Residential Zone is for one car park per dwelling. The submitter considers that the requirement is unnecessary and that such a requirement is also likely to lead to the inefficient use of residentially zoned land, where for instance, on-site space could better be utilised to provide for useable private outdoor space. The submitter also considers that the amendment will enable locational specifics and market demand to determine whether the provision of two car parks per dwelling is needed or desired for any given residential development proposal.
420. *FS1202.71 NZTA supports 386.15: Increased flexibility in car park allocation will allow for a greater range of housing typologies. If appropriately incorporated, this can support multi-modal transport options, help achieve a change in urban form, and support liveable communities.*
421. *FS1269.119 HNZA supports 386.15 and the proposed amendment, to the extent it is consistent with HNZA primary submission. 749.77 HNZA principal submission is discussed further in this section.*
422. The PWDP residential parking requirement is a conventional suburban approach, where households were considered to generally rely on two cars for private travel, and on-site space was required for parking those cars to limit the need for on-street parking and protect street amenity. Where good alternative transport modes are available, such as walkability to facilities, cycling and public transport, a different approach can be taken to parking provision, and there may be less need for two cars. Parking cars on the street is no longer seen as a particularly adverse amenity effect in streetscapes. Parked cars can contribute to a safety buffer alongside footpaths, and may also provide a visual barrier for children or pets running onto the road. The need for on-street carparking needs to be balanced carefully with street width, as there must still be sufficient space for cars to access the road and emergency service vehicles such as fire trucks.
423. Auckland Unitary Plan only requires one on-site parking space for a dwelling, and less or none in the more intensive apartment and centre zones, relying on frequent and reliable public transport, increased use of alternative transport modes, and market choice in private parking provision. In most cases, housing developers are providing two on-site parking spaces wherever possible, with some apartment buildings providing less. The plan change for Lakeside at Te Kauwhata requires only a single car space for each of its 300m² or smaller sites.
424. I agree that smaller sites should need less on-site parking, and also that multi-unit developments should provide their parking in a format more flexible than tying parking spaces permanently to each unit. Multi-modal transport options are supported by providing less on-site parking, but Waikato District may have few areas with sufficient population density to support a good public transport service.
425. I consider that for sites up to 300m², requiring more than two carparks is excessive, can result in poor outcomes for the site, and is counter-productive to encouraging the use of public transport, and recommend that more than one parking space per dwelling should be optional (particularly for affordable housing and for smaller dwellings).
426. I recommend accepting, in part, Pokeno Village Holdings Limited [386.15]; *FS1202.71 NZTA; FS1269.119 HNZA*, in relation to small sites (300m² or less) for efficient use of residential land and market demand for car parking. In my view, when a decision is made that enables sites of 300m² or less, this would appropriately address land use and transport integration, such as public transport and access to facilities. Therefore, if a smaller site size is determined to be appropriate for the same reasons, I do not consider it necessary to require as a minimum 2 car parking spaces.

427. I recommend accepting, in part, Classic Builders Waikato Limited [123.2], Greig Metcalfe [602.58] and accepting Greig Metcalfe [602.59], to the extent that I am recommending retention of the minimum car parking standard for dwellings and multi-unit developments, with a reduced requirement for smaller sites (300m²) and smaller dwellings (studios and 1 bedroom dwellings).
428. **Zeala Ltd trading as Aztech Buildings** [281.11] seeks to amend Table 14.12.5.7 to require 1 car space per 100m² GFA for the first 500m² of any tenancy and thereafter 1 space per 500m². *FS1353.9 Tuakau Proteins Limited supports 281.1 because 1 car space per 100m² GFA does not reflect the large floor area of industrial activities and limited need for carparking; It is important to ensure that additional carparking is only required where necessary and that there is not an over-supply of parking on the site. [Submission 281.11 Zeala Ltd was incorrectly summarised as “1002m²” rather than “100m²”, and this Further Submission FS1353.9 Tuakau Proteins Limited refers to “One car space per 10002m² GFA”]. A further submission can only support or oppose an original submission and cannot extend the scope of relief sought by the original submission.*
429. The submitter considers the parking standard for industrial buildings does not recognise the differing nature of Industrial buildings or the nature of the activities within such buildings with failure triggering restricted discretionary assessment. The submitter provided the example of a large storage warehouse and considered that it will not necessarily require 20 times as many car parking spaces as an industrial building 1/20th the scale. The submitter drew attention to other territorial authorities using a sliding scale to recognise this.
430. The restricted discretionary assessment allows parking to be customised to the type of industrial activity, proposed number of employees and visitors, as well as heavy vehicles and any external storage areas required. The activity parking standard is designed for a generic industrial activity as a permitted activity, which may have many employees. Industrial areas that provide on-site parking for warehouses only, have difficulty accommodating employee car parking if more employee-intensive industrial activities occupy the sites. That is not resolved by a sliding scale of parking provision. Alternative parking provisions, for example, for a low-intensity warehouse, can be established as a Restricted Discretionary Activity. I recommend rejecting Zeala Ltd trading as Aztech Buildings [281.11]; *FS1353.9 Tuakau Proteins Limited*.
431. **Hort NZ** [419.108] seeks to add provisions to Table 14.12.5.7 for coolstores and workers' accommodation. The submitter seeks that specific consideration is given to parking provision for seasonal worker accommodation and coolstores. Hort NZ notes that coolstores may have a large floor area but very few people working in the area; and the requirements for parking are less than that for industrial activities; further noting that seasonal workers are usually transported by car, so parking requirements are less than that of travellers' accommodation.
432. *FS1370.1 Aztech Buildings for Zeala Limited supports 419.108: The submitter has referred to coolstores as having a large footprint, but generate low worker numbers and consequently a lower parking demand than Table 14.12.5.7 requires for 'permitted activity' status; the rule as drafted requires one space per 100m² for industrial activities, which include bulk storage warehousing (inclusive of coolstores). A lower parking ratio should apply to all bulk storage facilities - and not just Coolstores. The further Submitter supports an amendment to the table, which incorporates a reduced parking ratio for Industrial storage. A further submission can only support or oppose an original submission and cannot extend the scope of relief sought by the original submission.*
433. Rule 14.12.1.2 Permitted Activities P2 (1)(a)iv states that the requirements of Table 14.12.5.7 do not apply to rural activities. Where coolstores or workers' accommodation are located within the Rural Zone, they are a 'farming' activity, and where located within urban zones the industrial

and travellers' accommodation provisions would apply, or Restricted Discretionary Assessment can manage specific effects. I recommend rejecting Hort NZ [419.108] as unnecessary, and rejecting *FS1370.1 Aztech Buildings for Zeala Limited*.

434. **POAL** [578.41] seeks to amend Table 14.12.5.7 for industrial activities to be based on full time equivalent staff. The submitter states warehousing and distribution activities are to be undertaken within the inland freight hub and will require large building footprints with comparatively low levels of staff; the standard to provide 1 car park per 100m² GFA is excessive. POAL gives an example of the first warehouse activity that will be established will be expected to provide 137 parking spaces under the Proposed District Plan, with only 9 FTE staff employed. POAL considers this is not an efficient method for such activities within an Industrial Zone; and requests a more flexible approach to parking that recognises situations where staff numbers are low compared to the size of the building.
435. *FS1374.1 Zeala Limited trading as Aztech Buildings supports 578.41: The submitter has made reference to the need for a flexible approach to the 'permitted activity' car parking requirements for large footprint buildings that generate low worker numbers and, consequently, a lower parking demand than table 14.12.5.7 requires for 'permitted activity' status; the rule, as drafted, requires one space per 100m² for industrial activities, which include bulk storage warehousing; a lower parking ratio should apply to all bulk storage/manufacturing where low staff/visitor numbers are involved; Aztech Buildings support an amendment to the table, which incorporates a reduced parking ratio for large-scale industrial buildings.*
436. The submitter is proposing the permitted activity standard applying within the Auckland Unitary Plan, which allows parking space provision to be based on employee numbers. In my opinion such an evaluation should generally be carried out within a restricted discretionary activity assessment, particularly when some industrial buildings can be built speculatively without having tenants, and there is an incentive to misrepresent the actual number of likely employees on the site in order to reduce the land area needing to be allocated for parking. The PWDP uses the permitted activity certainty and restricted discretionary flexibility approach to managing effects of activities. I recommend rejecting POAL [578.41] and *FS1374.1 Zeala Limited trading as Aztech Buildings*.
437. **Waikato District Council** [697.73]; **Lakeside2017** [579.54 and 579.55]; and **Lakeside2017** [579.56 and 579.57] seek amendments to Table 14.12.5.7 to include specific controls within the Te Kauwhata Lakeside Precinct consistent with Plan Change 20. Submitters indicate that the car parking provisions for Lakeside (as per the decisions version of Plan Change 20) have been inadvertently missed from the table.
438. Plan Change 20 identified a special parking control for Lakeside applying for sites less than 300m² to recognise the lower car ownerships of smaller households and promote affordable housing; and that this was a recognition of possible future public transport services to Te Kauwhata. Specific controls were also identified for Retirement Villages within the Te Kauwhata Lakeside Precinct of 0.5 car spaces per independent dwelling or unit and 1 visitor car space per 10 residents.
439. Development patterns and car parking (on and off-street) at Lakeside could be determined following Comprehensive Land Development Consent, and by Restricted Discretionary resource consent. I am recommending that only one on-site car space be required for any dwelling on a small lot (300m² or less), and that is particularly appropriate for affordable housing and smaller dwellings and sites. I do not agree with proposing 0.7 on-street parking spaces per allotment as sought by the submission. That would be development guidance advice rather than a standard,

and may differ depending on whether the street is a private way or a public road (as well as the dimensions / hierarchy / role), and how the development proposes access to each dwelling.

