

Proposed District Plan Change 39

TRANSPORT

Full Set of Submissions and Further Submissions Received

Updated to include all late submissions

Proposed Plan Change 39 – Submissions and Further Submissions Received

DPC39/1	Harvey Norman Properties (N.Z.) Limited
DPC39/2	Siegfried Bachler
DPC39/3	Shayne Hodge
DPC39/4	New Zealand Transport Agency
DPC39/5	KiwiRail Holdings Limited
DPC39/6	Heritage New Zealand Pouhere Taonga
DPC39/7	Bikes Welcome Charitable Trust
DPC39/8	Andrew Banks
DPC39/9	Petone Planning Action Group
DPC39/10	Bruce and Claire Benge
DPC39/11	Simon Brown
DPC39/12	Andrew Fox
DPC39/13	Nick Ursin
DPC39/14	Richard Beatson
DPC39/15	David Tripp
DPC39/16	Summerset Villages (Lower Hutt) Limited
DPC39/17	Hutt Cycle Network
DPC39/18	New Zealand Fire Service Commission
DPC39/20	Greater Wellington Regional Council
DPC39/21	Harriet Fraser Traffic Engineering and Transportation Planning
DPC39/22	Winstone Aggregates and Firth Industries
DPC39/23	Firth Industries
DPC39/24	Minister of Education
DPC39/26	Tim Julian
DPC39/F1	Nick Ursin
DPC39/F2	Andrew Banks
DPC39/F3	New Zealand Fire Service
DPC39/F4	New Zealand Transport Agency
DPC39/F5	Stride Investment Management Limited

From: Daniel Shao <daniel.shao@hainesplanning.co.nz>
Sent: Wednesday, 19 October 2016 11:53 a.m.
To: Corporate Records
Cc: OSullivan, Jerome; David Haines
Subject: PC 39 Submission by Harvey Norman Properties (N.Z.) Limited.
Attachments: PC39 Submission - Harvey Norman Properties (N.Z.) Limited.pdf

Good day,

Please acknowledge receipt of the **attached** submission on the proposed Plan Change 39 by Harvey Norman Properties (N.Z.) Limited.

Regards



DANIEL SHAO | SENIOR PLANNER

Email: daniel.shao@hainesplanning.co.nz

Level 12, 17 Albert Street, Auckland
Phone: 09 360 1182 Fax: 09 360 0182
www.hainesplanning.co.nz

Confidentiality: The information contained in this email message may be legally privileged and confidential.
If the reader of this message is not the intended recipient please notify us immediately and destroy the original.



SUBMISSION BY HARVEY NORMAN PROPERTIES (N.Z.) LIMITED

ON THE PROPOSED PLAN CHANGE 39

To: submissions@huttcity.govt.nz

1.0. INTRODUCTION

- 1.1. Harvey Norman Properties (N.Z.) Limited ("**the Submitter**") makes this submission on the Proposed Plan Change 39 ("**PC39**") to the City of Lower Hutt District Plan ("**the Plan**").
- 1.2. The Submitter is the proprietor of a large format retail centre at 28-36 Rutherford Street. The site is zoned Central Commercial (CCZ) in the Plan. It is home to the Harvey Norman store and several other retail brands.
- 1.3. The submission relates to two specific elements of PC39. These are:
 - a) Removal of "parking minimums" from the Outer CBD Parking Area; and
 - b) Matters for discretion over the impact of high trip generation activities on on-street parking within the CCZ.
- 1.4. The Submitter supports the former, and requests minor amendments to the the latter.

2.0. GROUNDS FOR SUBMISSION

- 2.1. The Submitter supports or opposes the specific provisions set out in Section 4 of this document. In the absence of the relief sought being granted, the Submitter considers that PC39, as notified,
 - a) Create ambiguities that would have unintended consequences and/or result in inefficient and ineffective administration of the Plan; or

- b) Be inconsistent with the purpose and principles of the Resource Management Act 1991 (“RMA”).
- 2.2. Without limiting the generality of the above, the specific reasons for the submission are set out in the following section.

3.0. OVERVIEW OF SUBMISSION POINTS

Removal of Parking Minimums from the Outer CBD Area

- 3.1. Currently, the CCZ is further divided into “inner” and “outer” parking areas. The former is not subject to minimum on-site parking requirements but the latter is. The site falls within the latter. PC39 merges the two areas and adopts a “no parking minimums” policy for the entire CCZ. The Submitter supports this policy change and seeks that this be retained as notified.

Vehicle Trip Generation

- 3.2. PC39 introduces Policy 14A 4.5, which states:

“Any activity that is a High Trip Generator must be assessed on a case by case basis. Adverse effects of High Trip Generators on the safety and efficiency of the transport network should be managed through the design and location of the land use, subdivision and development.”

- 3.3. Rule 14A 5.1(c) gives effect to this Policy by requiring a restricted discretionary activity resource consent for any activity that exceeds the “high trip generator thresholds” specified in Appendix Transport 2. Council’s discretion is restricted to considering the effects of the activity on the transport network *including impacts on on-street parking*.
- 3.4. This policy implicitly requires activities to provide sufficient on-site parking so as to avoid adverse externalities on on-street parking. The Submitter is not opposed to implementing this policy outside of the CCZ, where parking minimums apply. However, within the CCZ, the Submitter considers retaining discretion over “impacts on on-street parking” undermines the “no parking minimums” policy. The Submitter therefore seeks that the CCZ be excluded from Policy 14A 4.5 and Rule 14A 5.1(c).

