

SECTION 32 REPORT

Proposed District Plan Change 10: Transportation Rules and Definitions

1 PURPOSE OF REPORT

Before a proposed plan change can be publicly notified, the Council is required under section 32 of the Resource Management Act 1991 (the Act) to carry out an evaluation of alternatives, costs and benefits of the proposed change.

As outlined in section 32 of the Act, the evaluation must examine:

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules or other methods are the most appropriate for achieving the objectives.*

An evaluation must also take into account:

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.

A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed change is publicly notified.

This report summarises the evaluation of Proposed Plan Change 10: Transportation Rules and Definitions, as required by the Act. It should be read together with the text of the Plan Change itself.

2 CONTEXT

Dunedin City District Plan Section 20: Transportation provides a framework to manage the environmental effects of the establishment and use of transportation infrastructure in the city. Specifically, the section controls: activities within the road reserve and on roads outside the road reserve; activities affecting visibility at road/rail crossings; and road construction. It also sets out performance standards for parking, loading and access, which apply to activities throughout the city, as specified in the District Plan zone sections (Rural, Residential, Industry etc).

2.1 Evaluation of Section 20: consultation and research

Section 35(2)(b) of the Act requires every local authority to monitor the efficiency and effectiveness of policies, rules, or other methods in its policy statement or plan. In accordance with section 35(2)(b), the effectiveness and efficiency of the provisions in District Plan Section 20: Transportation have been evaluated and an evaluation report for the section was completed in July 2009. Although the monitoring requirement in the Act extends only to policies, rules and other methods, the evaluation took a wider view and assessed all provisions in the section. It was considered that the suitability or appropriateness of issues, objectives and anticipated environmental results should

also be included in the evaluation, given that the background environment and community expectations might have changed since the Plan was first notified.

The evaluation sought feedback on the content and performance of Section 20: Transportation both from the general public and from key stakeholders who make frequent use of this section of the District Plan, such as surveyors, planners and key public agencies. The evaluation also took into account: information from monitoring of resource consents and resource management complaints; monitoring data on key transportation indicators; recent transportation research and developments in national and regional transportation policy; previous matters raised by staff and the public during the policy and resource consent process; results of the Residents' Opinion Survey; public submissions on the Long Term Community Consultation Plan 2009/10 to 2018/19; along with discussion and assessment by staff. In forming the conclusions and recommendations of the evaluation, the evaluators drew these different strands together as well as exercising their professional judgement in relation to the efficacy of the Transportation provisions.

2.2 Findings of evaluation

The evaluation raised the following issues:

- a) A number of minor anomalies within Section 20 are causing interpretation difficulties for plan users, reducing its efficiency and effectiveness. These anomalies include: a lack of clarity in the wording of certain rules; a need for revised definitions of certain terms referred to in the rules; and a need for certain design standards and terminology referred to in the Section 20 rules to be updated.
- b) Section 20 does not provide for the establishment of activities that should be permitted within the road reserve and in other road corridors, such as bus shelters.
- c) The scope of resource management issues identified in the section, and addressed through objectives, anticipated environmental results, policies, methods and rules, is currently relatively narrow. The section as a whole focuses mainly on operational matters such as safety and the efficient flow of traffic. While these matters clearly remain very important, the evaluation concluded that other significant resource management issues, in particular those relating to sustainability and connectivity, are not adequately addressed in the section.

The evaluation report forms part of the Section 32 documentation of Proposed Plan Change 10 and is available on request.

3 BROAD OPTIONS FOR ADDRESSING ISSUES RAISED IN EVALUATION

The issues raised in the evaluation are as follows:

The following options have been considered to address the issues raised in the evaluation of District Plan Section 20: Transportation:

Option 1: Status Quo

No changes to be made to the District Plan.

Option 2: Single plan change to review Section 20

Carry out a single review of the section, to address all issues raised in the evaluation.

Option 3: Division of review of Section 20 into two plan changes

Separate the review of the section into two plan changes: the first to resolve the more minor anomalies with the rules and definitions of the section, as identified in the evaluation, which have been causing interpretation and other difficulties for District Plan users; and the second to widen the scope of the section to include significant resource management issues that are not adequately addressed in the section, in particular those relating to sustainability and connectivity.

Table 1 discusses the benefits, costs, efficiency and effectiveness of each broad option.

