

BEFORE THE HEARINGS PANEL

IN THE MATTER of the Proposed Kapiti Coast District
Council Plan Review 2012

AND Submissions by **Coastlands
Shoppingtown Limited** on Chapter 11
Infrastructure

**Submitter No. 218 and Further
Submitter No. 55**

**BRIEF OF EVIDENCE OF CHRISTOPHER ADRIAN HANSEN
PLANNING
ON BEHALF OF COASTLANDS SHOPPINGTOWN LIMITED
CHAPTER 11 INFRASTRUCTURE**

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Solicitors:

D'Ath Partners
Level 3 Harbour City Towers
29 Brandon Street
PO Box 1078
Wellington
Phone: (04) 4990431
Facsimile: (04) 4990662
Email: dathlaw@paradise.net.nz

Counsel Acting:

Matthew McClelland QC/ Pherne Tancock
Harbour Chambers
Level 10, Equinox House
111 the Terrace
PO Box 10 242
Wellington
Phone: (04) 499 2684
Facsimile: (04) 4992705
Email: Pherne.Tancock@legalchambers.co.nz

BRIEF OF EVIDENCE OF CHRISTOPHER ADRIAN HANSEN
(BRP (HONS))
ON BEHALF OF COASTLANDS SHOPPINGTOWN LIMITED
CHAPTER 11 INFRASTRUCTURE

Introduction

1. My name is Christopher Adrian Hansen and I am a Director and Principal Planning Consultant with Chris Hansen Consultants Ltd. My qualifications and experience are outlined in my Brief of Evidence on the General/Plan Wide provisions of the Kapiti Proposed District Plan (PDP) dated 17 March 2016.
2. I provide the following statement of evidence in support of the submissions lodged by Coastlands Shoppingtown Limited (Coastlands) to Chapter 11 Infrastructure of the PDP. I assisted Coastlands to prepare its submissions.
3. I have read the Code of Conduct contained in the Environment Court's Practice Notes for Expert Witnesses and even though this is a Council hearing, I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.

Background

4. Coastlands lodge a submission [Submitter No. 218] and further submission [Further Submitter No. 55] raising concerns regarding a number of transport and traffic related provisions contained in Chapter 11 Infrastructure of the PDP.
5. In my Brief of Evidence on General/Plan Wide provisions dated 17 March 2016 I provided a broad overview of the Planning Context by which

Coastlands submissions are to be considered in. As well as the statutory context, I provided an overview of the history regarding the development of the Paraparaumu Town Centre, and in particular the planned intention of the Kapiti Coast District Council ('Council') to consolidate retail and commercial activities within the Town Centre Zone. The corollary of this is the need to restrict or limit retail and commercial activities outside the Paraparaumu Town Centre. I expressed my support for this strategy, from a planning perspective.

6. I also provided an overview of the operative District Plan provisions specific for the Wharemauku Precinct (Plan Change 72A), and outlined the history of this plan change through the Environment Court and finally to adoption within the operative District Plan in May 2015. I can also update the Panel that Coastlands has been granted resource consents for Stages 1 and 2 of the Coastlands Square Development within the Wharemauku Precinct.
7. In its submission on General/Plan Wide provisions of the PDP, Coastlands raised a concern that development within the Paraparaumu Town Centre is strictly controlled until the transport network issues are resolved. This is current and has the potential in future to restrict the opportunities for intensification of retailing in the Town Centre and development of a 'main street' along Rimu Road due to lack of capacity within the existing roading network. Coastlands submitted that Council has no strategy to address those issues, apart for putting the responsibility onto land owners and resource users to provide transport infrastructure if they want to develop in that area. Council's role in providing future transport network solutions is not defined in the PDP, and Coastlands sought further strategic guidance from Council as to how these wider networks issues can be suitably resolved. My comments on this matter were included in paragraph 76 of my Brief of Evidence, and Mr Georgeson (TDG) also raised concerns regarding this matter from a transport planning perspective in his evidence on the Objectives Chapter.

Outline of Evidence

8. The focus of this Brief of Evidence is on a number of transport and traffic provisions included in Chapter 11 Infrastructure of the PDP that affect the Paraparaumu Town Centre, and in particular:

- (a) Transport network Issues (general submission point);
- (b) Policy 11.8 – Development staging
- (c) Policy 11.29 – Integrated transport and urban form;
- (d) Policy 11.33 – Effects of land use on transport;
- (e) Policy 11.35 – Parking;
- (f) Rule 11C.1.2 – Permitted Activities – Traffic generation;
- (g) Rule 11C.3.1 – Restricted Discretionary Activity;
- (h) Rule 11C.3.3 – Restricted Discretionary Activity;
- (i) Rule 11P.1.5 – Permitted Activities – Retail outlets and other retail activities;
- (j) Rule 11P.1.6 – Permitted Activities – Large Format Retail;
- (k) Transport Network Hierarchy Map;
- (l) Definition – Ihakara St east/Ihakara St west;
- (m) Definition – Major traffic activities;
- (n) Western Link Road (Stages 1 and 3)/Western Link Road (Stage 2)

9. I note that the s.42A Report also addresses a further submission lodged by Coastlands relating to a submission by Christopher Glover who requested the following:

- (a) An Esplanade Strip along the north side of the Wharemauku Stream beneath the pedestrian overbridge at Coastlands Mall;

10. The approach I will take in my evidence includes:

- An outline of the broader Planning Context to be considered;
- A review of the operative District Plan provisions;
- A review of the notified PDP provision;

- A review General/Plan Wide matters raised by Coastlands in its submission, and the relief sought;
 - SEV and Consultation with Council;
 - A brief review of the s.42A Report recommendation regarding the PDP provisions;
 - Planning comment.
11. In order to inform my planning comment, I will draw on the technical advice provided in the expert evidence of Mr Georgeson (traffic) and Mr Copeland (economics).
12. Whilst I am aware of the Submitter Engagement Version (SEV) of the PDP, given the uncertainty as regards the statutory standing of this document at this time, my evidence deals specifically with the 2012 notified version of the PDP and the amendments being sought by the Council Officer in their s42A Report.

Broader Planning Context

13. The relevant planning matters associated with the Chapter 11 PDP provisions are:
- (a) The need for a strategy to fully develop the transport network issues of the District to ensure integrated transport and urban form is achieved, and particularly in relation to the Paraparaumu Town Centre – this strategy would clearly define Council's role as well as resource users who currently have the costs of transport network improvements placed on them if they wish to develop;
 - (b) The introduction of a Structure Plan for the Paraparaumu Town Centre that is supported by prescriptive policies and rules intended to implement the Structure Plan, including the 'main street' concept for Rimu Road – the content of the notified PDP Structure Plan, and the process undertaken to prepare it, is opposed by Coastlands in its submission;

(c) The effects of land use on the transportation network, and in particular associated with traffic generation and car parking;

(d) Rules that include traffic thresholds that determine the requirement for detailed traffic assessments, and different rule activity status;

(e) Definitions.

14. By way of an opening comment, I note that the transport infrastructure matters raised by Coastlands in its submission need to be considered in the context of its main submission points on Chapter 6 Working Environment provisions, and the general submission point it made on transport network issues addressed at the General/Plan Wide hearings held in March. In particular, without knowing what the s.42A Report is recommending regarding the Paraparaumu Town Centre Structure Plan and how that structure plan is to be implemented within the PDP, it is difficult to discuss transport network issues associated with the Paraparaumu Town Centre, roles and responsibilities associated with providing roading infrastructure, and details contained in rules (relating to such as car parking) within Chapter 11 or make any informed submission or assessment as to the effectiveness of the proposed provisions.

Explanations

15. I also note the blanket recommendation of the various Council Officers preparing s.42A Reports to delete the explanations to policies in the PDP. While I acknowledge that the RMA does not require such commentaries, and that there is a drive for a streamlined district plan, I am concerned that a number of the policies, including the more complex policies relating to the Town Centre, have been written in a way that they are intended to be accompanied by a commentary, in order for the intent of the policy to be fully understood. By deleting these explanations without considering whether or not the planning issue for consideration can be understood is in my view an error. If these policies are not then

appropriately amended to clarify intent (which can further increase their length and complexity), then this context relating to the intent of the policy is lost. In that case, as a planning practitioner using the plan, and for Council Officers implementing the plan, an explanation is invaluable to ensure the policies are correctly interpreted and applied over the life of the plan. In my opinion there is planning merit in keeping a policy simple and easy to read and understand, and to provide clarity regarding its intent for implementation through precise and succinct explanations.