440. I recommend accepting Waikato District Council [697.73]; Lakeside2017 [579.54]; and Lakeside2017 [579.56 and 57], as the minimum parking standards at Te Kauwhata Lakeside have been established as 'most appropriate' by Plan Change 20 and there is no compelling evidence to change this. I recommend accepting, in part, Lakeside2017 [579.55] to the extent that the number of parking spaces required for a dwelling on a small lot (up to 300m²) is recommended to be reduced as discussed above.
441. **Woolworths NZ Ltd** [588.11] seeks to amend Table 14.12.5.7 - Required parking spaces and loading bays for supermarkets. The submitter supports the minimum parking rate for supermarkets, but does not support any parking rate maxima. The submitter also seeks that the loading rate should be relative to gross floor area, rather than a blanket 2 HGV loading space requirement for all supermarkets.
442. I recommend accepting Woolworths NZ Ltd [588.11], as smaller supermarkets will need less loading bays, and Woolworths NZ Ltd has a great deal of experience with smaller format supermarkets and their loading requirements.
443. **Greig Metcalfe** [602.45] seeks to amend Table 14.12.5.7, so that the calculation for the minimum required parking spaces for a retailing activity is decreased. The submitter considers the calculation for retail activities should be carried over from the Operative Waikato District Plan (Waikato Section).
444. I consider 1 car space per 30m² for retail activities is a reasonable standard. Some main street locations do not require on-site parking. For supermarkets (intensive retail) Table 14.12.5.7 requires a minimum of 1 car space per 25m². Other large format retail is defined as "Bulk retail" and requires 1 car space per 150m² gross floor area, although most will provide substantially more than that, likely closer to 1 per 45m² GFA. I recommend rejecting Greig Metcalfe [602.45].
445. **Waikato District Council** [697.74] seeks amending Table 14.12.5.7 in the activity for "Health facility, veterinary and personal services", to be based on full-time equivalent staff rather than "professional" staff to be consistent with the requirements for other activities.
446. I recommend accepting Waikato District Council [697.74], as full-time equivalent staff is an appropriate basis for determining carparking requirements.
447. **Waikato District Council** [697.75] seeks to amend Table 14.12.5.7 in the activity for "Indoor sports facility" to make it clear that the required number of carparks is whichever is the greater number. *FS1340.115 TaTa Valley Limited supports 697.75: The submitter supports submission 697.75, as it makes it clear which value should be allocated to an activity.* I recommend accepting Waikato District Council [697.75] and *FS1340.115 TaTa Valley Limited* as this will provide greater clarity of the rule.
448. **Waikato District Council** [697.76] seeks to amend Table 14.12.5.7 by replacing throughout the table, "HGV" with "heavy goods vehicle". "HGV" is an initialism, rather than an acronym, and stating in full as "heavy goods vehicle" provides additional clarity. I therefore recommend accepting Waikato District Council [697.76] as useful clarification.
449. **HNZC** [749.77] seeks to reduce the required parking spaces and loading bays for minor dwellings, dwellings, retirement villages and multi-unit developments. The submitter also seeks to

include a new carparking standard for boarding houses/boarding establishments. The submitter considers this will enable better utilisation of the site for residential development than parking spaces.

450. As discussed above, I have agreed with other submissions seeking reduced car parking requirements for dwellings on small sites (less than or equal to 300m²), but consider sites larger than 300m² will have sufficient space to provide 2 on-site parking spaces, and able to accommodate households with two or more cars.
451. Minor dwelling is defined in the PWDP as “a second dwelling independent of the principal dwelling(s) on the same site”. It is not an unserviced sleep-out, and as an independent dwelling will have car parking demand similar to a small dwelling on a small site. I consider the requirement for 1 space per minor dwelling to be appropriate because the dwellings are independent of the primary dwelling.
452. I consider the provisions proposed for boarding houses/boarding establishments appropriate. Although it may be appropriate for an urban environment with good public transport service to have a reduced standard for multi-unit development, within Waikato District settlements, I consider a minimum of one parking space to be appropriate for each unit, because the towns and villages are not urban environments. The restricted discretionary resource consent pathway is available to vary the parking space requirements if actual demand is likely to be different, for example, with multi-unit housing for the elderly. I recommend accepting in part HNZA [749.77], to the extent that only one parking space is required for sites of 300m² or less and the boarding house provision is supported, but the minor dwelling and multi-unit development parking space requirements remain.
453. **Lyndendale Farms Limited [761.17]; Tamahere Eventide Home Trust on behalf of Atawhai Assisi Retirement Village [765.17 and 765.18]; Tamahere Eventide Trust on behalf of Tamahere Eventide Retirement Village [769.17 and 769.18]** seek to amend the carparking standards for retirement villages, and delete the standards for housing for the elderly/residential care and hospital or care facilities associated with retirement villages.
454. The submitters consider the provisions under Table 14.12.5.7 are confusing, because the provisions are essentially 3 different standards for the same activity and all 3 could be applied to a retirement village. The submitters state that the District Plan does not need to differentiate between the specified activities in Table 14.12.5.7; and a single standard for a retirement village would suffice; the standards for "housing for the elderly/residential care" and "hospital and care facilities" should therefore be deleted.
455. Retirement village is a defined term in the PWDP, and the definition includes the sub-categories of “Care home within a retirement village is a facility providing rest home care within the meaning of the Health and Disability Services (Safety) Act 2001, or a home for residential care of older persons and/or any land or buildings used for the care of older persons within a retirement village” and “Hospital within a retirement village is a facility providing hospital care within the meaning of the Health and Disability Services (Safety) Act 2001 within a retirement village”. Table 14.12.5.7 recognises the three different types or parts of facilities, being the independent dwellings and units, not necessarily freestanding; the housing for the elderly/residential care facility, which may not be associated with a retirement village (and may be for residential care other than elderly care); and the hospital or care facilities associated with a comprehensive retirement village, which will have specific requirements to accommodate visitor and staff parking. I consider there are three different types of care/living options that will have three different carparking requirements.

I therefore recommend rejecting Lyndendale Farms Limited [761.17]; Atawhai Assisi Retirement Village [765.17 and 765.18]; Tamahere Eventide Retirement Village [769.17 and 769.18], for the reasons above.

456. **Whaingaroa Environmental Defence Incorporated Society** [780.13] and **John Lawson** [825.13] seek to amend Table 14.12.5.7 to provide for an option for developments to meet much lower standards of provision for parking, etc, depending on the extent to which they provide for use of public transport, walking, or cycling by people using the site. The submissions make reference to 7.3.1(4) of the Christchurch Plan as an example. The submitters state that for reasons of climate change, resource use, safety and congestion, the current average of roughly one car per person needs to be reduced. They believe maintenance of inflexible rules on parking, etc perpetuates the current problem and requires developers to subsidise car transport; and state that alternatives should be encouraged, as they already are in Auckland, Christchurch, Queenstown, etc.
457. *FS1269.67 HNZN supports 780.13: the proposed amendment, to the extent it is consistent with its primary submission. HNZN original submission opposed the minimum required parking spaces for specified residential activities, to allow better utilisation of the site for residential development than parking spaces. FS1093.6 Garth & Sandra Ellmers supports 825.13. The further submitter states: business and commercial areas need to be kept alive, be inviting and provide easy access to shoppers; this is not just achieved by providing ever numerous large parking areas, but by offering and encouraging alternative forms of transport; Councils need to plan well in advance for growth by making provision for some public parking close to the main centre, especially in towns like Raglan, which have a very high number of 'day' visitors who come to explore the township and surroundings, especially on weekends and public holidays.*
458. The Christchurch Plan example provided is a set of matters of discretion for a restricted discretionary activity to provide less car parking than the standard. The PWDP similarly uses a permitted activity standard for on-site car parking, and allows it to be varied as a restricted discretionary activity resource consent. Although that matters of discretion in Rule 14.12.2 RD2 are not set out as comprehensively as in the Christchurch Plan, they still allow for the consideration of reduced car parking spaces and can take account of their accessibility, safety and mitigation to address amenity and connectivity. I do not support the further reduction of minimum car parking standards in Table 14.12.5.7 without the provision of infrastructure for walking, cycling and public transport. I recommend rejecting Whaingaroa Environmental Defence Incorporated Society [780.13]; *FS1269.67 HNZN*; John Lawson [825.13]; *FS1093.6 Garth & Sandra Ellmers*, as there is already provision in the PWDP to provide reduced levels of car parking where appropriate.
459. **Ministry of Education** [781.7] seeks to amend Table 14.12.5.7 - Required parking spaces and loading bays for childcare, schools and tertiary education facilities. The submitter states that the requested amendments are in line with the Ministry's national standards for all education facilities and are consistent with their requested definition for 'education facilities'. For consistency, the submitter requests that "childcare facility" is replaced with "Early childhood education facility."
460. The PWDP uses the term "Child care facility", which is defined in Chapter 13. I note it was recommended to amend the definition of childcare facility in Hearing 5 Definitions to include "any land or buildings used for the care or training of predominantly pre-school children and includes a playcentre, kindergarten or daycare." I therefore consider the issue raised by the Ministry of Education regarding the term childcare to have been addressed in Hearing 5.

461. The Ministry of Education's preferred car parking arrangements for Early Childhood Education facilities appear aimed at larger facilities, with classrooms and 100 pupil multiple car loading bays. I accept that car loading bays would be an appropriate method for pick-up and drop-off, whether on-site or on the road, but a 100 pupil facility would probably require more than one car loading bay, as pupils will generally arrive within a peak hour. For Early Childhood Education facilities and daycares with less than 100 pupils or children for care, I consider it to be more appropriate to have car parking provisions related to child and FTE staff numbers rather than classrooms. However, I support reducing the minimum standard to 0.10 parking space per child plus 0.5 parking space per FTE employee.
462. I understand that some ECEs and schools will be established by Notice of Requirement and/or Outline Plan of Works, and not be bound by PWDP-permitted activity standards. Private ECE and integrated and independent schools will be established by permitted activity standards and resource consents. For primary schools, the outcome, in terms of number of car spaces, may be similar under the PWDP and the Ministry-preferred provisions. However, the Ministry provisions make no allowance for staff parking. I prefer the notified PWDP provisions, which have staff and visitor allocations, and can have car loading bays as required.
463. For secondary schools, the PWDP provisions appear to provide for some senior school student parking, as Waikato District has rural and town schools rather than city schools, and recognise that there will be more staff than classrooms. In my opinion, the Ministry-preferred provisions would be appropriate here, if set at 3 car spaces per classroom, available for staff, visitors and some senior students, and car loading bays. For tertiary education facilities, I consider the PWDP provisions are appropriate, as any tertiary education facilities within Waikato District will not be city campuses, and GFA of facilities could vary widely if they feature rural activities. Exceptions for specifically commissioned parking studies can be made as a restricted discretionary activity.
464. I recommend rejecting Ministry of Education [781.7], because I consider the notified parking standards for childcare, schools and tertiary education facilities to be appropriate as a minimum requirement.