4.0. RELIEF SOUGHT

- 4.1. The Submitter seeks the following decisions from the Council on the notified PC39 provisions:

- a) That the proposed provisions be retained, deleted or amended, as set out in the table below.
- b) Such further or other consequential or alternative relief as may be necessary to fully give effect to the matters raised and relief sought in this submission.

PC49 Amendment	Support / Oppose	Relief Sought				
Amendment 28 [New Chapter 14A Transport (Appendix Transport 1 – Standards)] <u>Table 4-1: Minimum Parking Standards</u> <table><tr><td><u>Activity</u></td><td><u>Minimum Parking Spaces</u></td></tr><tr><td><u>Any activity in the Centre Commercial Activity Area</u></td><td><u>Nil</u></td></tr></table>	<u>Activity</u>	<u>Minimum Parking Spaces</u>	<u>Any activity in the Centre Commercial Activity Area</u>	<u>Nil</u>	Support	That this provision be retained as notified.
<u>Activity</u>	<u>Minimum Parking Spaces</u>					
<u>Any activity in the Centre Commercial Activity Area</u>	<u>Nil</u>					
Amendment 20 [New Chapter 14A Transport (14A 5 Rules)] <u>Rule 14A 5.1</u> <table><tr><td><u>(c) Any activity that exceeds the high trip generator thresholds specified in Appendix Transport 2 is a Restricted Discretionary Activity.</u> <u>Discretion is restricted to:</u> <u>i. The effects of the activity on the transport network including impacts on on-street parking.</u></td></tr></table>	<u>(c) Any activity that exceeds the high trip generator thresholds specified in Appendix Transport 2 is a Restricted Discretionary Activity.</u> <u>Discretion is restricted to:</u> <u>i. The effects of the activity on the transport network including impacts on on-street parking.</u>	Oppose	Add " <u>except this provision does not apply to activities within the CCZ</u> " at the end of clause 14A.5.1(c)(i).			
<u>(c) Any activity that exceeds the high trip generator thresholds specified in Appendix Transport 2 is a Restricted Discretionary Activity.</u> <u>Discretion is restricted to:</u> <u>i. The effects of the activity on the transport network including impacts on on-street parking.</u>						

5.0. PROCEDURAL MATTERS

- 5.1. The Submitter could not gain an advantage in trade competition through this submission.
- 5.2. The Submitter wishes to be heard in support of this submission.
- 5.3. The Submitter would consider presenting a joint case with any other party seeking similar relief.
- 5.4. The Submitter agrees to participate in mediation or other alternative dispute resolution, and would be pleased to discuss the content of this submission with Council staff, if required.



Daniel Shao

Date: 19 October 2016

On behalf of Harvey Norman Properties (N.Z.) Limited

Address for Service:

Harvey Norman Properties (N.Z.) Limited
C/- Haines Planning Consultants Limited
PO Box 90842
Victoria Street West
AUCKLAND 1142

Attention: Daniel Shao

Telephone: (09) 360 1182

Facsimile: (09) 360 0182

Email: daniel.shao@hainesplanning.co.nz

2058 HUTT CITY PC39 SUB DS

Introduction

Submission on Proposed Plan Change 39

Proposed Plan Change 39 is a review of the transport provisions of the District Plan. It contains a complete review of Chapter 14A Transport (including the standards referred to in the chapter) as well as the other transport provisions throughout the Plan.

Privacy Statement

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submitter Details

First Name: **Siegfried**
Last Name: **Bachler**
Street: **176 Cambridge Terrace**
Suburb: **Fairfield**
City: **Lower Hutt**
Country: **New Zealand**
PostCode: **5011**
Mobile: **021795055**
eMail: **siegfried.bachler46@gmail.com**

Wishes to be heard:

- ☐ Yes
☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Correspondence to:

- ☒ Submitter
☐ Agent
☐ Both

Submission

1. The specific provisions of the proposal that my submission relates to are:
(Please give details)

Decision Requested
That the onus for Noise Reduction from the rail Corridor be put on the Railway operators and not on the the property owners.

Reason for Decision
Existing user rights.

2. My submission is:
(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Comments
Property owners were in place before the Railways moved its lines around 1956. I believe if the council require noise reduction from properties whether house alterations or new builds within 40m of the rail corridor it should be the responsibility of the source of the noise.

3. I seek the following decision from Hutt City Council:
(Give precise details)

Comments
I propose that Change 39 relating to noise be deleted and a new directive to require the Railways to control their noise levels come into effect. Noise level control can be 'Noise Barriers' down the length of the Rail Corridor that are within 40m of private properties. This would also have the effect to reduce noise levels to all existing properties.

4. In support of my submission:

- ☐ I wish to be heard
- ☒ I do not wish to be heard

5. If others make a similar submission:

- ☒ I will consider presenting a joint case with them at the hearing
- ☐ I will not consider presenting a joint case with them at the hearing

Attached Documents

File
No records to display.

Need Help?

Privacy Statement

Introduction

Submission on Proposed Plan Change 39

Proposed Plan Change 39 is a review of the transport provisions of the District Plan. It contains a complete review of Chapter 14A Transport (including the standards referred to in the chapter) as well as the other transport provisions throughout the Plan.