16. An example of this is the commentary to Policy 11.29 that provides guidance to the decision maker on how Medium Density Housing should be designed to ensure residents can access most services (shops, public transport etc.) within 400 metres (approximately a 5-minute walk) and high traffic generating non-residential uses should be located in areas with adequate transport infrastructure. This guidance would be useful to developers and decision makers, and Council Planners implementing the plan. Another example would be the commentary to Policy 11.33 which provides guidance on the types of land use activities that may affect transportation routes.

Statutory Context

17. In my Brief of Evidence on General/Plan Wide provisions I provided a broad overview of the statutory context Coastlands submissions are being considered within. In this evidence, Coastlands submission points relate to policies and methods, and I provide the following statutory context to consider these provisions.
18. I note s.31(1)(a) of the RMA outlines the functions of a territorial authority, for the purpose of giving effect to the Act, which include:

"The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district."

19. Policies are the course of action to be pursued to achieve or implement the objectives included in the Plan (i.e. the path to be followed to achieve a certain, specified, environmental outcome). Policies are implemented through methods (often plan rules) so they need to be worded to provide clear direction to those making decisions on rules and those implementing methods. Policies have particular importance when considering non-complying activities under the s104D (1) tests, and consents with discretion.
20. Rules are the means by which policies will be implemented (often along with non-regulatory methods) and have the force and effect of a regulation (but are still subject to the principal Act). Rules must conform to common law principles and conventions regarding validity.
21. I consider that s.32(1)(b) of the Act requires proposed policies and methods (rules) to be evaluated to determine the extent to which they (as 'lower order' provisions) are the most appropriate way to achieve the purpose of the objectives (as the 'higher order' provisions as discussed in my Brief of Evidence dated 1 April 2016), which are in turn are required to meet the sustainable management purpose of the RMA.

Existing Transport and Traffic Environment

22. I note Mr Georgeson in his evidence provides a comprehensive overview of the transport and traffic environment, and I defer to his evidence. Of particular importance to my planning assessment, I note the following matters:
 - (a) Objective 22 of the Regional Policy Statement
 - (b) Regional Land Transport Plan 2015
23. I also note Rimu Road is defined as a *Centres Route* in the PDP Transport Network Hierarchy, which are defined as:

Roads joining smaller centres of population, joining larger centres of population to nearby major connectors or linking between major connectors, and:

- recognises specialist role of streets in retail areas and centres;

- must be capable of delivering on-street retail parking;
- must be capable of handling significant pedestrian cross movement;
- must be capable of handling freight traffic;
- will have high traffic volumes;
- likely to have low traffic speeds, but case by case consideration.

Review of the Operative District Plan Provisions

24. The operative District Plan includes the following provisions relating to the transport network and traffic relevant to the Paraparaumu Town Centre:

(a) Section C.18 Transport includes 1 Objective and 15 Policies focussed on the development and management of the transport infrastructure - these objective and policies are implemented through zoning; designations; indication of Notional Roding; and rules and performance standards;

(b) Section C.4 Paraparaumu Town Centre Zone contains provisions that provide for:

- i. Permitted Activities: commercial activities excluding retail activities (except for retail outlets less than 300m²) (Rule D.4.2.1 (i));
- ii. Controlled Activities – new roads (Rule D.4.1.2 (ii));
- iii. Discretionary Activities - major traffic activities (Rule D.4.1.3 (vi)).

(c) Section C.3 Commercial/Retail contains specific provisions for the Wharemauku Precinct introduced by PC72A [refer to my Brief of Evidence to the General/Plan Wide hearings dated 17 March 2016 for further commentary on these provisions]:

- i. Permitted Activities: activities not controlled, discretionary, non-complying or prohibited that meet permitted activity standards (Rule D.3.1.1 (i));

- ii. Controlled Activities: effects of buildings and car parking (Rule D.3.1.2 (viii)) (also Large Format Retail over 500m² that meet permitted and controlled activity standards (Rule D.3.1.2 (vii)));
- iii. Restricted Discretionary Activities: buildings and earthworks not meeting permitted activity standards; retail units greater than 500m²; retail activity generating over 200 vehicle movements per hour; retail units over 1,000m² on a site adjoining a residential zone (Rule D.3.1.3 (v));
- iv. Discretionary Activities: activities not listed as non-complying or prohibited and do not comply with one or more permitted or controlled activity standards (D.3.1.3 B (i)); major traffic activities (Rule D.3.1.3 B (vii));
- v. Non-complying activities: those activities not permitted, controlled, discretionary or prohibited (Rule D.3.1.4 (i)).

(d) Part J – Parking contains provisions relating to retail/commercial activities – shopping malls 6 parks per 100m² gross floor area; supermarkets 5 parks per 100m² gross floor area; offices 3 parks per 100m² gross floor area; access and layout of car parking design requirements.

(e) Definitions: Active Retail Frontage; Commercial Activity; Department Store; Gross Floor Area; Infrastructure; Large Format Retail; Major Traffic Activity; Retailing, Retail Outlets, and Retail Trade Premise; Supermarket; Vehicle Movement; Western Link Road (Stages 1, 2 and 3) – refer to **Annexure A** for the full definitions.

25. Overall the operative District Plan relies on District-wide objectives and policies to address transport network matters, and methods (primarily rules) in individual zones to control the effects of land use on traffic. The

purpose of outlining these provisions is to outline the current provisions relevant to the Paraparaumu Town Centre in order to assess the PDP policies and rules to determine whether they are the most appropriate way to meet the objectives and the purpose of the RMA.

Review of Notified PDP

26. The PDP includes the following provisions relating to the transport network and traffic relevant to the Paraparaumu Town Centre:

(a) Chapter 2 Objectives contains District-wide objectives, with the following relevant to the transport network and traffic:

- i. Objective 2.8 – Strong Communities;
- ii. Objective 2.13 – Infrastructure and services;
- iii. Objective 2.14 – Access and Transport;
- iv. Objective 2.15 – Incentives;
- v. Objective 2.16 – Economic vitality;
- vi. Objective 2.17 – Centres;
- vii. Objective 2.19 – Urban Design.

(b) Section 11.2 contains general infrastructure, services and associated resource use policies that include:

- i. Policy 11.1 – Recognition - intends to recognise the national, regional or local importance and benefits of sustainable, secure and efficient provision of (amongst other things) road and rail networks as mapped in the Regional Land Transport Strategy and Council's transport hierarchy in the District Plan,

provided these networks have been developed within a sustainable management;

- ii. Policy 11.4 – Managing adverse effects – intends to manage the adverse effects from the establishment, operation, maintenance and upgrading of infrastructure;
- iii. Policy 11.8 – Development staging – intends to manage when additional community infrastructure investment is required by staging development to fit existing capacity through the consent process, provide the opportunity to ‘forward’ purchase entire infrastructure upgrade works by a developer.

(c) Section 11.6 contains rules and standards relevant to the transport network and traffic matters, and include the following policies:

- i. Policy 11.29 – Integrated transport and urban design – that intends to ensure development (and subdivision) is integrated with and consistent with the transport network hierarchy, and in a manner and at a rate that ensures the outcomes stated in the policy are achieved;
- ii. Policy 11.30 – Sustainable transport and maximising mode choice – intends to ensure development (and subdivision) is integrated with a transport system that offers a wide range of travel mode choices, which connects residents to essential community services, centres and social infrastructure through the mechanisms listed in the policy (including Travel Plans).
- iii. Policy 11.31 – An efficient and economic transport network – intends to ensure the development, operation, maintenance and upgrading of the transport network will increase the

economic vitality of the District by the mechanisms listed in the policy;

- iv. Policy 11.32 – Effects of transport on land use/development – intends to ensure the potential adverse effects of development, operation, maintenance and upgrading of the transport network on land use and development will be minimised by the method included in the policy;
- v. Policy 11.33 – Effects of land use on transport – intends to ensure the potential adverse effects on the transport network from development and subdivision will be minimised by identifying proposed transport routes likely to be required long term as part of the Kapiti Coast transport network and having regard to these when considering applications for subdivision or development [Note – there is an useful explanation accompanying this policy that gives guidance for the implementation of this policy];
- vi. Policy 11.35 – Parking – intends to ensure all new subdivision and development shall provide for safe vehicular and pedestrian access and appropriate vehicle parking areas by the mechanisms listed in the policy, including (amongst other things): parking standards; supplying adequate off-street parking; adequacy of the parking in the location and adjacent areas; the classification of the road.