30.4 Recommendations

465. For the reasons above, I recommend the Hearings Panel:
- a. Accept in part Pokeno Village Holdings Limited [386.15] to the extent that smaller sites only require one car space; Accept in part *FS1202.71 NZTA*; *FS1269.119 HNZA* to the extent of reducing parking provision for small sites
 - b. Accept in part Classic Builders Waikato Limited [123.2], to the extent that more than two car spaces would not be required per dwelling
 - c. Reject Zeala Ltd trading as Aztech Buildings [281.11] and *FS1353.9 Tuakau Proteins Limited*
 - d. Accept FENZ [378.18] and *FS1035.124 Pareoranga Te Kata*
 - e. Reject Hort NZ [419.108] and *FS1370.1 Aztech Buildings for Zeala Limited*
 - f. Reject POAL [578.41] and *FS1374.1 Zeala Limited trading as Aztech Buildings*
 - g. Accept Lakeside2017 [579.54] and accept in part Lakeside2017 [579.55], to the extent that on-site parking is reduced for small lots
 - h. Accept Lakeside2017 [579.56] and Lakeside2017 [579.57]
 - i. Accept Woolworths NZ Ltd [588.11]
 - j. Reject Greig Metcalfe [602.45]
 - k. Accept in part Greig Metcalfe [602.58], to the extent that a reduction in minimum parking requirement is recommended for dwellings on small sites
 - l. Accept Greig Metcalfe [602.59]

- m. Accept Waikato District Council [697.73, 697.74, 697.75 and 697.76], accept *FS/340.115 TaTa Valley Limited* on 697.75
- n. Accept in part HNZC [749.77], to the extent that only one parking space is required for dwelling sites of 300m² or less and provision is made for boarding house parking
- o. Reject Lyndendale Farms Limited [761.17]; Tamahere Eventide Retirement Village [769.17 and 769.18]; Atawhai Assisi Retirement Village [765.17 and 765.18]
- p. Reject Whaingaroa Environmental Defence Incorporated Society [780.13] and *FS/269.67 HNZC* and John Lawson 825.13 and *FS/093.6 Garth & Sandra Ellmers*
- q. Accept in part Ministry of Education [781.7].

30.5 Recommended amendments

466. Amend Table 14.12.5.7 as follows:

Activity	Minimum Required Parking Spaces	Minimum Required Loading Bays
Bulk retail and car yards	1 car space per 150m ² gross floor area (GFA)	1 heavy goods vehicle (HGV)
Child care	<u>For facilities with less than 100 pupils, 0.5 car space per every full-time staff equivalent plus 1 car space per 5/10 children that the facility is designed to accommodate plus one 99% car loading bay;</u> <u>For facilities with 100 or more pupils, 2.5 car parks per new classroom or classroom equivalent (to be allocated as staff and visitor parking) plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u> [781.7 Ministry of Education]	Nil
Clubrooms at sports facilities	1 car space per 35m ² GFA	1 HGV heavy goods vehicle [697.76 Waikato District Council]
Community facilities, conference facilities and place of assembly	1 car space per 15m ² GFA, or 1 per 5 persons that the facility is designed to accommodate, whichever is greater	1 HGV heavy goods vehicle [697.76 Waikato District Council]
Marae complex	1 car space per 15m ² GFA	1 HGV heavy goods vehicle [697.76 Waikato District Council]
Papakainga building	1 car space per 30m ² GFA	Nil
Dairies, takeaway food, bottle stores	1 car space per 30m ² GFA, except that in the Rangitahi Residential Zone 1 car space per 50m ² GFA is required	1 HGV, except that in the Rangitahi Residential Zone 1 HGV heavy goods vehicle [697.76 Waikato District Council] per 1000m ² of GFA of Rangitahi commercial activity is required
Minor dwelling	1 car space per dwelling	Nil
Dwelling	<u>1 car space is required for a dwelling on a site less than 300m² in area or for studio or 1-bedroom residential units;</u> [386.15 Pokeno Village Holdings Limited; 697.73 Waikato District Council; 749.77 HNZC] <u>2 car spaces are required for all other dwellings with 2 or more bedrooms and one car space is required for studio or 1-bedroom residential units.</u>	Nil
<u>Dwellings located within the Lakeside Te Kauwhata Precinct</u>	<u>1 car space per dwelling on a site less than 300m² in area [consequential deletion if 'Dwelling' amendment above is agreed]</u> [579.54 Lakeside2017; 697.73 Waikato District Council]	Nil
Retirement village	1 car space per dwelling or unit <u>except in Te Kauwhata Lakeside</u> [579.56 Lakeside2017; 697.73 Waikato District Council]	Nil
<u>Te Kauwhata Lakeside Retirement Village Retirement villages located within the Lakeside Te Kauwhata Precinct</u>	<u>0.5 car parking spaces per independent living unit and one visitor space for every 10 residents</u> [579.57 Lakeside2017; 697.73 Waikato District Council]	Nil
Multi-unit development	1 car space per dwelling or unit	Nil
<u>Boarding houses/boarding establishments</u>	<u>1 car space per three units</u> [749.77 HNZC]	Nil
Emergency service facilities	1 car space per on-duty staff person, plus sufficient space for all the emergency vehicles that use the site	Nil
Garden centres	1 car space per 100m ² site area	1 HGV heavy goods vehicle [697.76 Waikato District Council]

Health facility, veterinary and personal services	3 car spaces per <u>professional full-time staff</u> equivalent [697.74 Waikato District Council]	Nil
Home occupations	In addition to residential requirements, 1 car space per employee plus 1 where the activity attracts clients to the site	Nil
Hospitality services (e.g. cafés, taverns)	1 car space per 10m ² net public floor area, except that in the Rangitahi Residential Zone 1 car space per 15m ² net public floor area is required	1 <u>HGV heavy goods vehicle</u> , except that in the Rangitahi Residential Zone 1 <u>HGV heavy goods vehicle</u> per 1000m ² GFA of Rangitahi commercial activity is required. [697.76 Waikato District Council]
Housing for the elderly/ residential care	1 car space per 4 occupants	Nil
Indoor sports facilities	4 car spaces per sports court or 1 car space per 4 persons provided for in the design, <u>whichever is the greater number of carparks</u> [697.75 Waikato District Council]	Nil
Industrial activity	1 car space per 100m ² GFA	1 <u>HGV heavy goods</u> vehicle [697.76 Waikato District Council]
Infrastructure sites and activities	1 car space per on-duty staff person No parking space requirement shall apply to unstaffed facilities and sites	Nil
Office	1 car space per 35m ² GFA	Nil
Outdoor sports field	15 car spaces per hectare of sports field	Nil
Hospital or care facilities associated with retirement village	2 car spaces per 3 patients accommodated plus 1 per 2 full-time staff equivalents	1 <u>HGV heavy goods vehicle</u> [697.76 Waikato District Council]
Retail activity	1 car space per 30 m ² GFA, including indoor and outdoor retail area	Nil
School	Primary - 1 car space for every full-time staff equivalent plus 2 for every 50 students accommodated <u>plus one 99% car loading bay (or pick-up/drop-off bay) per 100 pupils</u> . Secondary – 1 car space for every full-time staff equivalent plus 1 per 10 students accommodated in Years 11 to 13 <u>3 car parks per new classroom or classroom equivalent plus one 99% car loading bay (or pick-up/drop-off bay) per 100 students</u> [781.7 Ministry of Education]	1 bus space per 200 students where school bus services are provided
Service stations	1 car space per 45m ² GFA excluding car washes and canopies over petrol pumps, plus 3 queuing per car wash, plus 4 per repair bay	Nil
Supermarket activity	1 car park space per 25m ² GFA	<u>2 HGV Under 2500m² GFA – 1 heavy goods vehicle</u> <u>Over 2500m² GFA – 2 heavy goods vehicles</u> [588.11 Woolworths NZ Ltd]
Tertiary education facilities	1 car space per every full-time staff equivalent plus 1 per every 3 full-time equivalent students provided for by the institution	
Travellers' accommodation	1 car space per 4 persons to be accommodated (or in the Rangitahi Peninsula Zone 1 car space per accommodation unit), plus 2 for manager residences with more than 1 bedroom, plus 1 for every 2 full-time staff equivalents (whichever is greater), plus 1 coach park per 30 hotel or back packers' beds	1 <u>HGV heavy goods vehicle</u> [697.76 Waikato District Council]

30.6 Section 32AA evaluation

467. The following points evaluate the above recommended changes under Section 32AA of the Act.

468. The recommended amendments proposed provide for:

- a. greater clarity in terms of heavy goods vehicles, health facilities and indoor facilities;
- b. consistency within the Te Kauwhata Lakeside Precinct in accordance with Plan Change 20;
- c. a tiered approach to parking requirements for childcares and schools - less than 100 pupils (by FTE and child) and more than 100 pupils (by classroom);

- d. a specific standard for boarding houses/boarding establishments of 1 space per three units;
- e. supermarkets less than 2,500m² to provide 1 loading bay for heavy goods vehicles; and
- f. Reducing minimum parking standard to one per dwellings on sites less than 300m² or studio/1 bedroom dwellings.

Other reasonably-practicable options

469. The recommended amendments are to alter the minimum parking and loading requirements for specific activities. I consider the options to be the notified provisions that do not address these issues, or the proposed amendments.

Effectiveness and efficiency

470. The recommended amendments to the minimum required parking spaces and loading bays are to provide the most efficient and effective rules, to achieve management of car parking and loading effects and efficient use of land.

Costs and benefits

471. There is a cost to the provision of on-site parking, generally borne by the landowner for convenience of the users of the land. The cost of not requiring on-site car parking is greater pressure on the on-road parking resource, possibly ameliorated over time by better public transport and alternative mode accessibility.

Risk of acting and not acting

472. I do not consider there to be a risk of acting, as the amendments address certainty and consistency including a more refined approach to parking standards for specific activities consistent with the scale of potential adverse effects.

473. The risk of not acting is a lack of clarity and therefore uncertainty, as well as additional regulatory costs for non-compliance that are not commensurate with the scale of adverse effects.

Decision about most appropriate option

474. I consider the amendments be the more appropriate option to achieve the relevant objectives and policies, specifically Objective 6.5.1 and Policy 6.5.2(a)(iii) - to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network through parking as appropriate.