TABLE 1 – BROAD OPTIONS FOR ADDRESSING ISSUES RAISED IN EVALUATION

	OPTION 1 Status Quo	OPTION 2 Single plan change to review Section 20	OPTION 3 Division of review of Section 20 into two plan changes
Benefits	<p><i>Environmental and Social Benefits</i></p> <ul style="list-style-type: none"> • None identified <p><i>Economic Benefits</i></p> <ul style="list-style-type: none"> • Avoidance of administrative costs associated with plan change(s). 	<p><i>Environmental and Social Benefits</i></p> <ul style="list-style-type: none"> • Opportunity to widen the scope of Section 20 to address issues of sustainability and connectivity. • Benefits associated with updating rules to reflect current design standards. • Benefits associated with increased clarity in the rules, thereby increasing certainty and ease of use for District Plan users. <p><i>Economic Benefits</i></p> <ul style="list-style-type: none"> • Reduced administrative costs associated with carrying out a single plan change process rather than two processes. 	<p><i>Environmental and Social Benefits</i></p> <ul style="list-style-type: none"> • Minor anomalies with rules addressed with minimum delay, resulting in benefits associated with the updating of rules to reflect current design standards, and with increasing the clarity of the rules, thereby increasing certainty and ease of use for District Plan users. • Opportunity to widen the scope of Section 20 to address issues of sustainability and connectivity via the second plan change. <p><i>Economic Benefits</i></p> <ul style="list-style-type: none"> • Minor anomalies with rules addressed with minimum delay, resulting in reduction of costs associated with existing requirement to obtain resource consent for bus shelters.
Costs	<p><i>Environmental and Social Costs</i></p> <ul style="list-style-type: none"> • Costs associated with existing rules not reflecting best practice design standards. • Costs associated with the lack of clarity in existing rules, which may lead to interpretation difficulties. • Currently, Section 20 does not adequately address issues of sustainability or connectivity; this may lead to developments overly reliant on car travel, with associated environmental and social costs. 	<p><i>Environmental, Social and Economic Costs</i></p> <ul style="list-style-type: none"> • A single review of Section 20 would require detailed research and consultation, and also coordination with related City Development projects such as the review of the Residential section of the District Plan and the formulation of an Urban Design Strategy for the city; it would therefore take longer to achieve than the simple plan change proposed under Option 3. • This delay in carrying out minor amendments to improve efficiency would result in environmental and social costs associated with existing rules not reflecting best practice design standards, and with the lack of clarity in existing rules, which may lead to interpretation difficulties. • Economic costs associated with the existing requirement to obtain resource consent for bus shelters. 	<p><i>Environmental and Social Costs</i></p> <ul style="list-style-type: none"> • None identified <p><i>Economic Costs</i></p> <ul style="list-style-type: none"> • Increased administrative costs associated with carrying out two plan change processes.

TABLE 1 continued

	OPTION 1 Status Quo	OPTION 2 Single plan change to review Section 20	OPTION 3 Division of review of Section 20 into two plan changes
Costs continued	<i>Economic Costs</i> <ul style="list-style-type: none"> Costs associated with existing requirement to obtain resource consent for bus shelters. Future costs associated with rising oil prices, as Section 20 currently contains limited provision for travel by public transport, cycle and foot. 		
Effectiveness and Efficiency	Status quo is ineffective in addressing issues raised in the evaluation.	This option would be effective in addressing all issues raised in the evaluation, but would involve a delay in resolving the more minor (yet pressing) anomalies with the rules.	This option would be effective in addressing all issues, with an initial focus on resolving the more minor anomalies with the rules. This is the most efficient option, since it will allow minor matters to be resolved with minimum delay, avoiding the need to wait for the completion of the more extensive research, consultation and coordination with other projects that will be associated with the second plan change.

Assessment

Having considered the three broad options above, the status quo does not effectively address the issues. Option 2 would address all the issues, but with the disadvantage of delaying the resolution of the more minor anomalies with the rules.

It is considered that, on the basis of effectiveness and efficiency, Option 3 to divide the review of Section 20: Transportation into two plan changes will achieve the best outcome. This option addresses all issues raised in the evaluation, and provides for the resolution of the more minor anomalies with the rules with minimum delay.

4 SCOPE

Proposed Plan Change 10 is the first stage of the implementation of Option 3, which is set out in Table 1 in the previous section of this report. The proposed plan change focuses on matters raised in the evaluation of District Plan Section 20: Transportation, and the scope of the proposed plan change is limited to resolving minor anomalies with the rules and assessment matters in District Plan Section 20: Transportation and to reviewing relevant transportation-related definitions in Section 3: Definitions. A number of minor amendments of a consequential nature are also proposed to rules and assessment matters within District Plan Sections 8: Residential, 9: Activity, 10: Industry, 11: Port, 18: Subdivision Activity and 25: Airport.