(d) Section 11.6.3 contains the following rules relevant to the Paraparaumu Town Centre:

- i. Permitted Activities: traffic generation to/ from any activity or site in the working zones - the lesser of, up to a maximum of 200 vehicles per day (vpd) or 50 vehicles per peak hour (in any one-hour period) (Rule 11C.1.2.2); property access and

loading (Rule 11C.1.2.3); design and layout of vehicle parking for all activities (Rule 11C.1.2.4/5);

- ii. Controlled Activities: new roads (Rule 11C.2.1);
- iii. Restricted Discretionary Activities: Major Traffic Activities (not accessing a strategic arterial route or limited access roads (LAR)) (Rule 11C.3.1); traffic generation in the Working Zone that do not meet the permitted activity standards 11C.1.2.2 (Transport Assessment and Travel Plan required) ((Rule 11C.3.3);
- iv. Discretionary Activities: any activity which is not identified as a permitted, controlled, restricted discretionary or non-complying (Rule 11C.4.1); design and layout of vehicle parking for all activities that do not meet any one of the permitted activity standards under rules 11.C.1.4/5 (Rules 11C.4.4/5); new roads including where they are to serve a subdivision (including boundary adjustments) that do not meet any one of the controlled activity standards under rule 11.C.2.1 (Rule 11C.4.9); Major traffic activities with access onto a strategic arterial route or limited access roads (LAR), unless they are a non-complying or prohibited activity (Rule 11C.4.10).

(e) Section 11.6.3 also includes the following rules relating to parking relevant to the Paraparaumu Town Centre:

- i. Permitted Activity: retail outlets and other activities involving retailing - 3 carparks per 100m² gfa or display area (whichever is greater) (Rule 11P.1.5); Large Format Retail (including supermarkets) over 500m² in gross floor area (GFA) - 5 carparks per 100m² GFA (Rule 11P.1.6); non-retail

commercial activities - 3 carparks per 100m² GFA or display area (whichever is greater) (Rule 11P.1.8);

- ii. Controlled Activities: car parking spaces/ areas shared by different activities (Rule 11P.2.1);
- iii. Discretionary Activities - any activity which is not identified as a permitted, controlled, restricted discretionary or noncomplying (Rule 11P.4.1).

(f) Schedule 11.3 includes a list of roads in the transport Network Hierarchy – Ihakara Street is a Major Community Connector; Rimu Road is a Centres Route.

- 27. I note I have provided my opinions and recommended amendments to the Chapter 2 Objectives in my Brief of Evidence dated 1 April 2016, where I also provide the full wording of these objectives. I do not intend to repeat this detail in this evidence. However, I have assessed the policies and rules proposed as to whether I consider that they will achieve the objectives (as amended by Coastlands).
- 28. Furthermore, as I have discussed above, there are relevant policies and rules that relate to the Paraparaumu Town Centre (including the proposed Structure Plan) included in Chapter 6 Working Environment, which are not the subject of these hearings.

Review of Submission Points and Relief Sought

- 29. Coastlands made a number of submission points on Chapter 11 Infrastructure. I have provided a summary of Coastlands' submissions on specific PDP provisions in **Annexure "B"** of this evidence. Coastlands' submission sought a number of outcomes that focussed on:

(a) A strategic approach to the transport network issues facing the District, and in particular the Paraparaumu Town Centre to resolve

traffic issues and facilitate further development of the centre including the main street;

(b) Clarifying Council's role in resolving integrated transport and urban form and managing the effects of land use on transport;

(c) Rules that include thresholds relating to traffic generation and parking;

(d) Clarifying definitions.

30. I discuss these concerns in the context of the s.42A Report later in my evidence.

SEV and Consultation with Council

31. I undertook a detail assessment of the SEV when it was released in June 2015 and provided a detailed report to Coastlands identifying how its submission points had been considered. While I acknowledge that the SEV was a useful document and the resulting consultation undertaken by Council would have assisted in better understanding the Council's position on submission points, I am no further informed on the likely approach Council will take to matters raised in Coastlands' submission until the release of the s.42A Report on the various chapters. In this case, the s.42A Report on the Working Environment Chapter will (hopefully) address significant concerns Coastlands has with the Paraparaumu Structure Plan and the forward planning of the Town Centre.

32. While consultation to date with Council through the Paraparaumu Town Centre transformation and Connectors Project has been useful, consultation on the SEV has been limited (to two meeting) and I am unclear what the s.42A Report will address for the Working Environment Chapter.

Review of Section 42A Report Comment and Recommendations

33. The s.42A Report provides a range of responses and recommendations to Coastlands' submission points. For completeness, I have provided a summary of the s.42 Report comments and recommendations to Coastlands' submission points in **Annexure "C"** to this evidence.
34. From my assessment of the s.42A Report, it seems the following are the recommendations in response to Coastlands' submission points:
- (a) The Council's role in addressing transport network issues does not belong in the district plan but in the Long Term Plan and Asset Management Plans for capital works;
 - (b) Who provides the integrated transport solutions does not need to be identified, and Council's responsibilities under the Land Transport Management Act and as a road controlling authority are clear;
 - (c) There is a need to make traffic generation thresholds consistent in the PDP;
 - (d) Parking provisions included in the PDP relating to Large Format retail are appropriate; and
 - (e) Transport Assessment and Travel Plans are to be provided as part of the information requirements with a resource consent.
35. I provide planning comment on each of the above proposed amendments below.

Planning Comment

36. I will briefly provide planning comment on each of the matters raised in Coastlands submission.

Submission Point: Transport network Issues (general submission point)

37. In its submission, Coastlands expressed a key concern that by not addressing the wider transport network issues, larger developments within the Paraparaumu Town Centre are restricted. Coastlands is also concerned that in taking this approach the Council has also placed the responsibility on the developer to assess the traffic implications of a large development, and either providing the transport infrastructure or limit development. Coastlands sought that the Council to provide a clear strategy to resolve these issues. As I have previously indicated in my Brief of evidence to the general/Plan Wide hearings, I concur with the Concerns raised by Coastlands from a planning perspective.
38. The Council Officer, on advice from Council's traffic Engineer, considers that mitigation requirements of a development should not be addressed by Council. The Council Officer also considers the strategic issues should be dealt with through the Long Term Plan and Asset Management Plan, and through the Local Government Act. I consider the Council Officer has failed to address the key point being made by Coastlands in its submission.
39. I acknowledge that Council has a number of mechanisms it can use to address transport network issues in the District. That point is not in question. The point at issue is Council's reliance on restricting large developments and putting the responsibility on the developer to mitigate their effects on the traffic network, in the absence of a clear strategy to address transport network issues which have been evidence for some time. I would envisage such a strategy would identify all of the mechanisms available to Council, including making funding applications to the Regional Land Transport Committee in accordance with the priorities contained in the Regional Land Transport Management Plan 2015 (discussed by Mr Georgeson in Section 5 of his evidence).

40. I also note Mr Copeland identifies in his evidence (paragraphs 4.2 and 4.3) there are additional costs to developers to overcome the deficiencies in the transport network, and these costs will create a disincentive for development. This imposes costs on potential developers, and the wider business and residential community.
41. In terms of the Long Term Plan process, I assisted Coastlands prepare a submission on the 2015 Plan that included a number of options, with one called the 'Achievable option'. This predicted funding for the Link Road to be in the 2020 – 2021 financial year, and funding for the 'main street' being in the 2025 – 2026 financial year. Coastlands pointed out the funding required for transportation network improvements, and the effect not funding these improvements will have on the realising of the (revised) Paraparaumu Town Centre Structure Plan and developments in the Town Centres. Coastlands sought the funding for the Link Road and 'main street' to be brought forward to the 2018 – 2019 financial year. Coastlands submission was essentially ignored as no amendments to the Long Term Plan, and the timing of the funding of transport network improvements, was made by Council.
42. It seems to me that Council's current approach involves wanting a Paraparaumu Town Centre to be developed but are not facilitating the conditions/ environment in which it is possible to do so. I note that the limits in the town centre (regarding the size of retail development; parking requirements; traffic generation thresholds and traffic assessments) are greater than out of centre development. I would have thought a more facilitating approach would have been to free up the ability to develop in the Town centre/incentivise development of the main street/centre by creating conditions which enable this to happen and make it harder to develop elsewhere (in line with Council's consolidation policies).
43. I do have concerns with Policy 11.8 that seems to reinforce the restrictions on large developments through a development staging approach that I have outlined above. While I accept this policy may appropriate for new

greenfield subdivision and development that is not anticipated by Council, and at the initiation of the developer, I do not consider this approach is appropriate for the development of the Paraparaumu Town Centre which has had a Council and community led vision developed since the early 2000's. In my opinion, while Council has taken various initiatives to deliver on this vision (and providing for large format retail as part of PC72A was part of this vision), it has failed to provide solutions to the transport network issues - which have the potential to further delay delivery of the type of centre contained in that vision for at least the lifetime of this plan. I note Mr Georgeson expresses a similar view in his evidence (paragraph 7.17).