Privacy Statement

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submitter Details

First Name: **shayne**
Last Name: **hodge**
Organisation: **seaview hp limited**
Street: **354 Lambton Quay**
Suburb: **Wellington Central**
City: **Wellington**
Country: **New Zealand**
PostCode: **6011**
Daytime Phone: **044725596**
Mobile: **0274548881**
eMail: **shayne@thehodgegroup.co.nz**

Wishes to be heard:

- ☐ Yes
- ☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Correspondence to:

- ☒ Submitter
- ☐ Agent
- ☐ Both

Submission

1. The specific provisions of the proposal that my submission relates to are:
(Please give details)

Decision Requested
to whom it may concern, we own the properties at 47 The esplanade and 33 jackson street petone and write in support of the planned change to car parking requirements amendment 28 to nil for any activity in the central and petone commercial activity areas.

Reason for Decision
carparking is largely driven by the underlying activity on the sites within these areas and allowing the market to decide these requirements is a practical outcome. owners will need to met demand from tenants to provide ongoing car parks to support the activities contemplated by the district plan

2. My submission is:
(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Comments
to whom it may concern, we own the properties at 47 The esplanade and 33 jackson street petone and write in support of the planned change to car parking requirements amendment 28 to nil for any activity in the central and petone commercial activity areas.

3. I seek the following decision from Hutt City Council:
(Give precise details)

Comments

4. In support of my submission:

- ☐ I wish to be heard
- ☒ I do not wish to be heard

5. If others make a similar submission:

- ☐ I will consider presenting a joint case with them at the hearing
- ☒ I will not consider presenting a joint case with them at the hearing

Attached Documents

File
No records to display.

Need Help?

Privacy Statement

From: Phillip Eyles <Phillip.Eyles@nzta.govt.nz>
Sent: Wednesday, 16 November 2016 5:09 p.m.
To: Corporate Records
Cc: Kathryn Barrett; Nathan Geard; Andrew Cumming
Subject: NZ Transport Agency- Submission Plan Change 39
Attachments: 17-1-27-933_16-11-2016.pdf

Nathan, Drew

Please find attached the Transport Agency's submission on Plan Change 39. Thanks again for the time extension. Looking forward to working with you as you work through the submissions.

Kind regards
Phillip

Phillip Eyles / Planning and Investment Manager Planning and Investment - Central DDI 64 4 894 6299 M 64 021 241 9173 E phillip.eyles@nzta.govt.nz / W nzta.govt.nz Wellington Regional Office / Level 5, Majestic Centre 100 Willis Street, Wellington 6011, New Zealand _____

Find the latest transport news, information, and advice on our website:
www.nzta.govt.nz

This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it.
Legal privilege is not waived because you have read this email.
#####

Submission on Proposed Plan Change 39 to Hutt District Plan – Transport

Clause 6 of Schedule 1, Resource Management Act 1991

To: Hutt City Council
Attn: Planning Technician
Private Bag 31–912
Lower Hutt 5040
Email: submissions@huttcity.govt.nz

Name of Submitter: NZ Transport Agency
PO Box 5084
Lambton Quay
Wellington 6145

1. General matters

- 1.1. This is a submission on the proposed Hutt City Plan Change 39 – Transport.
- 1.2. The Transport Agency supports Plan Change 39 in part, subject to the amendments outlined in its submission.
- 1.3. The Transport Agency sought and Hutt City Council approved an extension of time of 8 working days, pursuant to section 37 of the Resource Management Act 1991 (RMA).
- 1.4. The NZ Transport Agency (Transport Agency) could not gain an advantage in trade competition through this submission.

2. NZ Transport Agency's Role

- 2.1. The Transport Agency is a Crown entity, with two important functions relevant to Plan Change 39:
 - the Transport Agency manages and operates all state highways¹; and
 - the Transport Agency is a major co-investor in local road, walking, cycling and Public Transport (in addition to its investment in the state highway network).
- 2.2. The Transport Agency has a mandate under the Land Transport Management Act 2003 (LTMA), the Government Rounding Powers Act 1989 (GRPA) and the Government Policy

¹ Section 61 Government Rounding Power Act 1989

Statement on Land Transport to carry out its functions in a way that delivers the transport outcomes set by the Government. In summary, these outcomes are:

- A transport system that is effective in moving people and freight where they need to go in a timely manner;
- A transport system that is efficient, delivering the right infrastructure and services to the right level at the best cost;
- A transport system that is safe and responsible and
- A transport system that is resilient, able to meet future needs and endure shocks.

2.3. The Transport Agency has key role to manage and operate the state highway network. However, the state highway does not operate in isolation and requires the whole transport system, including local roads and public transport to operate as 'one network'.

2.4. The Transport Agency is also a co-investor in local transport network in Hutt City. Significant investment is being made in the transport system in the Hutt Valley, and the Regional Land Transport Plan (RLTP) has prioritised a number of significant projects in Hutt City:

- SH2 Corridor Programme (Ngauranga to Upper Hutt);
- Petone to Grenada Link Road;
- State Highway 2/58 Safety Improvements;
- Melling Interchange Improvements;
- Cross Valley Link; and
- Cycling Projects.

2.5. Plan Change 39 needs to enable and facilitate the development, management and operation of the transport network, to enable communities to provide for their social, economic, and cultural wellbeing. In proposing the amendments below, our objective has been to identify areas where we believe there are gaps or areas that in our view require further emphasis, focusing on:

- Recognising and supporting the function of state highways; and
- Recognising strategic issues that impact on development, operation and management of the Hutt City transport network.

3. Specific amendments sought:

3.1. It is important to note that the Transport Agency has adopted an outcomes focused approach to this submission focusing on areas that in our view require further emphasis. We have not identified specific relief but instead seek to work with Council on the development of specific policies and objectives to address the issues that we have identified below.