The proposed plan change neither alters nor calls for submissions on any of the existing resource management issues, objectives, policies or methods in the Plan.

Specifically, the proposed plan change addresses the following matters raised during the evaluation of Section 20: Transportation:

- Clarification of the relationship between the rules in the section and those in the District Plan zone sections (Rural, Residential, Industry etc).
- Cross-referencing of rules with policies.
- Clarification of the wording of rules in the section.
- Review of rules and appendices in the section to ensure consistency with current design standards.
- Extension of the range of activities permitted in the road reserve and within formed road corridors outside the road reserve, to include bus shelters and other street furniture.
- Review of requirements for the hard-surfacing of parking, manoeuvring and loading areas, and private ways, in recognition of the adverse environmental impacts of excessive hard-surfacing.
- Transfer of Rule 18.5.9, which controls the distance of private ways from dwellings, from Section 18: Subdivision Activity to Section 20: Transportation.
- Review of assessment matters for parking, to allow consideration of the impact of requiring on-site car parking provision on the availability of on-street car parks.
- Review of assessment matters for loading, to allow loading to take place within on-site car parking areas where appropriate.
- Review of assessment matters for manoeuvring, to recognise the circumstances in which it may be acceptable to allow reversing onto higher order roads.
- Introduction of maximum widths for vehicle crossings.
- Review of the wording of definitions relating to transportation and addition of new definitions as required to ensure the clarity of all rules.

While some of these matters can be addressed via the addition of notes to plan users to clarify the functioning of the section and to alert users to controls outside the

District Plan that may be relevant to their project, many require amendments to District Plan rules, associated definitions and assessment matters.

5 REQUIREMENTS OF SECTION 32 IN RELATION TO PROPOSED PLAN CHANGE 10

Section 32 of the Act requires that the Council is satisfied firstly that the objectives of a proposed plan change are the most appropriate means of achieving the purpose of the Act and secondly that, having regard to their efficiency and effectiveness, the policies, rules and methods are the most appropriate means of achieving the proposed objectives.

Proposed Plan Change 10 does not introduce any new objectives, policies or methods; its purpose is to increase the efficiency and effectiveness of transportation-related rules in the District Plan, thereby helping to achieve the following existing objectives of District Plan Section 20: Transportation:

Objective 20.2.1

Avoid, remedy, or mitigate adverse effects on the environment arising from the establishment, maintenance, improvement and use of the transportation network.

Objective 20.2.2

Ensure that land use activities are undertaken in a manner which avoids, remedies or mitigates adverse effects on the transportation network.

Objective 20.2.3

Achieve integrated management of the roading network, including pedestrian and cycle use, with rail, air and sea networks.

Objective 20.2.4

Maintain and enhance a safe, efficient and effective transportation network.

This report will examine whether, having regard to their efficiency and effectiveness, the proposed new and amended rules are the most appropriate for achieving these existing objectives. This will be achieved by analysing the benefits and costs of the rules and the risk of acting or not acting.

6 EVALUATION OF THE RULES: COSTS, BENEFITS, RISK OF ACTING AND RISK OF NOT ACTING

Tables 2 and 3 examine the costs and benefits of the proposed new and amended rules and associated assessment matters, and assess the risk of acting or not acting. Table 2 considers proposed new and amended rules and assessment matters in District Plan Section 20: Transportation, while Table 3 considers consequential amendments to rules and assessment matters in other District Plan sections.

Table 2 Evaluation of proposed changes to Section 20 rules, associated definitions and assessment matters