44. I do not therefore consider it is appropriate to apply Policy 11.8 to the Paraparaumu Town Centre until such time as a transport solution is available. There is also an inherent inequity in considering proposals on a consent by consent basis, with no certainty which developer will be the "future development" that will trigger the need for new infrastructure. As Mr Georgeson notes in paragraph 7.17 of his evidence, no single developer is in a position to "resolve" the issues as part of a single development. I agree with this view.
45. Mr Georgeson also points out that traffic modelling of the Town Centre is still not complete, and it is not clear once that modelling is completed, what long term transportation network solutions are required and when they can be expected – Mr Geogeson notes the funding for such works is some time away in the Long Term Plan.
46. The above concerns provide an important context for assessing whether the policies and rules contained in the PDP are the most appropriate way to achieve the PDP objectives in terms of s.32(1)(b) below.

Submission Point: Policy 11.29 – Integrated transport and urban form

47. In its submission Coastlands questioned the appropriateness of Policy 11.29, and in particular the need for clarity the role of Council and/or the

land owner or developer to achieve the outcomes listed in the policy. This matter follows on from the above general submission on the transport network issues.

48. While the Council Officer says Coastlands have a valid point as some matters are not within developer's control, they see no need to identify who is responsible as policies apply to Council as well as developers. They also note that Council has LTMA responsibilities and as a road controlling authority. The s.42A Report recommends a minor amendment to Policy 11.29, but these do not address Coastlands' submission points.
49. My comments above regarding the Council's role and responsibilities apply. I agree with Mr Georgeson (paragraph 7.15) where he concludes the approach taken in the s.42A Report appears to continue with the status quo approach historically adopted, which has led to the current transport network issues. As Mr Georgeson also states, the transport network around the Town centre will experience increased pressure in the next few years from ongoing traffic growth.
50. In my opinion, the amendments proposed to Policy 11.29 do not address these issues, and the policy as amended is not most appropriate to meet Objectives 2.14 and 2.16, and is not consistent with Policy 11.1.

Submission Point: Policy 11.33 – Effects of land use on transport

51. In its submission Coastlands supported the intent of the policy while how the policy will be implemented and the role of council in this providing the transport routes required to implement the policy.
52. The s.42A Report recommends an amendment to the policy that would identify both the key existing transport routes and provide clarity regarding which transport route is relevant. I note s.42A Report also clarified the policy is to be implemented through Chapter 12 rules, which primarily relate to temporary event management, signs and noise.

53. In my opinion the recommended amendments to Policy 11.33 does not address the main concern raised by Coastlands. These concerns are the same as discussed above. I also consider deleting the explanation to this policy lessens the benefit achieved from the amendment proposed to clarify how the policy should be implemented. In this case, if the explanation is taken away, there is no acknowledgement in the Plan of the Resource Management issue and problems facing the existing traffic network in the plan. Deleting the explanation loses sight of the matter the policy is designed to consider.
54. In my opinion, the amendments proposed to Policy 11.33 do not address these issues, and the policy as amended is not most appropriate to meet Objective 2.14, and is not consistent with Policy 11.4.

Submission Point: Policy 11.35 – Parking

55. In its submission Coastlands supported the parking requirements for malls that is less than what is currently required in the operative District Plan. However, Coastlands challenged the requirement of Policy 11.35 in regards to Clause b) that requires that adequate off-street parking be required to meet the demand of land use, and the factors that have to be given regard to.
56. The s.42A Report does not address Coastlands concern about over-parking that is required where the adequacy of parking in adjacent areas is the issue. The s.42A Report recommends a number of amendments to Policy 11.35, but none of these address Coastlands' concern.
57. I note Mr Georgeson outlines an alternative approach developed for the Coastlands facility in paragraph 7.28 of his evidence. This approach is based on occupancy and demand for car parks, and promoted rates similar to those adopted in the PDP. I support the PDP provisions from this perspective. However, as discussed later by Mr Georgeson (and I cover below in my evidence), car parking associated with other retail activities are a concern for Coastlands which has had to provide an over-supply of

car parks in the past to meet the plan requirements of the time which in practice have been used by persons using trains, and accessing other community facilities and services in the vicinity of Coastland. I have expressed my opinion on these requirements in my Brief of Evidence to the General/Plan Wide hearing of submissions.

58. I note Mr Copeland also identifies it is inefficient from an economic perspective to have developers 'cross-subsidise' other activities and may result in the loss or delay of development, imposing costs on the developer and the wider community (Paragraph 5.2 of his evidence). Mr Copeland goes on in Paragraph 5.3 to state that also any provisions in the PDP which require the over provision of parking will result in the inefficient use of land and other resources. He therefore agrees with Coastlands' requests for the retention of those parts of Chapter 11 of the PDP (Policy 11.35 and Rules 11P.1.5 and 11P.1.6) requiring less parking for malls, LFR, retail outlets and other retail activities than are being proposed by the Officer and in the Technical Memorandum or which are required in the current District Plan.
59. Furthermore, my concern over the blanket removal of the explanations to policies apply here. The explanation to Policy 11.35 includes guidance on considering where parking requirements are not met, and I consider implementation of the policy without this guidance does not represent sound resource management practice.
60. In my opinion, the amendments proposed to Policy 11.35 do not address the wider car parking issues, and the policy as amended is not most appropriate to meet Objective 2.1.

Submission Point: Rule 11C.1.2 – Permitted Activities – Traffic generation

61. In its submission Coastlands sought consistency between the different chapters in the PDP, and in particular the thresholds that are different between different provisions. In particular Coastlands considered that adopting these thresholds may result in a series of smaller, complying

developments being allowed, where one larger cohesive development may be a better solution.

62. The Council Officer takes advice from Council's Traffic Engineers (Mr Trotter and Mr Wignall) and outlines further research into the threshold proposed. In particular the Council Officers identifies that traffic activity thresholds are used in the PDP to determine when Council is likely to require additional information prior to the determination of resource consent issues. New thresholds are proposed that are an increase in the previous operative District Plan provisions, and while we will not know until the s.42A Report comes out on Chapter 6 Working Environment, I would expect those provision to be consistent with those recommended here. The Council Officer also recommends condensing Rules 11C.3.2 and 11C.3.3 into one rule, for when traffic generation does not meet the permitted activity standards.
63. I am not clear how the Council Officer can say the traffic activity thresholds are used in the plan when additional information is required to determine resource consent issues. In my opinion, Rule 11C.1.2 includes a traffic threshold as a standard, and if this standard is not met, then a consent is required. In other words, the traffic threshold is used to determine an activity status, rather than whether further information is required.
64. While I accept that the s.42A Report addresses the question of consistency between provisions in different chapters of the PDP, and recommends a consistent set of thresholds, the key issue of concern to Coastlands is adopting thresholds that may result in a series of smaller, complying developments being allowed, where one larger cohesive development may be a better solution.
65. I note Mr Georgeson provide detailed expert comment on this matter, and I defer to his evidence and advice. In particular I note Mr Georgeson's analysis of the differences between the traffic thresholds

contained in Chapter 6 and Chapter 11 provisions, and the definition of Major Traffic Activities, that could lead to a permitted activity being considered a restricted discretionary activity (paragraph 7.40 of his evidence). I agree with this analysis, and I consider this demonstrates the planning implications of poorly constructed rules contained in different parts of the PDP which may affect the workability of the plan. This has larger planning implications when considering the applicability rule that is included at the start of the rules, that states a different activity classification may be required by rules in other chapters in the PDP. I consider this creates uncertainty to the plan user and is onerous and does not represent good practice plan writing.