3.2. Links to other planning documents and processes, and other parts of the District Plan

- In our view, there is insufficient linkage between key urban development planning processes such as Making Places, Petone 2040, Vision Seaview Gracefield 2030, the

Urban Growth Strategy 2012–2030, Walk and Cycle the Hutt and the future objectives and policies for transport development. This needs to be strengthened to ensure continuity between documents, and provide for non-statutory documents to be implemented.

- There should be stronger and clearer alignment between the district plan objectives and policies, the Regional Policy Statement (RPS) and the RLTP. In particular, ensuring robust provisions around Regionally Significant Infrastructure. In our view, the Network Utilities chapter does this well, but to be effective a similar approach should be adopted for the Transport chapter. We also note that providing links to appropriate sections, particularly the utilities chapter will be helpful for plan users.

3.3. Economic Productivity

- A key driver for transport investment is the opportunity that transport and connectivity creates for business and the community and economic growth and productivity. Policies and objectives that facilitate and enable linkages between transport, urban growth and economic development will provide a useful link between the district plan and the various other strategic planning documents for Hutt City, listed in point one of 3.2 above.

3.4. Rooding Hierarchy

- The proposed rooding hierarchy in Plan Change 39 should be consistent with the One Network Road Classification².

3.5. Resilience

- At present there is no mention of resilience in in Plan Change 39. The RLTP³ identifies resilience as a key factor contributing to severance and place making issues in Hutt. Resilience should be recognised on objectives and policies, and resilience issues should be key consideration for developers, infrastructure providers and decision makers.
- Currently, there are a number of planned transport projects which will contribute significantly to improved network resilience. To support projects with a high resilience value, objectives and policies that clearly value transport resilience should be included.

3.6. Improved Regional Connectivity

- Hutt has a number of directives within the RPS which identifies the need to improve connectivity for the District. As proposed, Plan Change 39 does not address connectivity. Clear objectives and policies around connectivity can help deliver improvement around the liveability of the City, particularly in terms of integration of transport and land use, and the delivery of key projects particularly for walking, cycling, and public transport.

² One Network Road Classification: <https://www.nzta.govt.nz/roads-and-rail/road-efficiency-group/onrc/>

³ Greater Wellington Regional Land Transport Plan; Page 18 – <http://www.gw.govt.nz/assets/Transport/Regional-transport/Wgtn-RLTP-2015.pdf>

3.7. Limited Access Roads

- State Highway 2 and the parts of State Highway 58 inside Hutt District are Limited Access Road (LAR). Under the GRPA, the Transport Agency has the authority to approve or refuse access to a LAR. However, this is often not well understood by the public, who may often only refer to the District Plan. To avoid public confusion, the Transport Agency submits that this Crossing Place approval process (under the GRPA) should be aligned with the resource consent process.

3.8. Transport Agency should be an Affected Party

- However, in addition to direct access to LARs, Plan Change 39 should also include reference to consulting with the Transport Agency, particularly in respect of land use development that may not be adjacent to the state highway but because of the location, scale or nature of the activity may impact on the road network. This includes downstream and cumulative effects (of traffic safety and efficiency and stormwater and drainage considerations). We would like to work with Hutt City to develop the most effective implementation options.

3.9. Multi Modal (Walking, Cycling, Public Transport)

- It is positive to see that Plan Change 39 includes some provision for cycle parking spaces and end of trip cycle facilities⁴. Given the significant investment being made in cycling within Hutt City via the Urban Cycleway Programme and National Land Transport Fund, it is important for the District Plan to support this through its objectives, policies and rules.
- However, there should be greater alignment with the Hutt Walking and Cycling Strategy as well as stronger and more facilitative objectives and policies that call for active modes and multi modal choice. In addition, there are also a number of local cycling projects in the Hutt District that will benefit from appropriate recognition in objectives and policies:
 - Eastern Bays Shared Path;
 - The Beltaway; and
 - Wainuiomata Hill Shared Path.
- The Transport Agency is supportive of the proposal to introduce minimum numbers of cycle parks and showers but recommends some minor changes:
 - Consider increasing the number of cycle parks to an equivalent ratio of 2 per 10 staff members;
 - Specifying the provision of lockers on a 1 per 10 ratio alongside the provision of lockers for storing bike gear;
 - There is also benefit in specifying design standards for cycle parking e.g. in situations where 10 or more bicycle parks are required it would be more practical for bicycle stands to be provided; and

⁴ Amendment 32, page 17

- Consider provisions to support cycle parking in retail areas, based on the expected number of visitors per hour e.g. 1 cycle park per 20 persons visiting per hour.

3.10. Travel Demand Management⁵ (including parking management and transport orientated development)

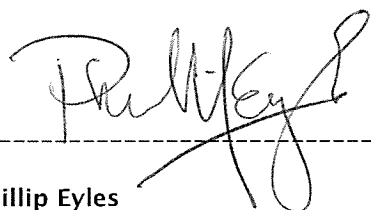
- In our view, the proposed approach to parking management may result in perverse impacts, including encouragement of travel by private vehicle, which is inconsistent with the RPS6 and the RLTP vision; and the use of large areas of land for parking.
- In our view, the Council should revisit its proposed minimum parking requirements. While minimum parking provisions have been traditionally applied, less provision for parking can encourage people to use other transport modes, particularly walking and cycling, this supports a multimodal transport system. One option the Council could consider is to trial a suburb (e.g. Petone), where parking minimums are removed, alongside appropriate provision of alternative transport modes.
- We also note that current park and ride facilities in Hutt Valley are full, with spill over parking occurring on residential streets. With rail passenger growth for the past three years averaging 4% per annum, in our view it is prudent for Council to include objectives and policies that clearly reflect the importance of park and ride facilities.