31 Table 14.12.5.8 - 90th Percentile car tracking curve minimum radius

Submission point	Submitter	Decision requested
742.116	NZTA	Replace Figure 14.12.5.8 - 90th percentile car tracking curve minimum radius with vehicle dimensions from Figure B2 and the tracking curve from Figure B5 of AS/NZS2890.1:2004

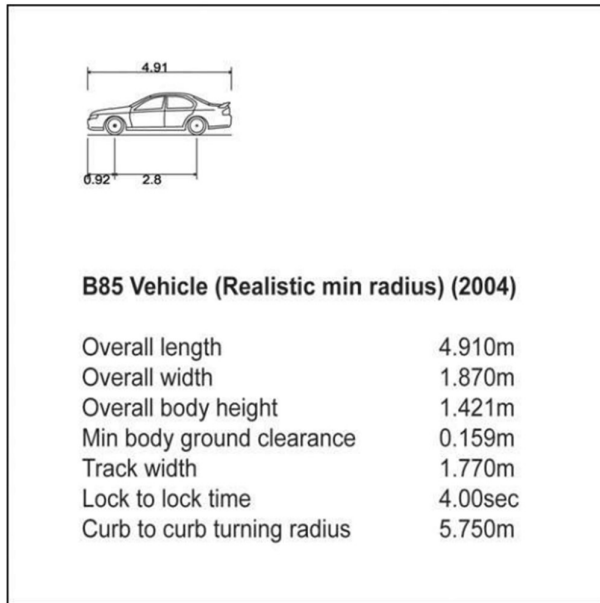
31.1 Analysis / Recommendations

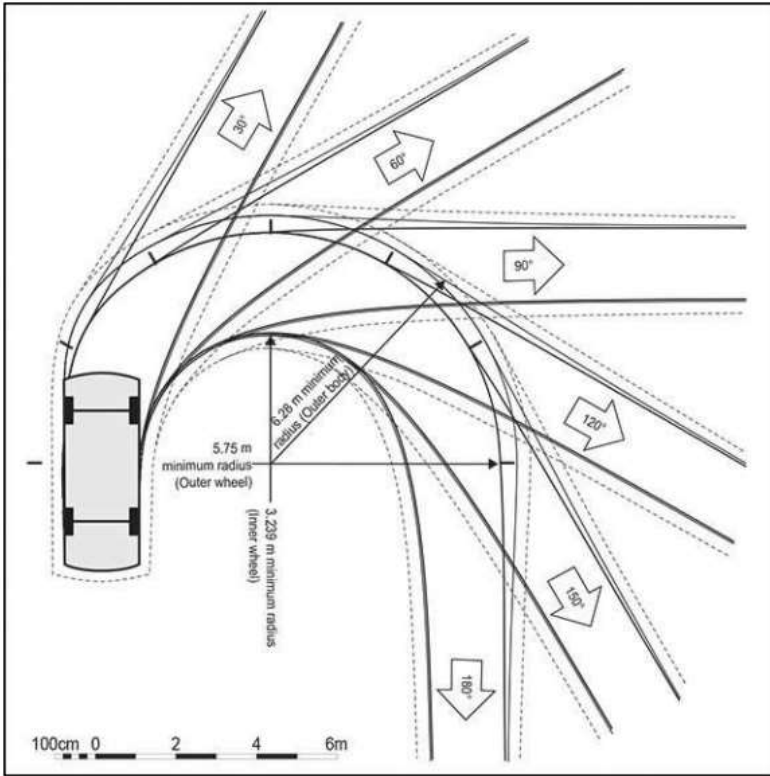
475. NZTA supports the inclusion of Figure 14.12.5.8 in the Plan. However, AS/NZS2890.1:2004 describes the 85th percentile car as longer than the 90th percentile car used in Figure 14.12.5.8.

- a. As the industry standard car tracking curve, I recommend accepting NZTA [742.116].

31.2 Recommended amendments

476. Replace Figure 14.12.5.8 with the following two figures:





Note 1

The dotted line about the vehicle depicts a 300mm clearance about the vehicle.

[742.116 NZTA]

31.3 Section 32AA evaluation

477. The recommended amendment is an updating of the information, and not a policy change. Therefore, a s32AA evaluation is not required.

32 Table 14.12.5.10 – Required bicycle spaces

Submission point	Submitter	Decision requested				
81.147; 923.143	Waikato Regional Council; Waikato DHB	Retain Table 14.12.5.10 Required bicycle spaces				
FS1202.73	NZTA	<i>Supports 81.147.</i>				
588.12	Woolworths NZ Ltd	Amend Table 14.12.5.10 Required Bicycle Spaces as follows: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Activity</th> <th>Number of bicycle spaces</th> </tr> </thead> <tbody> <tr> <td>All activities</td> <td>Bicycle parking spaces are provided at a ratio of 1 bicycle space for every 1015 car park spaces required</td> </tr> </tbody> </table>	Activity	Number of bicycle spaces	All activities	Bicycle parking spaces are provided at a ratio of 1 bicycle space for every 10 15 car park spaces required
Activity	Number of bicycle spaces					
All activities	Bicycle parking spaces are provided at a ratio of 1 bicycle space for every 10 15 car park spaces required					
697.77	Waikato District Council	Amend Table 14.12.5.10 Required bicycle spaces to include a diagram or standard for the size of a bicycle space.				

831.17	Gabrielle Parson for Raglan Naturally	Amend Table 14.12.5.10 Required bicycle spaces, to provide for secure cycle parking
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32.1 Analysis

478. **Waikato Regional Council** [81.147] seeks to retain Table 14.12.5.10. The submitter supports requirement for bicycle spaces for all activities in section 14.12.5.10 to facilitate the uptake of cycling; and notes the Waikato Regional Land Transport Plan supports the provision for alternative modes of transport, such as cycling. *FS/202.73 NZTA supports 81.147: as the Transport Agency supports provisions that promote alternative transport options to the private motor vehicle.*
479. **Waikato DHB** [923.143] similarly seeks to retain Table 14.12.5.10 - Required bicycle spaces as notified to facilitate the uptake of cycling. The submitter observes that cycling has proven community health benefits and should be promoted and the rule assists in achieving this outcome. I recommend accepting Waikato Regional Council [81.147], *FS/202.73 NZTA* and Waikato DHB [923.143], noting support for the provision.
480. **Woolworths NZ Ltd** [588.12] seeks to reduce the number of required bicycle spaces. The submitter considers bicycle parking rates are too onerous and suggests that 1 bike park per 15 car parking spaces is sufficient to accommodate demand.
481. I recommend rejecting Woolworths NZ Ltd [588.12] as the provision is intended to encourage and enable cycling as an alternative transport mode. 10 bicycle parking spaces (per 100 car park spaces) would take up 1 to 2m² for each bicycle depending on size, equivalent to less than 2 car parking spaces. I acknowledge that Waikato is a rural district and the roads may often be less conducive to cycling. However, I do not consider the rate onerous. A resource consent can be sought as a restricted discretionary activity to provide less bicycle parks.
482. **Waikato District Council** [697.77] seeks to amend Table 14.12.5.10 to include a diagram or standard for the size of a bicycle space. The submitter considers this will provide additional clarity for the rule.
483. I consider a diagram of a bicycle parking space is not necessary within the PWDP. There is substantial external design advice for bicycle parking design, including NZTA Cycle parking planning and design and Cycling network guidance technical note, May 2019. That document demonstrates some of the multiple configurations and sizes of bicycle parking space, which would be unnecessarily complicated to reproduce within the PWDP. I recommend rejecting Waikato District Council [697.77].
484. **Gabrielle Parson for Raglan Naturally** [831.17] seeks to amend Table 14.12.5.10 to provide for secure cycle parking. The submitter considers cycles parked in vulnerable areas require parking that is well supervised by CCTV or which provides lockable cabinets; and considers such parking is especially valuable at bus and train stops.
485. I agree bicycles parked in vulnerable areas require parking that is well supervised by CCTV, but not that lockable cabinets are necessary, except for bicycles with left luggage. I do not consider that is a matter for the PWDP infrastructure standards, but is for the providers to ensure safe and secure public spaces, including bus and rail stations. I recommend rejecting Gabrielle Parson for Raglan Naturally [831.17].

32.2 Recommendations

486. For the reasons above, I recommend the Hearings Panel:

- a. Accept Waikato Regional Council [81.147], FS1202.73 NZTA and Waikato DHB [923.143]
- b. Reject Woolworths NZ Ltd [588.12]
- c. Reject Waikato District Council [697.77]
- d. Reject Gabrielle Parson for Raglan Naturally [831.17].

33 Table 14.12.5.12 – Queuing space

Submission point	Submitter	Decision requested
742.117	NZTA	Retain Table 14.12.5.12 Queuing space as notified

33.1 Analysis/Recommendation

487. **NZTA** [742.117] considers Table 14.12.5.12 recognises that queuing is likely to be affected by the nature of traffic movements on the intersecting road, therefore the queuing length required could be greater than the minimums.

488. For the reasons above, I recommend accepting NZTA [742.117].

34 Table 14.12.5.13 – Traffic generation rates

Submission point	Submitter	Decision requested
742.118	NZTA	Replace Table 14.12.5.13 Traffic generation rates with Table 7.4 from Trips and parking related to land use (2011) (NZ Transport Agency research report 453)
781.8	Ministry of Education	Amend Table 14.12.5.13 - Traffic generation rates as follows: Table 14.12.5.13 - Traffic generation <u>movement</u> rates – Childcare – <u>Early childhood education</u> and day care facility AND Amend the note in Rule 14.12.1 Permitted Activities P4 Traffic Generation as follows: Note: Table 14.12.5.13 provides indicative traffic <u>generation</u> <u>movements</u> rates for various activities

34.1 Analysis

489. **NZTA** [742.118] seeks to replace Table 14.12.5.13 with Table 7.4 from Trips and parking related to land use (2011) (NZ Transport Agency research report 453). The submitter considers that in comparison with Table 7.4, many of the trip generation rates appear to be too low. The following examples are provided: the trip generation rate for car sales yards will be the same as the trip generation rate for bulk retail; the amalgamation of land uses (dairies, takeaway food, bottle stores) will result in unreasonable analysis - fast food outlets have a rate of 362 in Table 7.4 compared with the rate of 100 in Table 14.12.5.13; the rate for a medical centre is 79.4 trips per day per professional staff member in Table 7.4 and the rate in Table 14.12.5.13 is significantly understated; the rate for "housing for the elderly/residential care" appears less than the original rates of 2.4 per bed for retirement homes and 2.6 per unit for retirement units; "Retail" is too broad a category for "shopping" (the original research report describes rates ranging from 56 to

141). The submitter therefore considers that the traffic generation rates are unlikely to be representative and requests that more relevant information be used.