66. I further note Mr Georgeson's assessment of the approach to setting traffic generation thresholds in paragraphs 7.43 – 7.48 of his evidence, and his conclusion in paragraph 7.48 which states:

"This serves to show how restrictive the thresholds will be, not just for retail but for all new activities in the District Centre. This places significant uncertainty for developers looking to establish new activities in the District Centre, and seems contrary to the desired intensification being sought through the PDP Policies."

67. I concur with this conclusion. My experience with two recent consent applications I have prepared for Coastlands demonstrates this point. In the case of the Coastlands Square Development which required restricted discretionary consent because traffic movements for retail activity where over 200vmp, conditions on consent restrict from undertaking any retail development beyond Stage 1 until:

- i. A second access to Ihakara Street is available via the Town centre Link Road (Ihakara Street to Arawhata Road) is operational; or
- ii. A second access to Ihakara Street is available via Trieste Way; or
- iii. A comprehensive traffic assessment demonstrates that the effects of the proposed retail associated with Stage 2 on the Transport Network, including the capacity of the road, can be managed and has been approved by Council's Access and Transport Manager.

68. Similarly, consents for the two new Takiri Buildings within the Coastlands complex on the east side of Rimu Road included conditions require a SIDRA analysis to estimate the effects of the traffic generated by the project on Rimu Road (including Ihakara Street and Kapiti Road intersections and all access to the mall). The Takiri project required consent because it did not meet the 3 metre verandahs requirement, and car parking.
69. Mr Georgeson recommends a tiered approach be approach to major traffic activity thresholds be implemented, that takes account of the higher traffic generation levels inherent in the main centres (be it CBD, regional or sub-regional centre) in paragraph 7.57 of his evidence. I agree with this recommendation, which I recommend apply to the Precinct A1 and A2 of the PDP.
70. Based on the above assessment, and the opinions expressed by Mr Georgeson in his evidence, in my opinion, the amendments proposed to Rule 11C.1.2 do not address the wider traffic generation issues, and the rule as amended is not most appropriate to meet the PDP policies.

Submission Point: Rule 11C.3.1 – Restricted Discretionary Activity

71. In its submission Coastlands challenged the policy requiring a Travel Plan when the operational requirements of an activity are not known, and considered this requirement would be better included as consent conditions.
72. The s.42A Report considers that Integrated Transport Assessments and Travel Plans are essential to have before granting consent to help assess and understand the impact of the development. However, the Council Officer does not consider that these are appropriately included as standards for restricted discretionary activities; rather, they consider that they should be included as information requirements for an application

for a major traffic activity or traffic generation above the threshold that triggers the need for a consent.

73. While I accept the value of Integrated Transport Assessment and Travel Plans, I am still of the opinion that these are mechanisms that are better included in consent conditions, rather than standards or conditions to determine consent activity status. I note Mr Georgeson expresses the same view in paragraph 7.77 of his evidence. That said, the recommended amendment moves these mechanisms to information requirements, which are less of a concern to me.

Submission Point: Rule 11C.3.3 – Restricted Discretionary Activity

74. In its submission, Coastlands raised the same issues with Rule 11C.3.3 as it did for Rule 11C.2.1 above.
75. I note the s.42A Report deals with these matters under Rule 11C.2.1, and recommends Rule 11C.3.3 be deleted and condensed into Rule 11C.3.2.
76. My assessment of the matters raised by Coastlands regarding rule 11C.2.1 apply here.
77. Therefore, while the s.42A Report recommendation addresses the issue of consistency between rules (although at this stage it is not clear whether the rules in Chapter 6 will be amended to be consistent), the amendments proposed to condense Rule 11C.3.3 into Rule 11C.3.2 do not address the wider traffic generation issues, and the rule as amended is not most appropriate to meet the PDP policies.

Submission Point: Rule 11P.1.5 – Permitted Activities

78. In its submission Coastlands supported the parking provisions which required less carpark for retail outlets and other retail activities than the current District Plan, and sought Council to retain these requirements.
79. The s.42A Report sought advice from Council's Traffic Engineer (Mr Trotter) who supported the car parking requirements for large format retail

activities. The s.42A Report recommends Coastlands' support be accepted.

80. I note Mr Georgeson provides a detailed assessment of parking rates relating to Rule 11P.1.5 (and 11P.1.6) in paragraph 7.59 – 7.62 of his evidence. In particular Mr Georgeson outlines the assessment undertaken by TDG that assessed the parking demand against the parking provided. From this work parking ratios have been developed that represent the demand required for the activities undertaken. This assessment supports the PDP requirement for retail outlets and other retail activities, but it differs significantly for the number required for Large Format Retail (paragraph 7.65 of his evidence).
81. I agree with the recommendations of Mr Georgeson. I am familiar with the work undertaken by TDG, and this approach was used to assess the parking requirements for the Coastlands Square Project resource consent application. My discussions with the Council Planner indicated that Council would be open to the demand driven approach proposed by TDG. The parking requirements for the Coastlands Square Project differed significantly between the operative District Plan; the PDP and the TDG recommended approach. Ultimately Coastlands chose to provide a compliant parking scheme as part of its application.
82. In my opinion, there is planning merit in introducing this approach which will assist to reduce the car parks provided under the previous district plan provisions (and asphalted areas). This will have amenity and vitality outcomes that are also sought for the Paraparaumu Town Centre under the relevant policies in the PDP.
83. In terms of Rule 11C.1.5, I consider the provisions should be retained as it is the most appropriate way to achieve Policies 11.6.8 and 11.35.

Submission Point: Rule 11P.1.6 – Permitted Activities – Large Format Retail

84. Coastlands submission on Rule 11P.1.6 is the same as Rule 11C.1.5 above. Similarly, the s.42A Report also assesses Coastlands submission with Rule 11P.1.5.
85. However, I note that Mr Georgeson's assessment has implications for Rule 11P.1.6, and his recommended ratios for Large Format Retail apply. I concur with his assessment.
86. Based on the above assessment, and the opinions expressed by Mr Georgeson in his evidence, I consider amendments are required to Rule 11P.1.6 that introduce a different car park ratio for Large Format Retail activities that represents the 85th percentile of 2.2 parks per 100m² GFA. I consider this amendment to Rule 11P.1.6 is the most appropriate way to meet the Policies 6.2, 6.8 and 11.35.

Submission Point: Transport Network Hierarchy Map

87. In its submission Coastlands sought the deletion of the Western Link Road and the Boulevard across the Wharemauku Precinct that is shown as a notional road. Coastlands particularly opposed the Boulevard which resulted from the Structure Plan that it strongly opposed.
88. The s.42A Report seeks advice from Mr Trotter who agrees to delete the Western Link Road reference, but rejects the request to remove the notional road across the Wharemauku Precinct.
89. Coastlands main concern related to the Boulevard that had resulted from the flawed Structure Plan process that it opposed. As I understand it, the Structure Plan prepared through the Paraparaumu Town Centre Transformation and Connectors Project removes the Boulevard from the Wharemauku Precinct, and has a future indicative link through to the proposed Link Road between Ihakara Street and Arawhata Road. I understand this future indicative link is acceptable to Coastlands. It is not clear if Mr Trotter is referring to this indicative link, and it is difficult to know until the s.42A Report is available on Chapter 6 which (hopefully) will confirm the Structure Plan prepared through the Paraparaumu Town Centre Transformation and Connectors Project. I also note that the discussion on the

definition of Boulevard below confirms that it is recommended the term be deleted from the PDP in a separate s.42A Report.

90. I support the recommendation to delete the reference to the Western Link Road and, presuming the separate s.42A Report recommend deleting the Boulevard definition and that the Structure Plan prepared through the Paraparaumu Town Centre Transformation and Connectors Project is adopted, I would not oppose the future indicative link road notation over the Wharemauku Precinct.

Submission Point: Definitions - Boulevard

91. While Coastlands submission sought a definition of Boulevard as no definition existed in the PDP, at the same time it sought the Boulevard notation over the Wharemauku Precinct be deleted. I support deleting the term from the PDP, and the Structure Plan prepared through the Paraparaumu Town Centre Transformation and Connectors Project is adopted, I would not oppose the future indicative link road notation over the Wharemauku Precinct.

Submission Point: Definition – Ihakara St east/Ihakara St west

92. I note the s.42A Report accepts Coastlands request to delete the definition, and includes an amendment relevant to the Ihakara Street extension. I support the s.42A Report recommendation on this matter.