3.11. The Transport Agency is pleased to see reverse sensitivity provisions included within Plan Change 39.

4. Closing statement

4.1. The Transport Agency requests that amendments are made to Plan Change 39 that address the matters raised by the Transport Agency in their submission. While we have not requested specific changes, preferring to take an outcome based approach to the submission, we look forward to working with the Council to discuss and work through our submission.

4.2. The Transport Agency **wishes to be heard** in support of its submission.



Phillip Eyles

Planning and Investment Manager – Central

Pursuant to an authority delegated by NZ Transport Agency

⁵ Regional Policy Statement for the Wellington Region, Policy 10

⁶ Regional Policy Statement for the Wellington Region, Section 3.9

16 November 2016

Address for service of submission:

Level 5, 100 Willis Street,
PO Box 5084,
Lambton Quay, Wellington.

Telephone:

+64 4 931 8871

Mobile:

+64 27 319 4008

Email:

wroplanning@nzta.govt.nz

Contact person:

Kathryn Barrett

From: Kathryn Barrett <Kathryn.Barrett@nzta.govt.nz>
Sent: Friday, December 16, 2016 2:19 PM
To: Corporate Records
Cc: Andrew Cumming
Subject: NZ Transport Agency Supplementary Submission on PC 39
Attachments: NZ Transport Agency Supplementary Submission HCC PC 39 - FINAL.pdf

Hi Andrew,

Please find attached the NZ Transport Agency's supplementary submission to Plan Change 39.

We look forward to working with you on this in the New Year.

Kind regards,

Kathryn Barrett / Senior Planning Advisor

Planning and Investment – Central

DDI 64 4 931 8871

M 64 27 319 4008

E kathryn.barrett@nzta.govt.nz / W nzta.govt.nz

Wellington Regional Office / Level 5, Majestic Centre
100 Willis Street, Wellington 6011, New Zealand



Find the latest transport news, information, and advice on our website:

www.nzta.govt.nz

This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Submission on Proposed Plan Change 39 to Hutt District Plan – Transport

Clause 6 of Schedule 1, Resource Management Act 1991

To: Hutt City Council
Attn: Planning Technician
Private Bag 31-912
Lower Hutt 5040
Email: submissions@huttcity.govt.nz

Name of Submitter: NZ Transport Agency
PO Box 5084
Lambton Quay
Wellington 6145

Dear Andrew,

Thank you for providing the NZ Transport Agency (Transport Agency) the opportunity to clarify its original submission on Proposed Plan Change 39, and provide specificity to the relief sought.

As per our meeting with the Council on 29 November 2016, the Transport Agency's understands that the Council is happy to accept a supplementary submission as it will provide clarity for all submitters and the Council. Additionally, pursuant to section 37 of the Resource Management Act 1991 the Council can accept the Transport Agency's supplementary submission.

For clarity, this submission is supplementary to the Transport Agency's primary submission, made on 16 November 2016. The intention is for the two to be read together, as one complete submission.

In relation to the Transport Agency's initial submission which stated that the Plan Change document needs to provide an implementation method for achieving the non-statutory documents goals, the documents themselves were developed on that basis. Both the Walking and Cycling Strategy and the Urban Growth Strategy make specific reference to linking into the District Plan to ensure the aspirations of each document has a statutory framework that allows for the aspirations to be implemented.

The Transport Agency has provided specific relief in the table which follows. The Transport Agency is happy to discuss wording to similar effect and is happy to discuss relevance and reason behind its requests.

We look forward to working with the Council to discuss and work through our submission.



Kathryn Barrett

Senior Planning Advisor

Pursuant to an authority delegated by NZ Transport Agency

16 December 2016

Address for service of submission:	Level 5, 100 Willis Street, PO Box 5084, Lambton Quay, Wellington.
Telephone:	+64 4 931 8871
Mobile:	+64 27 319 4008
Email:	wroplanning@nzta.govt.nz
Contact person:	Kathryn Barrett or Angela Penfold

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
1	3.2 Links to other planning documents	It is important that District Plan users understand that the District Plan is only one of a suite of plans by which Council seeks to achieve its visions and desired outcomes. Section 104(1) of the Resource Management Act 1991 (RMA) sets out the matters which a consent authority must have regard to when considering an application. Sub-section (c) includes 'any other matter the consent authority considers relevant and reasonably necessary to determine the application'. It is useful to decision-makers if they are directed to documents that provide useful context when considering complex applications.	<p>Amend Introduction</p> <p>This transport chapter contains city-wide objectives, policies and rules relevant to the transport network. <u>It seeks to implement transport related resource management solutions from various strategic documents such as Making Places, The Urban Growth Strategy 2012-2032, Walk and Cycle the Hutt Strategy and the Wellington Regional Land Transport Plan 2015.</u></p>
2	3.3 Economic Productivity	The relevance of transport to economic wellbeing has been identified in Issue 14A 2.1 as notified. However, this connection has not been carried through to the objectives or the policies. We have sought to rectify this.	<p>The follow amendments address our specific amendments sought for the following points (as a holistic method to achieve the outcome the Transport Agency is seeking):</p> <ul style="list-style-type: none"> • 3.3 Economic Productivity • 3.5 Resilience • 3.6 Improved Regional Connectivity • 3.9 Multi Modal <p>Amend:</p>
3	3.5 Resilience	<p>The Wellington Regional Land Transport Plan states that:</p> <p style="padding-left: 40px;">A resilient transport network is one which is designed, developed and maintained to recover quickly from unplanned events¹</p> <p>The Regional Land Transport Plan sets out a variety of expectations relating to resilience and is the predominant document for achieving a resilient transport network; however, the District Plan has a critical role to play. Resilience needs to be included in the District Plan so that decision-makers have a clear framework to assess proposals.</p>	