490. Table 14.12.5.13 – Traffic Generation Rates is generally based on and references Table 7.4 from *Trips and parking related to land use (2011)* (NZTA research report 453). However, there are some differences due to local characteristics, over-simplification or error. I have reviewed the examples identified by the submitter and generally consider Table 14.12.5.13 to be appropriate for the following reasons:

- a. Bulk retail or large format retail can have the same traffic generation as car sales yards. Car sales yards are effectively retailing cars as bulky goods from much smaller gross floor area buildings.
- b. Amalgamation of dairies, takeaway food and bottle stores may be underestimating trip generation due to the range of intensities of those activities, up to a fast food drive-through. However, hospitality services (e.g. cafes, bars) is set at a rate similar to dairies, takeaway food and bottle stores, and is consistent with the 90 daily vehicle movements per 100m² GFA in Table 7.4 (NZTA report).
- c. Housing for the elderly / residential care is considered within an appropriate range.
- d. The Industrial activities rate is consistent with Table 7.4's (NZTA report) rate for manufacturing, being 30 daily vehicle movements per 100m² GFA, and it is accepted that warehousing at a much lower rate of 2.4 would require Restricted Discretionary Activity resource consent.
- e. Retail activity rate is considered to be within a reasonable range, particularly when considering that bulk retail and car sales yards, dairies, takeaway food and bottle shops, garden centres, hospitality services, service stations and supermarkets are identified separately.
- f. Waikato District does not have CBD retail or department stores.
- g. Tertiary education facilities are not consistent with Table 7.4 (NZTA report), identifying a higher rate because outside the city there is greater need to travel.

491. I agree that the rates for health facility, veterinary and personal services are inconsistent with Table 7.4 (NZTA report) and there appears to be an error, using the design parking demand rate of parking spaces per professional, rather than 79.4 daily vehicle movements per professional. However, I consider that overall, Table 14.12.5.13 is consistent. I therefore recommend accepting in part NZTA [742.118] to the extent that “Health facility, veterinary and personal services” needs to be corrected to daily vehicle movements of 79.4 per professional that the facility is designed to accommodate.

492. **Ministry of Education** [781.8] seeks to amend Table 14.12.5.13 - Traffic generation rates to refer to traffic “movement” rather than “generation” and to change the descriptor for childcare. The submitter considers the term 'traffic generation' is unclear and does not accurately reflect the activity, and that consistency is required with the Ministry's requested definition of 'Education Facilities'.

493. I agree with the change from “~~traffic generation~~ rates” to “vehicle movement rates” for clarification and consistency, because this term is also consistent with Rule 14.12.1.4 P4 for traffic generation. For the reasons discussed previously, I do not support changing the term “Childcare

and daycare facility”, because this has previously been addressed in Hearing 5. I recommend accepting, in part, Ministry of Education [781.8].

34.2 Recommendations

494. For the reasons above, I recommend the Hearings Panel:

- a. Accept in part NZTA [742.118], to the extent that “Health facility, veterinary and personal services” needs to be corrected, with daily vehicle movements per professional of 79.4 rather than 4.
- b. Accept in part Ministry of Education [781.8] with amended terms.

34.3 Recommended amendments

495. Amend title and rows of Table 14.12.5.13 as follows:

Table 14.12.5.13 - ~~Traffic generation~~ Vehicle movement rates [781.8 Ministry of Education]

Activity	Indicative daily vehicle movements*
Health facility, veterinary and personal services	<u>79.4</u> per professional the facility is designed to accommodate [742.118 NZTA]

[781.8 Ministry of Education; 742.118 NZTA]

14.12.1 P4 Note: Table 14.12.5.13 provides indicative ~~traffic-generation~~ vehicle movement rates for various activities [781.8 Ministry of Education]

34.4 Section 32AA evaluation

496. As these recommended amendments are corrections in response to new information, a s32AA evaluation is not required.

35 Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones)

Submission point	Submitter	Decision requested
579.58	Lakeside2017	Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to insert specific provisions that provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m. AND Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to insert specific provisions that provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments
110.3	GD Jones	Amend Rule 14.12.5.14 Access and Road conditions to increase the access allotment requirement from 5 – 8 to <u>5 – 10</u> AND Amend Rule 14.12.5.14 Access and Road conditions to increase the local road allotment from >8 to <u>>10</u> .
276.1	Ted and Kathryn Letford	Amend Table 14.12.5.14-Access and Road conditions relating to the access leg widths for the Residential Zone as follows: 1-3 allotments: 3.6m

4-6 allotments: 4 - 6m											
FS1286.12	Horotiu Properties Limited	Supports 276.1									
FS1091.2	GD Jones	Supports 276.1									
397.6; 602.44	Horotiu Properties Limited; and Greig Metcalfe	Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones), by amending the minimum access width for the Village and Residential Zones as follows: 1 to 4 lots= <u>3.6m</u> 5 to 8 lots= <u>4.5m</u>									
FS1091.23; FS1091.10	GD Jones	Supports 602.44; supports 397.6									
679.9; 684.9; 687.6; 688.7; 689.29; 746.24; and 871.2	Greenways Orchards Limited; Janet Elaine McRobbie; Campbell Tyson; Gerardus & Yvonne Gemma Aarts; Greig Developments No 2 Limited; The Surveying Company; and Brendon John & Denise Louise Strong;	Amend Table 14.12.5.14 - Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to be replaced with NZS 4404:2010 Land Development and Subdivision Infrastructure - Table 3.2 Roading Design Standards OR Amend Table 14.12.5.14 Access and road conditions, by replacing with the standards in the Operative District Plan - Franklin Section as follows: <table border="1"> <thead> <tr> <th>Users</th> <th>Legal width</th> <th>Minimum total seal width</th> </tr> </thead> <tbody> <tr> <td>2-4</td> <td>3.5m</td> <td>2.7m</td> </tr> <tr> <td>5-8</td> <td>8m</td> <td>5m</td> </tr> </tbody> </table>	Users	Legal width	Minimum total seal width	2-4	3.5m	2.7m	5-8	8m	5m
Users	Legal width	Minimum total seal width									
2-4	3.5m	2.7m									
5-8	8m	5m									
FS1091.27 FS1091.32; FS1091.29; FS1091.30 FS1091.57; FS1091.43; FS1091.28	GD Jones	Supports 679.9; 689.29; 687.6; 688.7; 871.2; 746.24; 684.9									
297.50	Counties Manukau Police	Retain Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) which requires the minimum road/right of way access to be no less than 4m									
FS1269.22	HNZC	Opposes 297.50									
FS1114.13	FENZ	Supports 297.50									
FS1091.5	GD Jones	Opposes 297.50									
378.19	FENZ	Retain Table 14.12.5.14 Access and road conditions AND Add a note below Table 14.12.5.14 relating to minimum road/ROW reserve width column as follows: <u>*Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8) except where the access terminates less than 135m from the nearest road that has reticulated water supply (included hydrants).</u>									

<i>FS1035.125</i>	<i>Pareoranga Te Kata</i>	<i>Supports 378.19</i>
749.78	HNZC	Amend Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) as detailed in the submission and in the marked-up table below
<i>FS1091.44</i>	<i>GD Jones</i>	<i>Supports 749.78</i>
943.63	McCracken Surveys Limited	Amend Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) to change the following for Access leg to an allotment Residential, Village: Minimum Road/ROW Reserve Width to 3m; Seal width of 3m up to 6 units or lots; Minimum Road/ROW Reserve Width to 5.5m and 6m for more than 6 units or lots; and Seal width of 4m for 6 or more units or lots.
<i>FS1091.66</i>	<i>GD Jones</i>	<i>Supports 943.63</i>
697.78	Waikato District Council	Amend Table 14.12.5.14 to include the Te Kowhai Airpark, Rangitahi Peninsula and Motorsport and Recreation zones where appropriate
<i>FS1339.82</i>	<i>NZTE Operations Limited</i>	<i>Supports 697.78</i>
697.79	Waikato District Council	Amend Table 14.12.5.14 by updating the footnote references to the Regional Integrated Technical Specifications to reflect the correct title and version “ <u>Regional Infrastructure Technical Specifications May 2018</u> ”.
<i>FS1339.83; FS1339.78</i>	<i>NZTE Operations Limited</i>	<i>Supports 697.79; supports 697.79</i>

35.1 Analysis

497. **Lakeside2017** [579.58] seeks to amend Table 14.12.5.14 to insert specific provisions that provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m, and insert specific provisions that provide for private ways that have passing bays and/or dual carriageway to serve more than 8 allotments. The submitter states that Plan Change 20 identified a special parking control for Lakeside applying for sites less than 300m² to recognise the lower car ownerships of smaller households and promote affordable housing; and give recognition of possible future public transport services to Te Kauwhata.

498. Table 14.12.5.14 provides for the Residential Zone to have a minimum Local Road Reserve width of 20m, which is a conventional road width dimension for a local road. Te Kauwhata Structure Plan established Local Road cross-sections of 20 - 22m in order to accommodate swale drainage. Lakeside lies to the south of Te Kauwhata, and has a Precinct Plan showing principal roading network and provisions for a Comprehensive Land Development Consent (CLDC) which could be followed by custom-designed access arrangements. Narrower local road reserves can be created by subdivision and development resource consents (Rule 14.12.2 RD6 manages roads not meeting the permitted activity standards). The required seal width for a Local Road is 6m for a Residential or Village Zone. Private ways that serve more than 8 allotments should be created by subdivision and development resource consent rather than by a rule in the PWDP, and in my opinion, that scale and intensity should generally be served by a public road. I recommend rejecting Lakeside2017 [579.58], as alternatives to permitted activity rules can be established by subdivision and development resource consents.