Submission Point: Definitions – Major Traffic Activities

93. In its submission Coastlands raised concerns regarding the inconsistency between the definition and Rule 11C.1. The Council agrees with Coastlands' submission and considers that the definition would lead to a great deal of confusion and an activity which meets the permitted activity standard actually being a restricted discretionary activity. The s.42A Report recommend the definition be amended to make it consistent with the thresholds in the rules.

94. I have discussed this matter above in relation to the consistency of thresholds in the PDP provisions, Mr Georgeson views are set out in this evidence in which he notes that the 200vmpd is very low to trigger an ITA within the Town Centre. He notes that this may be permissible in other centres but that there is good reason why development in the Town Centre should be treated differently. Mr Georgeson recommends a higher threshold to achieve/ help facilitate the Town Centre development which the Council and community aspire to. From a

planning perspective, I agree that the threshold should have some correlation and relate to the activity allowed within the Plan for that zone.

95. I note at this point in time, without the benefit of seeing the s.42A Report recommendations for the Chapter 6 Working Environment and Council modelling of this area, it is very difficult to recommend an exact number that should trigger the need for an ITA, the suitable thresholds to be contained within a definition of a Major Traffic Activity. Coastlands will continue to assess its views on this as more information becomes apparent, either bringing a revised position to the hearing or it may be the subject of evidence at the integrated hearings once Coastlands has the opportunity to see how the district plan fits together and these provisions and definitions function as a whole.

Submission Point: Western Link Road (Stages 1 and 3)/Western Link Road (Stage 2)

I note the s.42A Report accepts Coastlands request to delete the definition. I support the s.42A Report recommendation on this matter.

Submission Point: Coastlands' Further Submission

96. I note the s.42A Report wrongly records Coastlands further submission as supporting the submission by Christopher Glover. Coastlands opposed this submission. I note the s.42A Report recommends the submission by Christopher Glover. I support the s.42A Report recommendation on this matter.

Chris Hansen

1 August 2016

Annexure 'A' – Full Definitions

Active Retail Frontage and **active frontage** means building facades where the ground floor level features display windows which allow views of the activities occurring in the premises. In order to allow views into the premises the majority of the window space between 1 metre and 2 metres above the street level shall be transparent and allow unobstructed views into the main retail space. The use of blinds, shutters, frosted glass or curtains during normal business hours will not provide an active retail frontage or active frontage. Interior security screens may be used after normal retail hours if necessary (exterior screens/shutters are not suitable for frontages to pedestrian areas). Active retail frontage are associated with retail activities, whereas active frontages are associated with non-retail activities such as commercial activities.

Commercial Activity means any activity involving commercial transactions, or providing commercial or administrative services, and includes non-school activities, offices, and banks; but excludes premises or activities involving retail activities and industrial manufacture or production.

Department Store means an activity within one building, engaged in retailing a wide variety of goods, other than food or groceries, but the variety is such that no predominant activity can be determined. Department Stores have predominant retail sales in at least four of the following six product groups:

1. Clothing
2. Furniture
3. Kitchenware, china, glassware and other housewares
4. Textile goods
5. Electrical, electronic and gas appliances
6. Perfumes, cosmetics and toiletries

The products primary to these headings, as well as other products, are normally sold by or displayed in separate departments or sections supervised by managers (with specialised product knowledge) within the store, and, generally merchandising, advertising, customer service, accounting and budgetary control functions are undertaken on a departmentalised basis.

Gross Floor Area is the sum of the gross area of all floors of all buildings on a site, measured from the exterior faces of the exterior walls or from the centre lines of walls separating two buildings. Gross floor area also includes covered yards and areas covered by a roof but not enclosed by walls. The gross floor area of a building shall not include:

1. Uncovered stairways.
2. Floor space in terraces (open or roofed), external balconies, breezeways or porches.
3. Roof carparking, lift towers and machinery rooms on the roof having a floor area of not more than 200m².
4. Car parking areas.
5. Floor space of interior balconies and mezzanines not used by the public.

Infrastructure has the same meaning as the Resource Management Act 1991.

Large Format Retail means an activity of at least 500m² in gross floor area, and within the Airport Zone Airport Mixed Use Precinct it is restricted to the following activities defined by Australian and New Zealand Standard Industrial Classification (ANZSIC):

- (a) Fabrics and other Soft Good Retailing
- (b) Furniture Retailing
- (c) Domestic Hardware and Houseware Retailing
- (d) Domestic Appliance Retailing

Major Traffic Activity means any activity which generates or attracts more than 90 vehicle movements per day in the Centres Zones or Industrial Zone, or more than 30 vehicle movements per day in any other zone.

Retailing, Retail Outlets, and Retail Trade Premise means the use of land or buildings where goods and services are offered or exposed to the general public for sale, hire or utilisation, and includes but is not limited to food and beverage outlets, trade suppliers, yard based activity and service stations

Supermarket means an activity of more than 1,500m² gross floor area within a single building mainly engaged in retailing groceries or non-specific food lines, whether or not the selling is organised on a self-service basis.

Vehicle Movement means a movement of a vehicle between a road and any site, with the number of movements per day being calculated over a 24-hour period as follows:

- 1 car moving to and from a site comprises two vehicle movements.
- 1 truck moving to and from a site comprises six vehicle movements.
- 1 truck and trailer moving to and from a site comprises ten vehicle movements.

Western Link Road (Stages 1, 2 and 3) means the sections of the proposed 16km road currently proposed to be between State Highway 1, at Poplar Avenue in the south, and at Peka Peka Road in the north. The current design of that road (which may change in future) could consist of the following stages:

1. Stage 1: the central section of the road from Raumati Road in the south to Te Moana Road in the north; and
2. Stage 3: the southern part of the Western Link Road which runs south from Raumati Road to a new intersection with State Highway 1.

Western Link Road (Stage 2) means the northern section of the proposed 16km road currently proposed to be between Te Moana Road and State Highway 1 at a point south of the Peka Peka Road intersection.

Annexure 'B' - Summary of Coastlands' submission points

Coastlands raised 11 a number of matters in its submission, which I will briefly summarise below:

Transport network Issues (general submission point)

Coastlands expressed concern about the PDP approach of not allowing larger development within the Paraparaumu Town Centre until transport network issues are resolved and placing the responsibility on land owners and resource users to provide solutions; Coastlands sought a strategy that clearly identified how wider network issues would be addressed, and the role of Council in resolving the issues.

Policy 11.29 – Integrated transport and urban form

Coastlands questioned the appropriateness of Policy 11.29, and in particular it is not clear what of the role of Council and/or the land owner or resource user is to achieve these outcomes – Coastlands opposed the policy and sought for it to be amended.

Policy 11.33 – Effects of land use on transport

While Coastlands supported the intent of Policy 11.33, it is not clear how this policy will be implemented, and Council's role in providing the transport routes – Coastlands sought clarity regarding how the policy will be implemented, and Council's role in providing the transport routes required.

Policy 11.35 – Parking

Coastlands supported the parking provisions for malls, but challenged the off-street parking approach when the adequacy of parking on adjacent areas that can lead to over-providing car parking; Coastlands sought the retention of the parking requirements for malls but address the issue raised regarding a development needing to over-provide parking due to other inadequate provisions.

Rule 11C.1.2 – Permitted Activities – Traffic generation

Coastlands sought clarification regarding how Rule 11C.1.2 relates to specific rules in Chapter 6, and in particular Rule 6A.1.7 which have different traffic thresholds; Coastlands sought for consistency of thresholds between the provisions. Adopting these thresholds may result in a series of smaller, complying developments being allowed, where one larger cohesive development may be a better solution.

Rule 11C.3.1 – Restricted Discretionary Activity

Coastlands considered a Travel Plan would be better developed as part of a condition of consent for a development, when the operational characteristics of an activity are better understood, and should be better defined; Coastlands sought for Council to require a Travel Plan as part of a consent condition (rather than a standard) and define what a Travel Plan should address.

Rule 11C.3.3 – Restricted Discretionary Activity

Coastlands sought clarification regarding how Rule 11C.3.3 relates to specific rules in Chapter 6 which have different traffic thresholds; Coastlands sought for consistency of thresholds between the provisions.

Rule 11P.1.5 – Permitted Activities

Retail outlets and other retail activities – Coastlands supported the parking provisions which requires less carpark for retail outlets and other retail activities than the current District Plan and sought for them to be retained.