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Clarification of wording of 20.5.1 Permitted Activities, including new definitions for 'road reserve', 'formed road corridor' and 'road sign'.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.
20.5.1(ii) Street furniture (new permitted activity and definition)	Potential adverse effects of street furniture will no longer be considered as part of a resource consent process, unless the structure exceeds permitted activity standards.	<ul style="list-style-type: none"> Activity is defined so that it is clear which types of structure are to be treated as street furniture. Structures that are necessary to the functioning of the road or that cater to the needs of road users become permitted, subject to standards, within the road reserve and within any existing formed road corridor outside the road reserve. Reduction in time and cost currently required to obtain resource consents for these structures, notably for bus shelters. 	Low	Legitimate activities take on a default non-complying status.
20.5.2(i)(a), 20.5.2(i)(b) & 20.5.2(i)(c) Street furniture performance standards – height, area and length	Cost of consent applications for activities that may be acceptable (although note that this is a reduced cost when compared with the status quo).	Limits adverse effects on street amenity and pedestrian movement and safety.	Low	Without these standards, street furniture could have significant adverse effects on amenity, movement and safety.
20.5.2(i)(d)(i) & 20.5.2(i)(d)(ii) Street furniture performance standard – minimum footpath widths in the Central Activity Zone and all other zones.	Cost of consent applications for activities that may be acceptable (although note that this is a reduced cost when compared with the status quo).	Limits adverse effects on street amenity and pedestrian movement and safety. Wider footpaths required in areas with higher levels of pedestrian movement.	Low	Without these standards, street furniture could have significant adverse effects on pedestrian movement and safety.
20.5.3(ii) Restricted discretionary status for street furniture that does not comply with performance standards.	None identified	Restricts the Council's discretion to the relevant matters: effects on street amenity and on pedestrian movement and safety.	Low	Without this rule the activity status of street furniture that does not comply with standards would be unclear.

Table 2 continued

Rule	Costs	Benefits	Risk of acting	Risk of not acting
20.5.4 Clarification of resource consent requirement for road construction.	None identified	Environmental impacts of road construction can be assessed via subdivision consent process where appropriate, without the need for a separate land use consent.	Low	Inappropriate land use consent requirement in certain cases.
20.5.5 (ii)(b) Clarification of wording of rule. New definition for 'tandem parking'.	None identified	Clarification that tandem parking is only permitted where on-site manoeuvring requirements can be met.	Low	Lack of clarity may lead to inconsistent interpretation.
Update of Appendix 20B, referred to in Rules 20.5.5(iii)(b) and 20.5.5(v)(d), which provides minimum car parking space dimensions.	None identified	Updated dimensions reflect current standards as set out in NZS 2890.1:2004.	Low	Minimum car parking space dimensions will be based on out of date standards.
20.5.5(iv) Removal of provision for division of queuing space between accesses, within standard on required queuing space for car parking areas.	Cost of consent applications for activities that may be acceptable.	Any proposed division of required queuing space is better dealt with on a case by case basis through a resource consent process, taking into account the circumstances of each site. Existing wording is open to interpretation and therefore unsuitable in a performance standard.	Low	<ul style="list-style-type: none"> Lack of clarity on how queuing space may be divided may lead to inconsistent interpretation and uncertainty for Plan users. Inappropriately divided queuing space could adversely affect road safety and traffic flow.
Rule 20.5.5(v)(b) Reduction in requirement for hard surfacing of car parking areas for residential activities.	Need for more frequent maintenance of parking areas that are not hard surfaced.	Extensive areas of hard surfacing can have adverse impacts on drainage and water quality.	Low	Inappropriate resource consent requirement in cases where reduced hard surfacing is appropriate/beneficial.
Update of Appendix 20C, referred to in Rules 20.5.5(vi)(a), 20.5.5(vi)(c) and 20.5.6(ii)(a), which provides standard motor vehicle dimensions and turning circle.	None identified	Updated dimensions and turning circle reflect current standards as set out in NZS 2890.1:2004.	Low	Manoeuvring and loading space requirements will be based on out of date standard dimensions and turning circle.
Rule 20.5.5(vi)(a) Clarification that a resource consent is required if a turntable is needed to supply the necessary manoeuvring capacity at a site.	Cost of consent applications for activities that may be acceptable.	It is appropriate to require resource consent for turntables as in many cases they are not an appropriate solution for the provision of manoeuvring capacity at a site.	Low	Turntables may be installed at unsuitable sites and may not be maintained.
Rule 20.5.5(vi)(c)(i) Clarification of wording of rule regarding manoeuvring requirements at sites with 5 or more parking spaces.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.