499. **GD Jones** [110.3] seeks to amend Rule 14.12.5.14 Access and Road conditions to increase the access allotment requirement from 5 - 8 to 5 – 10 and Amend Rule 14.12.5.14 Access and Road conditions to increase the local road allotment from >8 to >10. The submitter states that under the proposed rule, if 221 Dominion Road (Tuakau) is developed initially in a non-serviced scenario, 10 allotments could be potentially developed via an access allotment. The submitter considers that the proposed access lot rule would limit that unnecessarily to 8 lots; and it would be inefficient and out of place for the property to have a full 20m wide local road requirement.
500. If it would be inefficient and out of place to require a 20m wide local road in the specific circumstances outlined by the submitter, then it would, in my opinion, be a suitable candidate for restricted discretionary activity resource consent (14.12.2 RDI), rather than as an amendment to the PWDP Rules. An access lot of 8m width may not be sufficient to accommodate berm services and water table or swales for management of road runoff. Waikato District Council intends that up to 8 lots can be served by an access lot, but for development beyond that, to be the threshold at which a road access should be provided. I recommend rejecting GD Jones [110.3].
501. **Ted and Kathryn Letford** [276.1] seek to amend Table 14.12.5.14 Access and Road conditions relating to the access leg widths for the Residential Zone.
502. *FS1286.12 Horotiu Properties Limited supports 276.1: As consistent with the relief sought by HPL FS1091.2 GD Jones supports 276.1: as consistent with relief sought by GD Jones submission 110.3, an original submission seeking smaller net site areas and access allotment serving up to 10 sites for 221 Dominion Road Tuakau.*
503. The submitters consider the access leg for requirement for one lot of 4m width is too wide and a waste of residential space; the access lot requirement for 2-4 lots of 8m required is too wide and a waste of space. The submitters draw attention to HCC which has a requirement for access serving 1-3 allotments be 3.6m wide, which serves well; the submitters suggest adopting the same for urban areas. HCC also have 4-6 allotments at 4 – 6m [HCC Plan actually identifies 4.5m] private way width and suggest adopting the same approach for urban areas, saying urban land is going to waste and is the zone where subdivision should be taking place.
- Horotiu Properties Limited** [397.6]; and **Greig Metcalfe** [602.44] seek to amend Table 14.12.5.14 by amending the minimum access width for the Village and Residential Zones and amending carriageway and pavement widths as a consequential amendment. The submitters consider that proposed access widths are excessive and will result in inefficient use of land.
504. *FS1091.23; FS1091.10 GD Jones supports 602.44 and 397.6* and has an original submission 110.3 seeking smaller net site areas and access allotment serving up to 10 sites for 221 Dominion Road, Tuakau.
505. It is noted that FENZ and Counties Manukau Police submissions have identified that 4m is the minimum useable width for access and working around a fire appliance. The access leg widths at 4m and 8m would have provision for future intensification if that is required for flexibility of allotment design. Waikato District permits access legs, private access including ROW, and access allotments for 2 – 8 allotments at 8m width, which would allow two-way access and a service berm. This would also be sufficient for access by a fire appliance. It is also considered an appropriate width for residential amenity in towns and villages, as opposed to more compact city suburbs, and would encourage subdivision design with properties having frontage to a road. The minimum allotment area is 450m² in the Residential Zone, and is larger than the HCC setting of

400m². I recommend rejecting Ted and Kathryn Letford [276.1], *FS1286.12 Horotiu Properties Limited*; *FS1091.2 GD Jones*, and rejecting Greig Metcalfe [602.44], *FS1091.23 GD Jones*, as the PWDP access leg widths are considered appropriate to the purpose and setting.

506. **Greenways Orchards Limited** [679.9]; **Janet Elaine McRobbie** [684.9]; **Campbell Tyson** [687.6]; **Gerardus & Yvonne Gemma Aarts** [688.7]; **Greig Developments No 2 Limited** [689.29]; **The Surveying Company** [746.24]; and **Brendon John & Denise Louise Strong** [871.2] seek to amend Table 14.12.5.14 to be replaced with NZS 4404:2010 Land Development and Subdivision Infrastructure - Table 3.2 Rooding Design Standards or replace it with the standards in the Operative District Plan - Franklin Section.

507. *FS1091.27*; *FS1091.32*; *FS1091.29*; *FS1091.30*; *FS1091.57*; *FS1091.43*; *FS1091.28 GD Jones* supports 679.9; 689.29; 687.6; 688.7; 871.2; 746.24; 684.9: and has an original submission 110.3 seeking smaller net site areas and access allotment serving up to 10 sites for 221 Dominion Road, Tuakau.

508. The submitters consider the proposed access standards are excessive, and will result in inefficient use of the urban land resource and will prevent infill development. They state the extra seal width increases impervious surfaces and stormwater runoff without any apparent need or benefit and will add excessive development costs. The submitters also state that NZS 4404:2010 - Land Development and Subdivision Infrastructure is a national document that addresses access and road conditions and it is therefore not necessary for the District Plan to specify different standards. The submitters consider the current standards in the operative Franklin Section are more appropriate than the proposed standards.

509. I note that FENZ and Counties Manukau Police submissions have identified that 4m is the minimum useable width for access and working around a fire appliance. The access leg widths at 4m and 8m would have provision for future intensification if that is required for flexibility of allotment design. Waikato District permits access legs, private access including ROW, and access allotments for 2 – 8 allotments at 8m width, which would allow two-way access and a service berm. It is also considered an appropriate width for residential amenity in towns and villages, as opposed to more compact city suburbs, and would encourage subdivision design with properties having frontage to a road. The minimum allotment area is 450m² in the Residential Zone, and larger than the HCC setting of 400m². NZS 4404:2010 is referenced in the PWDP, and has been adopted in amended form by many district councils across New Zealand. However, there are variations across councils for ROW and access leg widths, relating mainly to the number of dwellings served and desired speed environment. The minimum carriageway width, or sealed width for smaller developments, is 3.0 to 3.5m urban and 3.0 to 4.0m rural, within ROW or reserve widths ranging from 5.0 to 7.0m. Infill housing may require restricted discretionary resource consent for ROWs past existing houses, and that process can manage design of the driveway, protection of existing house eaves and windows, and access for construction and service vehicles. I note that the requested reserve and seal widths for 5 to 8 users/units is the same in the PWDP and the operative Franklin Section (5m seal within 8m reserve or ROW width). I recommend rejecting Greenways Orchards Limited [679.9], *FS1091.27 GD Jones*; Janet Elaine McRobbie [684.9], *FS1091.28 GD Jones*; Campbell Tyson [687.6], *FS1091.29 GD Jones*; Gerardus & Yvonne Gemma Aarts [688.7], *FS1091.30 GD Jones*; Greig Developments No 2 Limited [689.29]; *FS1091.32 GD Jones*; The Surveying Company [746.24] and *FS1091.43 GD Jones*; and Brendon John & Denise Louise Strong [871.2] and *FS1091.57 GD Jones*.

510. **Counties Manukau Police** [297.50] seeks to retain Table 14.12.5.14 which requires the minimum road/right of way access to be no less than 4m. The submitter considers this is necessary to ensure that there is an obligation to consider access, critical for the access of emergency

services and other service vehicles; this is of specific concern to the submitter and has been problematic in some new developments under the authority of Auckland Council. The submitter states the minimum width required for a Fire and Emergency Service general appliance is 4 metres; the minimum requirement for an aerial appliance is 6 metres.

511. *FS1269.22 HNZN opposes 297.50: to the extent it is inconsistent with its primary submission. My understanding of the primary submission is that it opposes increases in minimum development standards as an inefficient use of land. FS1114.13 FENZ supports in part 297.50 the retention of this provision, as it supports FENZ's requirements of adequate accessibility to both the source of a fire and a fire-fighting water supply for the efficient operation of FENZ. For fire appliances to access an emergency, adequate access width, height and gradient is necessary. However, FENZ is concerned that the requirements in Table 14.12.5.14 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised; FENZ seeks the amendment of standard 14.12.5.14 to add an additional note below the table, with an asterisk or similar in the Minimum Road/ROW Reserve Width column, in accordance with FENZ's submission point number 378.19. The requirements for fire-fighting access are set out in the Code of Practice and further detailed in FENZ's 'Emergency Vehicle Access Guidelines' (May 2015). The further submission is only able to support or oppose an original submission, and is unable to provide scope for additional changes to the rule. However, FENZ has an original submission 378.19 which seeks that additional relief. FS1091.5 GD Jones opposes 297.50, as excessive access widths result in inefficient use of land.*
512. I accept that 4m is the minimum width for access and working around a Fire general appliance, and for multi-unit or business needing an aerial appliance, 6m would be required. If a lesser width is to be proposed as a restricted discretionary activity, then it would need to be demonstrated how fire and emergency service vehicles could access the site, and how those vehicles could operate, particularly for longer access ways. I note FENZ submissions accept reticulated water supply can support fire-fighting up to 135m in distance. I recommend accepting Counties Manukau Police [297.50]; *FS1114.13 FENZ* and rejecting *FS1269.22 HNZN*; *FS1091.5 GD Jones*, noting support for 4m minimum access leg width to allow access and operation of Fire and Emergency Service appliances.
513. **FENZ** [378.19] seeks to retain Table 14.12.5.14, as it requires an adequate minimum road/ROW width, and to add a note below Table 14.12.5.14 relating to minimum road/ROW reserve width column regarding minimum height clearance and maximum gradient.
514. *FS1035.125 Pareoranga Te Kata supports 378.19: for fire safety and fire prevention to undertake training activities for fire fighters within the region.*
515. FENZ generally supports the design requirements for vehicle access as it requires an adequate minimum road/ROW reserve width to allow for access to properties for firefighting purposes. FENZ is concerned, however, that the requirements in Table 14.12.5.14 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance. FENZ identifies that for fire appliances to access an emergency, adequate access width, height and gradient is necessary; a 95th percentile pumping appliance has a width of 2.5m, a height of 3.55m and a length of 8.72m; a clearance of greater than 4m is required for firefighters to work around the fire appliance to access hoses and pumps; the maximum negotiable gradient is 1:5, accompanied by a 4m long 1:15 transition grade. In order to provide for ability to access a fire/emergency, FENZ considers that amendments must be made to ensure adequate clearance.

516. I agree with the concerns raised by FENZ and support the inclusion of an additional note under Table 14.12.5.14 to provide clarity and certainty ensuring that accesses are appropriately designed to facilitate access to sites by fire appliances. This amendment addresses potential adverse safety effects. I recommend accepting FENZ [378.19]; *FS1035.125 Pareoranga Te Kata*, noting support for access widths, and adding gradient and vertical clearance provisions for longer access ways.