¹ Wellington Regional Land Transport Plan, Page 121

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
		This is to ensure that new development, and new and upgraded infrastructure, maintains or enhances the resilience of the transport network. This will help manage proposals that are detrimental to the resilience of the city. It is important that the District Plan provides clear expectations via the policy framework.	ISSUE 14A 2.1 A safe efficient, <u>resilient</u> , multi-modal transport network that is well integrated with land use and development is essential for both sustainable development and social and economic wellbeing. <u>Opportunities exist for improving the transport network to ensure the continued development of the cycling network, and improving the resilience of the city's transport network and transport connections. There are particular opportunities to improve connections to and from State Highway 2 and east west connections across the southern half of the city and to the wider region. There is potential to improve safety for all road users, including pedestrians and cyclists.</u>
4	3.6 Improved Regional Connectivity	<p>The explanation to Regional Policy Statement Policy 10 includes an expectation for good connectivity within and between settlements to optimise walking, cycling and public transport.</p> <p>In addition, Regional Policy Statement Policy 57 states²:</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving key outcomes of the Wellington Regional Land Transport Strategy:</p> <p>[...]</p> <p>(b) connectivity with, or provision of access to, public services</p>	

² **RPS Policy 57– Integrating land use and transportation:**

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving the key outcomes of the Wellington Regional Land Transport Strategy:

- whether traffic generated by the proposed development can be accommodated within the existing transport network and the impacts on the efficiency, reliability or safety of the network;
- connectivity with, or provision of access to, public services or activities, key centres of employment activity or retail activity, open spaces or recreational areas;
- whether there is good access to the strategic public transport network;
- provision of safe and attractive environments for walking and cycling; and
- whether new, or upgrades to existing, transport network infrastructure have been appropriately recognised and provided for.

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
		<p>or activities, key centres of employment activity or retail activity, open spaces or recreational areas; [...]</p> <p>Considering the direction of the Regional Policy Statement, the Transport Agency considers that the proposed wording in Plan Change 39 should be tightened to better reflect the intention of the Regional Policy Statement. The Transport Agency has suggested amendments accordingly.</p> <p>Objective 14A 3.1 should include a reference to Travel Demand Management to ensure a clear hierarchy of District Plan Provisions.</p>	<p>Amend:</p> <p>OBJECTIVE 14A 3.1 <u>A safe, efficient and resilient transport network that:</u></p> <ul style="list-style-type: none"> • <u>is integrated with land use and development patterns</u> • <u>provides for local, regional and national transport needs, including improved regional and cross valley connectivity</u> • <u>has particular regard for public transport and active travel modes</u> • <u>provides for economic wellbeing</u>
5	3.9 Multi Modal	<p>Regional Policy Statement Policy 57 states:</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district plan, for subdivision, use or development, particular regard shall be given to the following matters, in making progress towards achieving key outcomes of the Wellington Regional Land Transport Strategy:</p> <p>(c) whether there is good access to the strategic public transport network</p> <p>(d) provision of safe and attractive environments for walking and cycling</p>	<p>Amend and Delete:</p> <p>Combine Policy 14A 4.1 and Policy 14A 4.3 into a new policy 14A 4.1 and delete Policy 14A 4.3.</p> <p>POLICY 14A 4.1 & 14A 4.3 <u>Provide for the construction, use, operation, maintenance and development of the transport network in a manner which:</u></p> <ul style="list-style-type: none"> • <u>improves safety with a focus on serious injury and fatal crashes</u> • <u>improves the efficiency of the network</u> • <u>improves regional and District connectivity</u> • <u>is designed to be resilient to, and enable appropriate restorations after, major events and is integrated to provide network options.</u>

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
		<p>Walk and Cycle the Hutt Plan 2014–2019 includes the following statements:</p> <p>The review of the transport chapter of the District Plan is a key opportunity to ensure that as the city develops, planning processes will include provision of routes so that active travel becomes easier and quicker and therefore the default option for a greater proportion of journeys.³</p> <p>Delivering a better walking and cycling environment requires that [...] we improve our overall approach to the design and delivery of infrastructure and urban design. The following elements underpin our approach:</p> <ul style="list-style-type: none"> Plan – integrate the provision of safe and convenient routes for pedestrians and cyclists into land use planning and infrastructure provision for the city.⁴ <p>Council has yet to update the District Plan rules to ensure developments include provision for pedestrians and cyclists. However, the District Plan is being reviewed according to an on-going programme and the transport chapter is being reviewed in 2014/15. As the city grows it is crucial that we</p>	<ul style="list-style-type: none"> <u>contributes to the operation of an integrated multi-modal transport system including facilities such as park and rides</u> <u>achieves an effective public transport system and provides for safe and convenient active travel.</u> <u>recognises the benefits to Hutt City, regional and national economic wellbeing brought by an effective transport network, particularly through providing for the efficient movement of freight.</u> <u>Appropriately manages adverse effects on adjacent land.</u>