Rule 11P.1.6 – Permitted Activities – Large Format Retail

Coastlands supported the parking provisions which require less carpark for Large Format Retail than the current District Plan and sought for them to be retained.

Transport Network Hierarchy Map

Coastlands sought the deletion of the Western Link Road and Boulevard across the Wharemauku Precinct (Precinct A2) from the Transport Network Hierarchy Map.

Definition – Boulevard

Coastlands sought a new definition of 'boulevard' be added.

Definition – Ihakara St east/Ihakara St west

Coastlands sought this definition be deleted.

Definition – Major traffic activities

Coastlands considered the definition of a 'major traffic activity' seems at odds with the proposed permitted activity standard Rule 11C.1 (p. 11-79) which permits (in working zones) "the lesser of, up to a maximum of 200 vehicles per day (VPD) or 50 vehicles per peak hour (in any one-hour period)". Coastlands sought consistency between the major traffic activity definition and the standards contained in the Proposed Plan.

Definition: Western Link Road (Stages 1 and 3)/Western Link Road (Stage 2)

Coastlands sought the definition be deleted.

Coastlands' Further Submission

Coastlands made further submissions (Further Submission No. [FS55]) to the following submissions to PDP provisions in addition to the above provisions:

(a) 376.1 Glover sought that the esplanade strip on the north side of Wharemauku Stream beneath the pedestrian overbridge at Coastlands Mall be fully reinstated. Likewise, the submitter considers separate pedestrian and cycle entrance into Otaihanga Domain should be reinstated for safety reasons. Coastlands opposed this submission.

Annexure 'C' – Summary of s.42A Report responses to Coastlands' submission points

The following is a summary of how the s.42A Report addresses submissions lodged by Coastlands on Chapter 11 Infrastructure:

Transport Network Issues (general submission point)

The s.42A Report recognises Coastlands' submission [218.70/71] on transport network issues in paragraphs [1005/1005]. The Council Officer assesses Coastland's submission in paragraph [1014] and considers (after receiving advice from Council's traffic planner) that the mitigation requirements of development should not be addressed by the Council. The Long Term Plan and Asset Management Plans cover capital works and level of service improvements going forward. The Council Officer considers it is appropriate that the matters raised by the submitter are best addressed through a Local Government Act developed transport strategy for the Kapiti Coast, which can deal with wider asset management issues.

The s.42A Report recommends in paragraph [1022] Coastlands' submission be rejected.

Policy 11.29 – Integrated transport and urban form

The s.42A Report recognises Coastlands' submission [218.72] on amending Policy 11.29 in paragraph [1041]. The Council Officer assesses Coastlands submission in paragraph [1047] and considers that the submitter has a valid point in that some of the matters may well be out of the control of a developer. However, it should be remembered that policies are equally applicable to the Council in respect to the transport network, and they are equally subject to them. As such, the Council Officer does not think it is necessary to specifically identify who is responsible for what in a policy. A District Plan policy also does not negate the Council's responsibilities under the Land Transport Management Act and as road controlling authority. The Council Officer has recommended an amendment to clause b), to refer to "providing for" the co-location of compatible developments, etc....

The s.42A Report recommends in paragraph [1053] that Coastlands' submission be accepted in part, and recommends Policy 11.29 be amended to read (underlined text to be added):

Development and subdivision will be integrated with and consistent with the *transport network hierarchy* in Schedule 11.2, and undertaken in a manner and at a rate to ensure:

- a) the transport network is capable of serving the projected demand safely and efficiently;
- b) the location of development is appropriate, including providing for the co-location of compatible developments and land use and *transport networks* to reduce unnecessary travel;
- c) travel time and distance to services are minimised for all modes of travel;
- d) development is consistent with Council's Subdivision and Development Principles and Requirements (SDPR); and
- e) enhanced community connectivity is achieved, resulting in more efficient travel patterns from the community.

Policy 11.33 – Effects of land use on transport

The s.42A Report recognises Coastlands' submission [218.73] on clarifying Policy 11.33 in paragraph [1115]. The Council Officer assesses Coastlands' submission in paragraph [1121] and states they have recommended adding the word "key" so that it reads "*by identify both the key existing transport routes and ...*", to provide clarity about which transport routes are relevant. The amendments sought through submissions 447.19 KiwiRail and 457.47 NZTA also assist to provide the clarity sought by the submitter. The policy is implemented through the rules contained in Chapter 12.

The s.42A Report recommends in paragraph [1125] Coastlands' submission be accepted in part, and recommends Policy 11.33 be amended to read (~~strikeout~~ text to be deleted; underlined text to be added):

The potential adverse effects on the *transport network* from development and subdivision will be ~~minimised avoided, remedied or mitigated~~ by identifying both the key existing transport routes and proposed transport routes likely to be required long term as part of the ~~Kapiti Coast District's~~ *transport network* and having regard to these when considering applications for subdivision or development.

Policy 11.35 – Parking

The s.42A Report recognises Coastlands' submission [218.69] on amending Policy 11.35 in paragraph [1147]. The Council Officer assesses Coastlands' submission in paragraph [1151] and considers the support offered be accepted. No reference is made to the over-parking issued raised by Coastlands.

The s.42A Report recommends in paragraph [1155] that Coastlands' submission be accepted, and recommends Policy 11.35 be amended to meet other submission requests to read (~~strikeout~~ text to be deleted; underlined text to be added):

All new subdivision and development shall provide for safe vehicular and pedestrian access and appropriate vehicle parking areas by:

- a) providing parking numbers, layouts and dimensions consistent with parking standards;
- b) supplying adequate off street parking to meet the demand of the land use while having regard to the following factors:
 - i. the intensity, duration location and management of the activity.
 - ii. the adequacy of parking in the location and adjacent areas.
 - iii. the classification and use of the road (as per transport network hierarchy in Appendix 11.2), and the speed restrictions that apply.
 - iv. the nature of the site, in particular its capacity to accommodate parking.
 - v. the characteristics of the previous activity that utilised the site;
- c) taking effects on neighbouring areas into account when designing the location, layout and number of parking spaces (including car and cycle parks and disability car parks ~~for people with disabilities~~); and
- d) ensuring the location, layout and number of disability carparks and cycle parks is safe, user-friendly and appropriate; and
- e) achieving a balance between encouraging mitigation of parking overflow effects and discouraging car-based travel.

Rule 11C.1.2 – Permitted Activities – Traffic generation

The s.42A Report recognises Coastlands' submission [218.74] on clarifying Rule 11C.1.2 in paragraph [1175]. The Council Officer assesses Coastlands' submission in paragraphs [1180] to [1183]. The Council Officer states Mr Trotter and Mr Wignall have undertaken further research into the thresholds proposed through the rule framework. In summary, the thresholds contained in the notified PDP were a rollover of those contained in the Operative District Plan. The memo accompanying the s.42A Report explains that traffic activity thresholds are used in the DP to determine when Council is likely to require additional information prior to the determination of resource consent issues. The traffic engineers consider that there is justification to raise the thresholds for the reasons that:

- (a) There has not been universal application of the current operational DP thresholds to require ITAs to be undertaken, probably because they are so low in comparison to any conventional definition of high traffic generation;
- (b) The higher band (90 VPD) represents the two-way traffic generated by (approximately) 9 houses and the lower band represents approximately 3 houses. The NZTA research report which forms the basis of current NZTA ITA

guidelines indicates that internationally, an ITA is required for a minimum of 75 dwellings.

The s.42A Report goes on to outline a proposed amended threshold approach. The Council Officer adopts the recommendations contained in the memorandum, and recommend amendments to the rules accordingly; however, with amended wording to clarify that it is up to 200 and 100VPD accordingly. As a consequential amendment, the Council Officer recommends that Rule 11C.3.2 and 11C.3.3 be condensed into one rule, for when traffic generation does not meet the permitted activity standards.