517. **HNZC** [749.78] seeks to amend Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) as follows:

Road Type	General				Seal Width			
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS 18 Vehicle)	Minimum Road/ROW Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) Does not include concrete kerb width
Access and road conditions (Residential, Village, Business, Business Town Centre, Industrial and Heavy Industrial Zones)								
Access leg to an allotment (Residential, Village)	1	N/A	8m Rigid	4.3	N/A			
Access leg to an allotment (Business and Industrial)	1	N/A		6.3 (one-way) 5.5 (two-way)	N/A			
Private access, including ROWs and access allotments (Residential, Village)	2 to 4	N/A		8.3	5	N/A	N/A	4.3
Private access, including ROWs and access allotments (Business and Industrial)	2 to 8	N/A		10.6 (two-way)	6		N/A	6.5.5
Access allotment (Residential, Village)	5 to 8	N/A		8.6 (two-way)	5		Optional	5
Service Lane (Business and Industrial)	N/A	N/A	Subject to specific design that	8	6		No parking	6

			has been certified					
Local Road (Residential, Village)	>8	50	8m Rigid	20 6 (two-way)	6 5.5	None	1m on each side	8 5.5
Local Road (Business and Industrial)			19m Semi		9 5		Optional	9 6

518. The submitter opposes the minimum road/ROW reserve, minimum trafficable carriageway and the minimum total seal width for a number of road types and allotments or activities. The submitter considers that reducing minimum widths will enable better utilisation of the site for residential development than for vehicle access and roading.

519. *FS1091.44 GD Jones supports 749.78*, and has an original submission I10.3 seeking smaller net site areas and access allotment serving up to 10 sites for 221 Dominion Road Tuakau.

520. For the Business and Industrial Zones, the PWDP provisions are designed to allow for truck access, with 3.0m minimum width carriageways in each direction requiring a 6m minimum width even without allowing for property access. The minimum total seal width needs to at least match the trafficable carriageway width, and may also need to accommodate parking, and turning clearances for individual properties. The design vehicle for these roads is a 19m semi-trailer (NZTA RTS 18 Vehicle) and a 9m wide trafficable carriageway is required to accommodate the tracking curve. The ROW or reserve width also allows for a service berm alongside the carriageway, which may be beneath a walkway or parking bays. It would be possible to achieve a narrower access with one-way circulation as a restricted discretionary activity, where a site or development is configured to support that arrangement. For a Local Road, the 50km/h design speed requires width to accommodate carriageways and service and planting berms, and may require space for pedestrians, parking, retaining structures, trees and stormwater management.

521. For the Residential and Village areas, I note that FENZ and Counties Manukau Police submissions have identified that 4m is the minimum useable width for access and working around a fire appliance. The access leg widths at 4m and 8m would have provision for future intensification if that is required for flexibility of allotment design. Infill housing may require restricted discretionary resource consent for ROW past existing houses, and that process can manage design of the driveway, protection of existing house eaves and windows, and access for construction and service vehicles. Waikato District permits access legs, private access including ROW, and access allotments for 2 – 8 allotments at 8m width, which would allow two-way access, including for service vehicles, and a service berm. It is also considered an appropriate width for residential amenity in towns and villages, as opposed to more compact city suburbs, and would encourage subdivision design with properties having frontage to a road. For 5 to 8 residential allotments, the access allotment is substantially narrower than a Local Road, but will still need to accommodate trucks and service vehicles, services berm and in some cases stormwater management water table or swales.

522. I recommend rejecting HNZA [749.78]; *FS1091.44 GD Jones*, as for the reasons above, the access and roading provisions, as notified, are considered appropriate.

523. **McCracken Surveys Limited [943.63]** seeks to amend Table 14.12.5.14 to change the following for Access legs to an allotment Residential, Village:

- a. Minimum Road/ROW Reserve Width to 3m;
- b. Seal width of 3m up to 6 units or lots;
- c. Minimum Road/ROW Reserve Width to 5.5m and 6m for more than 6 units or lots; and
- d. Seal width of 4m for 6 or more units or lots.

And to delete the 'Access lot residential, village' from Table 14.12.5.14.

524. *FS1091.66 GD Jones supports 943.63* and has an original submission 110.3 seeking smaller net site areas and access allotment serving up to 10 sites for 221 Dominion Road Tuakau.

525. The submitter considers widths sought would be consistent with residential widths of other Councils; and that tenure of the access lot is no justification for minimum width. The submitter states width of access should be based on usage, not tenure as tenure is not relevant in determining access formation requirements.

526. The Access and Road Conditions table is based on NZS 4404:2010, but with some widths adapted to local conditions and preference, as has been done by other councils, including for purposes of street amenity and stormwater management. The dimensions are primarily related to number of allotments served, as a proxy for users or usage. Tenure of access alone is not a justification for minimum width. However, combined with number of allotments served and the management and maintenance of the access resource, a solely-owned access leg for one allotment can be a different width than a ROW or an access allotment such as a jointly-owned access lot (JOAL). 3m or 4m seal widths are not considered suitable for longer driveways without passing bays, but alternative dimensions and configurations such as one-way circulation and passing bay/queuing bay can be achieved as a restricted discretionary activity, where effects are managed. I recommend rejecting McCracken Surveys Limited [943.63]; *FS1091.66 GD Jones*.

527. **Waikato District Council [697.78]** seeks to amend Table 14.12.5.14 and its heading to include the Te Kowhai Airpark, Rangitahi Peninsula and Motorsport and Recreation zones where appropriate. The submitter states that these zones are missing from the heading.

528. *FS1339.82 NZTE Operations Limited supports 697.78: NZTE supports the amendment to the heading to reflect the zones covered by the table.*

529. I recommend accepting Waikato District Council [697.78]; *FS1339.82 NZTE Operations Limited*, to correct omission.

530. **Waikato District Council [697.79]** seeks to amend Table 14.12.5.14 by updating the footnote references to the Regional Integrated Technical Specifications to reflect the correct title and version "Regional Infrastructure Technical Specifications May 2018".

531. *FS1339.83; FS1339.78 NZTE Operations Limited support 697.79 to provide consistency to the PWDP.*

532. I recommend accepting Waikato District Council [697.79] to update external document references.

35.2 Recommendations

533. For the reasons above, I recommend the Hearings Panel:

- a. Reject Lakeside2017 579.58
- b. Reject GD Jones 110.3
- c. Reject Ted and Kathryn Letford 276.1; *FSI286.12 Horotiu Properties Limited: FSI091.2 GD Jones*
- d. Reject Horotiu Properties Limited 397.6 and *FSI091.10 GD Jones*; and Greig Metcalfe 602.44; *FSI091.23 GD Jones*
- e. Reject Greenways Orchards Limited [679.9], *FSI091.27 GD Jones*; Janet Elaine McRobbie [684.9], *FSI091.28 GD Jones*; Campbell Tyson [687.6], *FSI091.29*; Gerardus & Yvonne Gemma Aarts [688.7], *FSI091.30 GD Jones*; Greig Developments No 2 Limited [689.29], *FSI091.32 GD Jones*; The Surveying Company [746.24], *FSI091.43 GD Jones*; and Brendon John & Denise Louise Strong [871.2] and *FSI091.57 GD Jones*.
- f. Accept Counties Manukau Police [297.50] and *FSI114.13 FENZ* and reject *FSI269.22 HNZN* and *FSI091.5 GD Jones*
- g. Accept FENZ [378.19] and *FSI035.125 Pareoranga Te Kata*
- h. Reject HNZN [749.78] and *FSI091.44 GD Jones*
- i. Reject McCracken Surveys Limited [943.63] and *FSI091.66 GD Jones*
- j. Accept Waikato District Council [697.78] and *FSI339.82 NZTE Operations Limited*
- k. Accept Waikato District Council [697.79] and *FSI339.83; FSI339.78 NZTE Operations Limited*

35.3 Recommended amendments

534. Amend title and footnote references of Table 14.12.5.14 as follows:

Table 14.12.5.14 – Access and road conditions (Residential, Village, Business, Business Town Centre, and Industrial, Te Kowhai Airpark⁸⁶, Rangitahi Peninsula and Motorsport and Recreation Zones)⁸⁷

Road Type	General				Seal Width			Berm		General		
	Number of Allotments or Activities	Design Speed (km/h)	Design Vehicle (RTS 18 Vehicle)	Minimum Road/RCV Reserve Width (m)	Minimum Trafficable Carriageway (m)	Minimum Median Provision (m)	Parking Provision	Minimum Total Seal Width (m) Does not include concrete kerb width	Minimum Services (m)	Minimum Footpath / Shared path (m)	Kerb and Channel / Water-table	Turning Area for no exit roads (RTS 18 Vehicle)

Notes:

- The Regional Integrated Infrastructure Technical Specifications May 2018⁸⁸ contains further details on road width/design requirements.
- Figure 14.1.4.16 illustrates the various parts of the road (seal width, berm etc.) defined in Tables 14.12.4.14 and 14.12.4.15
- *Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8), except where the access terminates less than 135m from the nearest road that has reticulated water supply (included hydrants).⁸⁹

35.4 Section 32AA evaluation

535. The recommended amendments provide correction and clarification. Amendment of vehicle access gradient and clearance height is proposed to allow efficient access for emergency service vehicles. I consider the proposed provision to be the most appropriate method to achieve Objective 6.5.1 - providing an integrated land transport network, where the adverse effects of construction and operation of the transport network are managed; and Policy 6.5.2(a)(ii) to promote an efficient, effective, integrated, safe, resilient and sustainable land transport network through the appropriate design and location of site accesses.