Table 2 continued

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Rule 20.5.5(vi)(e) Clarification that manoeuvring space may include a right of way if the site in question is legally entitled to use it.	None identified	Increased clarity of rules on on-site manoeuvring.	Low	Lack of clarity may lead to inconsistent interpretation.
Clarification of the distinction between 'vehicle access' and 'vehicle crossing' – affects Rules 20.5.7(i) to 20.5.7(v) and Assessment Matters 20.6.7 to 20.6.11. Revised definition for 'vehicle access', new definition for 'vehicle crossing'.	None identified	Increased clarity of rules and assessment matters.	Low	Lack of clarity may lead to inconsistent interpretation.
Rule 20.5.7(i) Removal of reference to 'comprehensive development', which is not defined in the Plan.	None identified	Increased clarity of rule.	Low	Low
Rule 20.5.7(ii) Update of minimum sight distances from vehicle crossings onto State Highways.	Updated distances are greater than existing distances, particularly for residential activities; in some cases this will result in the need to either remove obstructions to visibility or reconsider positioning of crossing where a new activity is undertaken.	<ul style="list-style-type: none"> Updated to reflect standards in the New Zealand Transport Agency's Planning Policy Manual 2007. Safety benefits. 	Low	Risk to road safety.
Rule 20.5.7(iii)(a) Clarification of instruction on how to measure distance between vehicle crossing and intersection. Associated addition of new Appendix 20J.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.
Rule 20.5.7(iii)(b) Clarification of exemption to minimum vehicle crossing/intersection distances. Exclusion from exemption of crossings serving multiple units.	Cost of consent applications for activities that may be acceptable, in the case of crossings serving multiple units.	<ul style="list-style-type: none"> Increased clarity of rule. Safety benefit where crossings serve multiple units. 	Low	Lack of clarity may lead to inconsistent interpretation.
Rule 20.5.7(iii)(c) Clarification of wording of standard on minimum vehicle crossing/intersection distances for subdivisions.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.
Rule 20.5.7(iv)(a) Update of vehicle access design standards for accesses onto State Highways in certain zones. Associated revision of Appendices 20G and 20H and introduction of new Appendix 20I.	None identified	<ul style="list-style-type: none"> Updated design standards reflect standards in the New Zealand Transport Agency's Planning Policy Manual 2007. Safety benefits. 	Low	Risk to road safety on State Highways.

Table 2 continued

Rule	Costs	Benefits	Risk of acting	Risk of not acting
Rule 20.5.7(iv)(b) Clarification of wording of standard regarding hard surfacing requirement adjacent to road for vehicle accesses. New definition added for 'carriageway'.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.
Rule 20.5.7(iv)(c) Reduction in requirement for hard surfacing of private ways used by only one residential unit.	Need for more frequent maintenance of private ways that are not hard surfaced.	<ul style="list-style-type: none"> Extensive areas of hard surfacing can have adverse impacts on drainage and water quality. Recognises low usage areas. 	Low	Inappropriate hard surfacing or resource consent requirement.
Rule 20.5.7(iv)(e) Update of standard for maximum permitted change in gradient of vehicle access without transition.	None identified	Updated to reflect current standards as set out in NZS 2890.1:2004.	Low	Risk of damage to vehicles and accesses
Rule 20.5.7(iv)(f) New standard stipulating minimum distance of residential units from vehicle accesses serving other units. This replaces existing Rule 18.5.9 of the District Plan Section 18: Subdivision Activity.	None identified	Transfer of this rule to Section 20: Transportation from Section 18 Subdivision Activity facilitates the attachment of conditions to resource consents to ensure compliance with the standard.	Low	Low
Rule 20.5.7(iv)(g) New standard stipulating that a maximum of 12 residential units may be served by a private way.	Cost of consent applications for activities that may be acceptable.	<ul style="list-style-type: none"> Maximum of 12 units served by private way reflects current design standards as set out in NZS 4404: 2004. The functioning of private ways can be adversely affected when they serve many units. 	Low	Risk to functioning of private ways.
Rule 20.5.7(iv)(h) New standard setting a maximum gradient for the portion of a vehicle access immediately adjacent to a road.	Cost of consent applications for activities that may be acceptable.	<ul style="list-style-type: none"> The new standard reflects current design standards as set out in NZS 4404: 2004. Steep gradients of accesses next to roads can be unsafe and lead to the spread of gravel/other material onto public roads and footpaths. 	Low	<ul style="list-style-type: none"> Risk of damage to road/footpath. Safety risk.
Rule 20.5.7(v)(a) New standard setting a maximum width for vehicle crossings.	Cost of consent applications for activities that may be acceptable.	<ul style="list-style-type: none"> Limiting the width of vehicle crossings increases safety and ease of movement for pedestrians. The addition of this standard closes a loophole in the rules; the District Plan currently limits the number of crossings that can be established per frontage, but there is no maximum crossing width. This standard prevents the establishment of a very wide crossing that could perform the function of several crossings. 	Low	Risk to pedestrian safety and ease of movement.
Rule 20.5.7(v)(b) Clarification and update of minimum width standards for private ways and vehicular access.	None identified	Increased clarity of rule.	Low	Lack of clarity may lead to inconsistent interpretation.