³ Walk and Cycle the Hutt Plan 2014–2019, Page 6

⁴ Walk and Cycle the Hutt Plan 2014–2019, Page 6

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
		<p>follow best practice in the provision for active travel within neighbourhoods and subdivision developments.⁵</p> <p>Given that Walk and Cycle the Hutt Plan 2014–2019 was drafted on the basis that provision for implementation will be considered in the District Plan, it remains the Transport Agency’s position that greater specificity is required in Plan Change 39.</p> <p>The notified framework for Plan Change 39 mentions the active modes as follows:</p> <ul style="list-style-type: none"> • Issue 14A 2.1 identifies a multimodal transport network as essential • Objective 14A 3.1 requires a safe and efficient transport network that provides for all modes of travel • Policy 14A 4.7 states that the transport network, land use, subdivision and development should provide for multiple transport modes. <p>The Transport Agency considers that the policy framework does not satisfy the expectations of either Walk and Cycle the Hutt Plan 2014–2019 or the Regional Policy Statement.</p>	

⁵ Walk and Cycle the Hutt Plan 2014–2019, Page 10

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
6	3.4 Rooding Hierarchy	It is the Transport Agency's preference that the District Plan aligns with the Transport Agency's One Network Road Classification ⁶ .	Amend: Table 1-1: Transport Network Hierarchy to align with the One Network Road Classification.
7	3.7 Limited Access Road	<p>Limited Access Roads (LAR) are managed under the Government Rooding Powers Act 1989; however, the management of LAR has implications for many plan users. Accordingly, it is helpful for those users to find the necessary information in one place and this also helps ensure alignment across legislation.</p> <p>A LAR is a state highway or part of a state highway that the Transport Agency has declared as such in the Gazette under the provisions of the Government Rooding Powers Act 1989 (GRP Act). Under the GRP Act, the Transport Agency has the authority to approve or refuse activities that front or directly access a LAR. The Transport Agency submits that it is most efficient if this Crossing Place approval process is aligned with the RMA resource consent process.</p>	<p>Amend:</p> <p>[following] Standard 2 Site Access and Manoeuvring Areas</p> <p>Advice note: <u>Any activity requiring access to a road which is a Limited Access Road will require an approved Crossing Place notice. If the Limited Access Road is a state highway, the crossing place notice would need to be approved by the NZ Transport Agency</u></p>
8	3.8 Transport Agency as an Affected Party	The District Plan has a notification provision in Chapter 17 ⁷ that public or limited notification "need not be required". This is not the same as precluding notification (section 95A 2, RMA). From the Transport Agency's perspective, Chapter 17 does not have the effect of precluding notification and therefore the Council has the discretion to notify the Transport Agency as an affected party.	<p>No specific relief sought.</p> <p>However, the Transport Agency would like the Council to be aware of the wider considerations relevant to it and which for consent applications it may be notified (which is wider than the immediate access off the state highway) such as downstream/cumulative effects and stormwater.</p>

⁶ <https://www.nzta.govt.nz/assets/Road-Efficiency-Group/docs/functional-classification.pdf>

⁷ Rule 17.2.2

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)
9	3.10 Travel Demand Management	Regional Policy Statement Policy 10 ⁸ specifically requires the promotion of travel demand management to be covered in District Plans and the Regional Land Transport Strategy.	Amend: Policy 14A 4.2 Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility and safety of the transport network, <u>and particular regard should be given to travel demand management as a mitigation measure.</u>
10	3.10 Travel Demand Management	Following clarification from the Council ⁹ , the Transport Agency no longer suggests that Hutt City Council revisit its parking standards.	No relief sought.
11	3.11 Reverse Sensitivity Provisions	It is pleasing to see provisions for reverse sensitivity in the plan. The Transport Agency suggests that it would be useful for plan users to understand the compliance mechanisms available when undertaking construction within the 40 metre wide State Highway and Railway Corridor Buffer Overlays. This will improve the clarity of the plan and reduce potential for confusion around proof of compliance with permitted activity standards.	Add: [following] Standard 6b Noise <u>In order to achieve this standard either;</u> (i) An acoustic design report must be provided to the Council prior to any building consent being granted or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the

⁸ Policy 10: Promoting travel demand management – district plans and the Regional Land Transport Strategy
District plans and the Wellington Regional Land Transport Strategy shall include policies to promote travel demand management mechanisms that reduce:
(a) the use and consumption of non-renewable transport fuels; and
(b) carbon dioxide emissions from transportation.

⁹ At a meeting at the Council on 29 November 2016

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)				
			<p>means by which the noise limits specified in this standard will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the acoustic design requirements specified in this standard; or</p> <p>(ii) Compliance with the requirements in the following table will be deemed to achieve the required insulation standard specified in this rule. A report must be provided to the Council prior to any building consent being granted or, where no building consent is required, prior to commencement of the use, demonstrating compliance with the requirements listed in the following table and will form part of the building consent application (if any). The report must be prepared by the person responsible for undertaking the building work.</p> <table><tr><th>Building Element</th><th>Requirement</th></tr><tr><td>Wall</td><td><p>1. 20mm timber weather boards exterior cladding. Internal lining two layers of 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation in wall cavity.</p><p>2. Brick veneer. Internal lining 1 layer of 10mm thick gypsum plasterboard.</p></td></tr></table>	Building Element	Requirement	Wall	<p>1. 20mm timber weather boards exterior cladding. Internal lining two layers of 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation in wall cavity.</p> <p>2. Brick veneer. Internal lining 1 layer of 10mm thick gypsum plasterboard.</p>
Building Element	Requirement						
Wall	<p>1. 20mm timber weather boards exterior cladding. Internal lining two layers of 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation in wall cavity.</p> <p>2. Brick veneer. Internal lining 1 layer of 10mm thick gypsum plasterboard.</p>						