⁸⁶ 697.519 Waikato District Council

⁸⁷ 697.78 Waikato District Council

⁸⁸ 697.79 Waikato District Council

⁸⁹ 378.19 FENZ

36 Table 14.12.5.15 – Access and road conditions (Rural and Country Living Zones)

Submission point	Submitter	Decision requested
742.119	NZTA	Retain Table 14.12.5.15 Access Roads and conditions (Rural and Country Living Zones) as notified
276.2	Ted and Kathryn Letford	Retain the following access widths in Table 14.12.5.15 Access and Road condition for Rural and Country Living Zone: 6m wide access for one allotment; 6m wide access for 2-3 lots; 10m for 4-8 lots.
690.5; 746.25	Paramjit & Taranpal Singh; The Surveying Company	Amend Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones), to apply NZ Standard NZS4404 Table 3.2 Roading Design Standards; OR Amend Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones), to replace with Section 22B.7.1.2 of the Franklin Section of the Operative District Plan; AND Delete the requirement for sealed access and right of ways in the Rural and Country Living Zones from Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones).
724.8	Sue Robertson for Tamahere Community Committee	Amend Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones) in Chapter 14 by reducing the minimum road reserve width from 20m to 12m for the Country Living Zone where pavement and drainage and services can be accommodated
378.20	FENZ	Retain Table 14.12.5.15 Access and road conditions, as it contains minimum road/ROW reserve width requirements AND Add note below Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones) relating to the Minimum Road/ROW Reserve Width column, as follows: <u>*Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0 transition ramps of 1 in 8)</u>
FS1035.126	Pareoranga Te Kata	Supports 378.20.

36.1 Analysis

536. **NZTA** [742.119] seeks to retain Table 14.12.5.15 as notified. Based on the nature of the land use associated with the Rural and Country Living Zones, the submitter considers that the design vehicles are appropriate.

537. I recommend accepting NZTA [742.119], noting support for design vehicles.

538. **Ted and Kathryn Letford** [276.2] seek to retain the access widths in Table 14.12.5.15. The submitter considers the proposed access widths are far more practical than the current requirements under the Operative District Plan, which wastes too much space.

539. I recommend accepting Ted and Kathryn Letford [276.2], noting support for Rural and Country Living access width provisions.

540. **Paramjit & Taranpal Singh [690.5]** and **The Surveying Company [746.25]** seek to amend Table 14.12.5.15 to apply NZ Standard NZS4404 Table 3.2 Rooding Design Standards; or to replace with Section 22B.7.1.2 of the Franklin Section of the Operative District Plan; and to delete the requirement for sealed access and right of ways in the Rural and Country Living Zones from Table 14.12.5.15.
541. The submitters oppose the legal widths and seal widths; and the requirement to seal access and right of ways in the Rural and Country Living Zones as they consider metal access ways are appropriate within Rural Zones and more consistent with the character of Rural areas.
542. The submitters consider that rural access and right-of-way widths are too wide. However, the Franklin Section (22B.7.1.2) alternative requested is the same for 1 to 3 lots (6m width) and wider for 4 to 6 lots (12m compared to the PWDP 10m). The public road standard applies at 7 or more lots in the Franklin Section, compared to the PWDP at 9 or more lots. I note other submissions, like Ted and Kathryn Letford 276.2 above, support the PWDP access widths as being more practical than those of the Operative District Plan. The PWDP seal widths are wider than previous plans, including the requirement for sealing of rural accesses of less than road width (the Franklin Section requires sealing of the 6m length adjoining a road). There is no seal width requirement in Table 14.12.5.15 for an access to a single allotment, so I would take that as meaning an access need not be sealed unless it is serving more than one allotment. Sealing of access via ROW or access allotment to two or more allotments will assist in shared maintenance of those accesses. Access and road conditions standards relate to the vehicle access to an allotment and not within that allotment, so internal circulation and stock races are not part of the access requirements. Sealing, in my opinion, is not inconsistent with the character of Rural areas. I recommend rejecting Paramjit & Taranpal Singh [690.5]; The Surveying Company [746.25].
543. NZS 4404:2010 is not a mandatory standard, and has been adopted by a number of Councils across New Zealand in complete form or modified, and as a by-law, development code of practice, or district plan sub-section. Waikato District Council has adopted the Regional Infrastructure Technical Specifications May 2018 (RITS) (currently under review, I understand) as a code of practice for development of infrastructure. That may, in future, proceed to replace the access and right-of-way widths of the PWDP.
544. **Sue Robertson for Tamahere Community Committee [724.8]** seeks to amend Table 14.12.5.15 by reducing the minimum road reserve width from 20m to 12m for the Country Living Zone where pavement and drainage and services can be accommodated. The submitter states that there are a few properties in the Country Living Zone that are isolated by 12-15m wide rights-of-way which may not be able to be subdivided: a 12m road reserve width could be favourably considered where a pavement, drainage and services can still be accommodated.
545. Subdivision into more than 8 allotments, of Country Living Zone properties with 12 – 15m wide ROWs, can be achieved by way of a restricted discretionary activity resource consent, as part of the subdivision consenting process. The road would need to be designed to accommodate footpath, drainage and services as required, as well as vehicle access suitable for service vehicles and an 8m rigid truck. I note there are specific road designs for Tamahere in Figure 14.12.5.17 – Tamahere Country Living Zone – Road Cross Sections, showing grass swales each side of Local and Collector roads. However, alternative stormwater management is possible. I recommend rejecting Sue Robertson for Tamahere Community Committee [724.8], as resource consent can manage effects of under-width ROWs, rather than changing the standard in the PWDP.

546. **FENZ** [378.20] seeks to retain Table 14.12.5.15 Access and road conditions, as it contains minimum road/ROW reserve width requirements and to add a note below Table 14.12.5.15 relating to the Minimum Road/ROW Reserve Width column, relating to minimum height clearance and maximum gradient.
547. *FS1035.126 Pareoranga Te Kata* supports 378.20 to allow fire safety and fire prevention to undertake training activities for fire fighters within the region.
548. FENZ generally supports the design requirements for vehicle access, as it recognises minimum road/ROW reserve width requirements to allow for access to properties for firefighting purpose. FENZ are concerned, however, that the requirements in Table 14.12.5.15 fail to prescribe height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance and may give rise to situations where access for emergency vehicles is compromised in the Rural and Country Living Zones. FENZ notes there is also an absence of provisions to provide for height clearance and gradient requirements and therefore would not be able to accommodate a fire appliance. For fire appliances to access an emergency, the submitter states that adequate access width, height and gradient is necessary; a 95th percentile pumping appliance has a width of 2.5m, a height of 3.55m and a length of 8.72m; a clearance of greater than 4m is required for firefighters to work around the fire appliance to access hoses and pumps; the maximum negotiable gradient is 1:5, accompanied by a 4m long 1:8 transition grade. In order to provide for ability to access a fire/emergency, the submitter considers amendments must be made to ensure adequate clearance; this amendment will ensure sufficient clearance.
549. I recommend accepting FENZ [378.20] and *FS1035.126 Pareoranga Te Kata*, as support for rural access provisions, and as addition of clearance and gradient guidance.

36.2 Recommendations

550. For the reasons above, I recommend the Hearings Panel:

- a. Accept NZTA [742.119]
- b. Accept Ted and Kathryn Letford [276.2]
- c. Reject Paramjit & Taranpal Singh [690.5] and The Surveying Company [746.25]
- d. Reject Sue Robertson for Tamahere Community Committee [724.8]
- e. Accept FENZ [378.20] and *FS1035.126 Pareoranga Te Kata*

36.3 Recommended amendments

551. Add note below Table 14.12.5.15 Access and road conditions (Rural and Country Living Zones) relating to the Minimum Road/ROW Reserve Width column, as follows:

**Accesses shall have a minimum height clearance of 4.0m and a maximum gradient of 1 in 5 (with minimum 4.0m transition ramps of 1 in 8)* [378.20 FENZ]

36.4 Section 32AA evaluation

552. The amendment addressing vehicle access gradient and clearance height is proposed to allow efficient access for emergency service vehicles in the Rural and Country Living Zones. No further s32AA re-evaluation is required.

37 Figure 14.12.5.19 and Figure 14.12.5.20 – Te Kauwhata Structure Plan – Road cross sections – Collector and Local Roads

Submission point	Submitter	Decision requested
579.59	Lakeside2017	Amend Table 14.12.5.19 Te Kauwhata Structure Plan - Road cross sections - Collector Roads to insert specific provisions which provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m. AND Amend Table 14.12.5.19 Te Kauwhata Structure Plan - Road cross sections - Collector Roads to insert specific provisions which provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments.
579.84	Lakeside2017	Amend Table 14.12.5.20 Te Kauwhata Structure Plan - Road cross sections - Local Roads to insert specific provisions which provide for a minimum local road width of 16m and a reduction in the seal width from 8m to 6m. AND Amend Te Kauwhata Structure Plan - Road cross sections - Local Roads to insert specific provisions which provide for private ways which have passing bays and/or dual carriageway to serve more than 8 allotments.

37.1 Analysis

553. **Lakeside2017** [579.59] and [579.84] seeks to amend Figures 14.12.5.19 and 14.12.5.20 consistent with Plan Change 20 for the Te Kauwhata Lakeside Precinct, which identified a special parking control for Lakeside applying for sites less than 300m², to recognise the lower car ownerships of smaller households and promote affordable housing; and in recognition of possible future public transport services to Te Kauwhata. The submitter seeks amendments to the cross section that reflect private ways with passing bays and/or dual carriageways when serving more than 8 allotments.

554. Table 14.12.5.14 Access and road conditions (Residential, Village, Business, Business Town Centre and Industrial Zones) provides for Residential Zone to have a minimum Local Road Reserve width of 20m, which is a conventional road width dimension for local roads. The Te Kauwhata Structure Plan established Local Road cross-sections of 20 - 22m in order to accommodate swale drainage for run-off water quality, including in the Te Kauwhata South part of the Structure Plan Area. The Te Kauwhata Structure Plan-developed typical road cross-sections are shown in Figures 14.12.5.19 and 14.12.5.20.

555. Lakeside lies to the south of Te Kauwhata, and has a Precinct Plan showing principal roading network and provisions for a Comprehensive Land Development Consent (CLDC), which could be followed by custom-designed access arrangements. Narrower local road reserves can also be created by subdivision and development resource consents (Rule 14.12.2 RD6 manages roads not meeting the permitted activity standards) and, for example, could include rear lane double-loaded access which would mean less cars on and vehicle accesses to the public roads. The required seal width for a Local Road is 6m for a Residential Zone. Private ways to serve more than 8 allotments should be created by subdivision and development resource consent and specific design rather than as a permitted standard in the PWDP, and at that scale and intensity, in my opinion, should

generally be served by a public road. I recommend rejecting Lakeside2017 [579.59] and [579.84], as alternatives to permitted activity rules can be established by CLDC and subdivision and development resource consents.

37.2 Recommendations

556. For the reasons above, I recommend the Hearings Panel:

- a. Reject Lakeside2017 [579.84] and [579.59].