Table 2 continued

Rule/Assessment Matter	Costs	Benefits	Risk of acting	Risk of not acting
Revised definition for the term 'hard surface', referred to in Rules 20.5.5(v)(b), 20.5.6(i)(j), 20.5.7(iv)(b) and 20.5.7(iv)(c).	None identified	<ul style="list-style-type: none"> Definition of hard surface widened to include specific reference to permeable surfacing. Permeable surfacing has environmental benefits as compared to impermeable surfacing, in relation to impacts on drainage and water quality. 	Low	Use of permeable surfacing may be discouraged if it is thought not to meet District Plan standards for hard surfacing.
New definitions for the terms 'Limited Access Road' and 'Local Road', which are referred to in Rule 20.5.7(iii), Method 20.4.2 Road Hierarchy and in District Plan Map 73 Road Hierarchy.	None identified	Increased clarity of Rule 20.6.7(iii), Method 20.4.2 and District Plan Map 73.	Low	Lack of clarity may lead to inconsistent interpretation.
New definition for the term 'laneways', referred to in Rule 20.5.7(iv)(b).	None identified	Increased clarity of Rule 20.5.7(iv)(b).	Low	Lack of clarity may lead to inconsistent interpretation.
Revised definition for the term 'road', referred to throughout Section 20: Transportation. Adoption of full definition from Local Government Act 1974, rather than a reference to this definition.	None identified	Increased ease of use for District Plan users, as it will no longer be necessary to refer to the Local Government Act 1974 to locate the definition of 'road'.	Low	Inconvenience to plan users.
New Assessment Matter 20.6.1(j) to allow consideration of impacts of on-site car parking requirements on on-street parking provision.	None identified	<ul style="list-style-type: none"> Allows greater flexibility in processing of resource consents for activities that breach car parking requirements set out in the zone rules. Allows consideration on a case by case basis of the benefits of requiring on-site parking where the effect of the requirement would be to reduce overall parking availability due to access to on-site car parks displacing on-street car parks. 	Low	On-site car parking requirements may result in reduction in availability of car parks in the vicinity of sites.
New Assessment Matter 20.6.1(k) to allow loading to take place within on-site parking areas if it is possible to manage loading and parking within the same space.	None identified	Allows for more efficient use of land where it can be demonstrated that loading and parking can be managed in a satisfactory manner within the same space.	Low	May lead to inefficient use of land in some cases.
New Assessment Matters 20.6.5(f), (g) & (h) to allow consideration of traffic conditions and visibility in relation to requirements for on-site manoeuvring.	None identified	<ul style="list-style-type: none"> Allows speed and volume of traffic on the frontage road, visibility and the potential to increase visibility to be taken into account when processing resource consents for activities that breach on-site manoeuvring requirements. Allows consideration on a case by case basis of requiring less on-site manoeuvring space if, given traffic conditions and visibility, road safety can be maintained. 	Low	May lead to inefficient use of land in some cases.

Table 2 continued

Rule/Assessment Matter	Costs	Benefits	Risk of acting	Risk of not acting
Amendment to Assessment Matter 20.6.8(b) to allow the extent of effects on safety/function of the vehicle access to be taken into account when vehicle access design standards are breached.	None identified	This matter will be a relevant consideration where activities breach new Rule 20.5.7(iv)(g) which limits the number of residential units permitted to be served by a private way.	Low	Relevant matters may not be considered when processing consents for activities in breach of 20.5.7(iv)(g).
New Assessment Matter 20.6.8(g) to allow consideration of distance between property boundary and public road/footpath when Rule 20.5.7(iv)(b) is breached.	None identified	Allows consideration on a case by case basis of reducing hard surfacing requirement set out in Rule 20.5.7(iv)(b), if the property boundary is located so far from the public road/footpath that it would be unreasonable to require the entire vehicle crossing between them to be hard surfaced.	Low	May result in unreasonable hard surfacing requirement.
New Assessment Matter 20.6.8(h) to allow consideration of environmental impacts of hard surfacing when hard surfacing requirements are breached.	None identified	Allows consideration on a case by case basis of reducing hard surfacing requirements of Rules 20.5.5(v)(b), 20.5.6(i)(j), 20.5.7(iv)(b) and 20.5.7(iv)(c), if meeting the requirement would have adverse environmental impacts due to the extent of hard surfacing.	Low	May result in adverse environmental impacts from extensive areas of hard surfacing.
New Assessment Matters 20.6.12(a) to (d) to be considered when processing resource consents for road construction.	None identified	Provides clarity for District Plan users by specifying assessment matters; currently no assessment matters are provided.	Low	Lack of clarity may lead to inconsistency.