1. Submitter number	2. Provision Reference	3. Recommended Amendment
<p>Submission 218.74 Coastlands Shoppingtown Ltd, supported by Further Submission FS48 Bunnings Ltd; Submission 221.37 Ngahina Development Ltd, supported by Further Submission FS48 Bunnings Ltd; Submission 262.13 Bunnings Ltd</p>	<p>Rule 11C.1.2</p>	<p>1. In Living Zones and Rural Zones:</p> <p>a) Up to 50 vehicles per day (vpd) on Strategic Arterial Routes</p> <p>b) Up to 40 vpd on Major Community Connector Routes</p> <p>e) Up to 30 vpd on Centres Routes d) Up to 20 vpd on any other route.</p> <p>2. In working zones, the river corridor zone, all open space zones and the private recreation and leisure zone.</p> <p>a) The lesser of, up to a maximum of 200 vehicles per day (vpd) or 50 vehicles per peak hour (in any one hour period).</p> <p>1. <u>Up to 200 VPD in the working zones, except for access onto major (strategic or major community connector) roads)</u></p> <p>2. <u>Up to 100 VPD in all other zones and for accesses onto major (strategic or major community connector) roads</u></p>

<p>Submission 218.74 Coastlands Shoppingtown Ltd, supported by Further Submission FS48 Bunnings Ltd; Submission 221.37 Ngahina Development Ltd, supported by Further Submission FS48 Bunnings Ltd; Submission 262.13 Bunnings Ltd</p>	<p>Rule 11C.3.2</p>	<p>2. Traffic generation in the following zones: a) Living b) Rural that <u>does</u> not meet the Permitted Activity Standards under rule <u>11E.1.2.13</u>.</p>
<p>Submission 218.74 Coastlands Shoppingtown Ltd, supported by</p>	<p>Rule 11C.3.3</p>	<p>Delete the entire rule.</p>

The s.42A Report recommends in paragraph [1186] that Coastlands' submission be accepted in part, and recommends the following amendments (~~strikeout~~ text to be deleted; underlined text to be added):

<p>Further Submission FS48 Bunnings Ltd; Submission 221.37 Ngahina Development Ltd, supported by Further Submission FS48 Bunnings Ltd; Submission 262.13 Bunnings Ltd</p>		
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Rule 11C.3.1 – Restricted Discretionary Activity

The s.42A Report recognises Coastlands' submission [218.75] on amending Rule 11C.3.1 in paragraph [1211]. The Council Officer assesses Coastlands' submission in paragraph [1216]. The Council Officer considers that Integrated Transport Assessments and Travel Plans are essential to have before granting consent to help assess and understand the impact of the development. However, the Council Officer does not consider that these are appropriately included as standards for restricted discretionary activities; rather, they consider that they should be included as information requirements for an application for a major traffic activity or traffic generation above the threshold that triggers the need for a consent.

The s.42A Report recommends in paragraph [1220] Coastlands' submission be accepted in part, and recommends Rule 11C.3.1 be amended to read (~~strikeout~~ text to be deleted; underlined text to be added):

Submitter number	Provision Reference	Recommended Amendment
Submission 218.75 Coastlands Shoppingtown Ltd; further submission FS48 Bunnings Ltd	The Standards applying to Rules 11C.3.1-3	<p>That the following be moved to be an information requirement:</p> <p>A Transport Assessment and a <i>Travel Plan</i> shall <u>must</u> be prepared by a suitably qualified person and submitted to Council with the application for resource consent.</p> <p><u>Advice note: Please refer to the publication Greater Wellington Regional Council Publication titled "Get your workplace moving - A guide to transport solutions for your staff and business" for guidance on preparing Travel Plans.</u></p>

Rule 11C.3.3 – Restricted Discretionary Activity

The s.42A Report includes Coastland' submission Rule 11C.3.1 as part of the assessment outlined above regarding Rule 11C.1.2. The recommendation relating to Coastlands submission on Rule 11C.1.2 includes the bring together of Rules 11C.3.2 and 11C.3.3 into one rule, and the deletion of Rule 11C.3.3 (paragraph [1183]. The recommended amendments are included in the table included in the discussion on Rule 11C.1.2 above.

Rule 11P.1.5 – Permitted Activities

The s.42A Report recognises Coastlands' submission [218.76] supporting for the rule in paragraph [1241]. The Council Officer sought advice from Mr Trotter, and records his advice as follows:

Mr Trotter considers that the proposed parking standards are appropriate for the land use and the level of car parking required to serve Large Format Retail development. He accepts that the parking rates are on the generous side for Large Format Retail, but it is his view that alternative travel options other than the private car are not widely available in the district to justify lower parking standards. Also it is his view that Large Format Retail developments by the nature of the bulky goods that are sold results in a significant number of car borne visits. Reference is also made to NZTA Research Report 453 which gives 85th percentile design parking rates of 2.2 per 100m2 GFA, but then also states that

30th highest hour parking demands of 4.5 spaces per 100m² GFA being observed during promotion periods. This aligns with the parking rate being proposed for Large Format Retail.

The s.42A Report recommends in paragraph [1270] that Coastlands' submission be accepted.

Rule 11P.1.6 – Permitted Activities – Large Format Retail

An assessment of Coastlands' submission on Rule 11C.1.6 is the same as Rule 11P.1.5 above.

Transport Network Hierarchy Map

The s.42A Report recognises Coastlands' submission [218.77] on deleting from the Transport Network Hierarchy the Western Link Road and the Notional Roads across the Wharemauku Precinct A2 in paragraph [1393]. The Council Officer accepts the advice of Mr Trotter and agrees with deleting the reference to the Western Link Road from the maps in paragraph [1398]. However, the Council Officer rejects the request to remove the notational roads across the Wharemauku Precinct on advice from Mr Trotter as these roads are necessary for future connections to the network to relive pressure on Kapiti Road and to serve new development.

The s.42A Report recommends in paragraph [1403] Coastlands' submission be accepted in part.

Definition – Boulevard

The s.42A Report recognises Coastlands' submission [218.10] requesting a definition of 'boulevard' be added to the PDP in paragraph [1326] and assesses the submission in paragraph [1337]. The Council Officer states that the term "boulevard" has been recommended to be deleted through a separate s42A Report.

The s.42A Report recommends in paragraph [1350] that Coastlands' submission be accepted in part without a reason provided.

Definition – Ihakara St east/Ihakara St west

The s.42A Report recognises Coastlands' submission [218.2] on deleting the definition in paragraph [1329]. The Council Officer assesses Coastlands submission in paragraph [1340] and considers the request is valid. The Council Officer goes on to state that's Mr Trotter advises that the extension from Ihakara Street will be a single road as there will be no connection to the Expressway - so references to east and west are no longer valid there should be one description of Ihakara Street extension - from the end of Ihakara Street to the Hurley Road/Kapiti Road intersection via an underpass beneath the Kapiti Expressway. The Council Officer concurs with Mr Trotter and recommends the amendment accordingly.

The s.42A Report recommends in paragraph [1353] that Coastlands' submission be accepted, and recommends the definition of Ihakara Street East/West to be amended to read (~~strike out~~ text to be deleted; underlined text to be added):

Ihakara Street extension east means the proposed extension of Ihakara Street ~~so as to connect the Western Link Road to Rimu Road~~ to the intersection of Hurley Road and Kapiti Road via an underpass beneath the Kapiti Expressway.

Definition – Major Traffic Activities

The s.42A Report recognises Coastlands' submission [218.4] on the inconsistencies with the definition and the rule standards in paragraph [1331]. The Council Officer agrees with Coastlands' submission (paragraph [1342]). The Council Officer considers that the definition would lead to a great deal of confusion and an activity which meets the permitted activity standard actually being a restricted discretionary activity.

The s.42A Report recommends in paragraph [1354] Coastlands' submission be accepted, and recommends the definition be amended to read:

Major traffic activities means any activity which generates or attracts more than:

- ~~90~~200 vehicle movements per day in the Centres, retail and work ~~Zones or Industrial Zone~~ except for access onto major (strategic or major community connector) roads), or
- more than ~~30~~100 vehicle movements per day in any other zone and for accesses onto major (strategic or major community connector) roads.

Definition - Western Link Road (Stages 1 and 3)/Western Link Road (Stage 2)

The s.42A Report recognises Coastlands' submission [218.9] on deleting the definition in paragraph [1330]. The Council Officer considers in paragraph [1341] that it is appropriate to delete the definition of Western Link Road, as a consequential amendment to other submissions (discussed above).

The s.42A Report recommends in paragraph [1358] Coastlands' submission be accepted, and recommends the definition be deleted.

Coastlands' Further Submission

The s.42A Report recognises Coastlands' further submission [FS55] on submission 376.1 Christopher Glover (paragraph [1002] and wrongly records Coastlands further submission supporting the submission – Coastlands opposed this submission.

The s.42A Report recommends in paragraph [1012] that the submission by Chris Glover be rejected. The s.42A Report wrongly rejects Coastlands' further submission.