Table 3 Evaluation of proposed consequential changes to other District Plan sections

Rules/Assessment Matters in other District Plan sections	Costs	Benefits	Risk of acting	Risk of not acting
The term 'access leg' to be substituted for the term 'access strip' in Rules 8.7.2(iv), 8.7.2(xii)(ii), 8.8.2(iv), 8.8.2(xi)(a)(ii), 8.9.2(xii)(a)(ii), 8.10.2(xi)(a)(ii) and 8.11.2(xi)(a)(ii) of District Plan Section 8: Residential. New definition for 'access leg'.	None identified	Increased clarity of rules.	Low	Lack of clarity may lead to inconsistent interpretation.
Consequential changes to cross-referencing of Rule 20.5.6(ii) within District Plan Section 9: Activity, Rules 9.5.2(viii), 9.6.2(vii)(a) and 9.7.2(vii)(a).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.
Consequential changes to cross-referencing of Rule 20.5.6(ii) within District Plan Section 10: Industry, Rule 10.5.2(iii)(a).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.
Consequential changes to cross-referencing of Appendix 20C within District Plan Section 10: Industry, Rules 10.5.2(iii)(b), 10.6.2(iv)(a) and 10.7.2(iii)(a).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.

Table 3 continued

Rules/Assessment Matters in other District Plan sections	Costs	Benefits	Risk of acting	Risk of not acting
The term 'access leg' to be substituted for the term 'access strip' in Rule 10.7.2(x)(a)(ii) of District Plan Section 10: Industry.	None identified	Increased clarity of rules.	Low	Lack of clarity may lead to inconsistent interpretation.
Consequential change to cross-referencing of Rule 20.5.6(ii) within District Plan Section 11: Port, Rule 11.5.2(iv).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.
Consequential change to cross-referencing of Appendix 20C within District Plan Section 11: Port, Rule 11.6.2(iv)(b).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.
Rule 18.5.3 of District Plan Section 18: Subdivision Activity to be reworded to ensure that all relevant vehicle access standards from Section 20: Transportation are applicable to subdivision activities.	None identified	Subdivision standards include cross-referencing to relevant standards for vehicle access in Section 20: Transportation.	Low	Inconsistent application of vehicle access standards during processing of land use and subdivision consents.
Rule 18.5.9 of District Plan Section 18: Subdivision Activity to be deleted, and replaced with new Rule 20.5.7(iv)(f) in Section 20: Transportation, stipulating minimum distance of residential units from vehicle accesses serving other units.	None identified	Transfer of this rule to Section 20: Transportation from Section 18 Subdivision Activity facilitates the attachment of conditions to resource consents to ensure compliance with the standard.	Low	Low
New Assessment Matter 18.6.1(m) to ensure that the need to provide access for fire fighting in accordance with the New Zealand Building Code is taken into account when assessing applications for subdivision consent.	None identified	Safety benefits of providing adequate access for fire fighting.	Low	Risk to life and property from fire.
Consequential change to cross-referencing of Rule 20.5.6(ii) within District Plan Section 25: Airport, Rule 25.5.3(iv).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.
Consequential change to cross-referencing of Rule 20.5.7(ii) within District Plan Section 25: Airport, Rule 25.5.3(v)(c)(ii).	None identified	Accuracy of cross-referencing within the District Plan.	Low	Inaccurate cross-referencing.

In summary, Tables 2 and 3 indicate that the identified benefits of the new and amended rules, including amendments to definitions and assessment matters, are greater than the costs, and that the risk of acting is low. The proposed clarifications to the wording of the rules, updating of design standards, and provision for a range of appropriate street furniture within the road reserve and within formed road corridors outside the road reserve, are the most appropriate means of achieving the existing objectives in District Plan Section 20: Transportation, in particular Objectives 20.2.1, 20.2.2 and 20.2.4 (see page 7).

7 CONCLUSION

Proposed Plan Change 10 addresses the minor anomalies with the rules and definitions of District Plan Section 20: Transportation, as identified in the recent evaluation of the section, which have been causing interpretation and other difficulties for District Plan users. It is the first stage in the review of the section. The division of the review into two separate plan changes has been identified as the most effective and efficient option for addressing the issues raised in the evaluation of the section.

Following an evaluation of the costs, benefits, risks of acting and risks of not acting associated with the proposed new and amended rules and associated definitions and assessment matters, this report finds that, having regard to their efficiency and effectiveness, the proposed changes are the most appropriate means of achieving existing objectives of District Plan Section 20: Transportation and the purposes of the Act.

APPENDIX A

BEST PRACTICE SUMMARY: STREET FURNITURE

Although Proposed Plan Change 10 is mainly concerned with clarifying existing rules and updating standards, it also introduces a new activity to the District Plan – street furniture – with an associated definition and performance standards. The definition and performance standards have been established via stakeholder consultation and best practice analysis. This appendix provides a summary of best practice from territorial authorities around New Zealand that provide for the establishment of various types of street furniture in their Plans.

Territorial authority	Activity	Performance standards
North Shore City Council	<p>The following activities are permitted across all zones:</p> <ul style="list-style-type: none"> • Street furniture and street landscaping where approved by Council. • Bus shelters. 	<p>Within the road reserve, bus shelters must comply with the following standards:</p> <ul style="list-style-type: none"> • Bus shelters must not contain any general commercial advertising. • Shelters shall be a maximum height of 2.7 metres and a maximum coverage of 10 metres² measured 1 metre above the pad; • The shelter structure design, finishes and colour shall, when viewed as a whole, not generate any significant detracting from the visual amenities of the immediate locality nor be a distraction to motorists, and no part of the structure shall have a reflectivity greater than 37% with the reflectivity of any glass component of the shelter being measured at a normal angle of incidence; • Shelters shall only contain or employ lighting sufficient for illuminating passenger transport services information and creating a sense of security for users. The nature of lighting shall not detract from the existing amenity of the area and must not compromise road safety. The downlit lighting standard shall be up to a maximum of 40 lux as measured at the floor of the shelter, with no more than 4 lux light spill at any private property boundary; • Shelters shall be located so there is generally a maximum of 10 metres distance between the shelter and the head (front) of the bus stop; • Shelters shall have sufficient unobstructed space for safe and convenient pedestrian and passenger movement around the shelter. In general the bus shelter should be located a minimum of 1.4 metres from any vehicle crossing or roadside kerb. However, in high density pedestrian or vehicular traffic areas, greater setbacks should be achieved to respond to the increased need for safety and convenience. There should wherever practicable be a minimum of 1.4 metres of unobstructed footpath and a continuous paved surface between the shelter and the kerb at the head of the bus stop. • Bus shelters shall only be positioned adjacent to bus stops authorised by the Council acting as road controlling authority. • Bus shelters must have prior approval under the Local Government Act or such other legislation as may apply to their establishment.

Territorial authority	Activity	Performance standards
Manukau City Council	The following activity is permitted in Manukau's Road Zone: <ul style="list-style-type: none"> The erection, marking, maintenance or repair of bus shelters and parking controls. 	Bus shelters shall not exceed 4 metres in length, 2 metres in width or 2.5 metres in height.
Nelson City Council	The following activity is permitted in Nelson's Inner City, Residential, Suburban Commercial, Industrial, Open Space and Recreation, and Rural Zones: Structures on the road reserve.	Performance standards vary slightly according to zone. In Residential Zone, structures are permitted if: <ul style="list-style-type: none"> they are part of the road infrastructure (e.g. bridges, culverts, street lighting, traffic signals, masts), or relate to the safe use of the road or walkway, or structures (including equipment shelters and bus shelters) do not exceed 6m² floor area and 3.5m high, and they do not obstruct the carriageway or footpaths. In the other zones the performance standards are largely the same, except that there is no standard regarding obstruction the carriageway or footpaths. Also, in the Inner City Zone there is no maximum height standard.
Rotorua District Council	The following activities are permitted in Rotorua's Road Zone: <ul style="list-style-type: none"> Public transport infrastructure and facilities. Street furniture, sculptures, works of art and utility provisions such as road signs, bus shelters, parking meters, traffic lights, lamp posts and litter bins. 	None
Westland District Council	The following activities are permitted in all zones: <ul style="list-style-type: none"> Street furniture and bus shelters. 	None