REF	SUBMISSION REFERENCE	REASON	RELIEF SOUGHT (OR WORDING TO SIMILAR EFFECT)						
			<table><tr><td>Window</td><td><div><div>1.</div><div>Up to 20% of wall area 7mm laminated glazing (1mm interlayer).</div></div><div><div>2.</div><div>Up to 50% of wall area 11mm laminated glazing (1mm interlayer).</div></div></td></tr><tr><td>Roof</td><td><div><div>1.</div><div>Pitched roof greater than 20°: steel cladding of 0.5mm or greater or tiles. Ceiling lining of two layers of minimum 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div><div><div>2.</div><div>Skillion roof: steel cladding of 0.5mm or greater. Ceiling lining of two layers of minimum 13mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div></td></tr><tr><td>Floor</td><td><div><div>1.</div><div>On grade slab.</div></div><div><div>2.</div><div>Two layers of 20mm thick particle board.</div></div></td></tr></table>	Window	<div><div>1.</div><div>Up to 20% of wall area 7mm laminated glazing (1mm interlayer).</div></div> <div><div>2.</div><div>Up to 50% of wall area 11mm laminated glazing (1mm interlayer).</div></div>	Roof	<div><div>1.</div><div>Pitched roof greater than 20°: steel cladding of 0.5mm or greater or tiles. Ceiling lining of two layers of minimum 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div> <div><div>2.</div><div>Skillion roof: steel cladding of 0.5mm or greater. Ceiling lining of two layers of minimum 13mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div>	Floor	<div><div>1.</div><div>On grade slab.</div></div> <div><div>2.</div><div>Two layers of 20mm thick particle board.</div></div>
Window	<div><div>1.</div><div>Up to 20% of wall area 7mm laminated glazing (1mm interlayer).</div></div> <div><div>2.</div><div>Up to 50% of wall area 11mm laminated glazing (1mm interlayer).</div></div>								
Roof	<div><div>1.</div><div>Pitched roof greater than 20°: steel cladding of 0.5mm or greater or tiles. Ceiling lining of two layers of minimum 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div> <div><div>2.</div><div>Skillion roof: steel cladding of 0.5mm or greater. Ceiling lining of two layers of minimum 13mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.</div></div>								
Floor	<div><div>1.</div><div>On grade slab.</div></div> <div><div>2.</div><div>Two layers of 20mm thick particle board.</div></div>								

From: Rebecca Beals <Rebecca.Beals@kiwirail.co.nz>
Sent: Monday, 31 October 2016 12:52 p.m.
To: Corporate Records
Subject: KiwiRail submission: Plan Change 39 - Transport
Attachments: KiwiRail submission- PC39.pdf

Hi,

Please find attached the submission from KiwiRail on Plan Change 39 on the transport provisions. If you have any queries on this, please don't hesitate to contact me.

Thanks,
Rebecca

Rebecca Beals
Senior RMA Advisor



(KiwiRail Holdings Ltd)

Ph: +64 4 498 3389 (extn 43389) | Mob: +64 27 886 1785

Level 3, Wellington Railway Station, Bunny Street, Wellington 6011 | P O Box 593, Wellington 6140, New Zealand

Backbone of integrated transport networks

31 October 2016

Environmental Policy Division
Hutt City Council
Private Bag 31912
Lower Hutt 5040

By email to: submissions@huttcity.govt.nz

**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE OR VARIATION
(FORM 5)
Hutt City District Plan: Plan Change 39**

NAME OF SUBMITTER: KiwiRail Holdings Limited (KiwiRail)

ADDRESS FOR SERVICE: Level 1
Wellington Railway Station
Bunny Street
PO Box 593
WELLINGTON 6140

Attention: Rebecca Beals

Ph: 04 498 3389

Email: Rebecca.Beals@kiwirail.co.nz

KiwiRail Submission on Proposed District Plan Change 39 (Transport)

KiwiRail Holdings Limited (KiwiRail) is the State Owned Enterprise responsible for the management and operation of the national railway network. This includes managing railway infrastructure and land, as well as rail freight and passenger services within New Zealand. KiwiRail Holdings Limited is also the Requiring Authority for the designated corridors of the Wairarapa and Melling Lines within the Hutt City boundary.

KiwiRail has an interest in protecting its ability to continue to operate, maintain and enhance these nationally significant networks into the future, as well as seeking to ensure the safety and amenity of those parties occupying land adjacent to the rail corridor. Provisions for management of reverse sensitivity are therefore of particular interest to KiwiRail.

KiwiRail's submission on Proposed District Plan Change 39 is set out in the attached table. Insertions we wish to make are marked in **bold** and **underlined**, while recommended deletions are shown as ~~struck-out~~ text. All requested changes include any consequential

changes to the Plan to accommodate the requested change in the stated, or alternate, location.

KiwiRail does wish to speak to our submission.

Regards



Rebecca Beals
Senior RMA Advisor
KiwiRail

Submission Number	Proposed Amendment	Support/Oppose / Seek Amendment	Feedback / Comments / Reasons	Relief Sought (as stated or similar to achieve the requested relief)
Chapter 14A Transport				
1.	Amendment 4: Issue 14A 2.2	Support	Recognition that there are potential effects, including noise and vibration, that can arise from the operation and maintenance of a transport network, and that the management of these effects is required, is supported by KiwiRail.	Retain as notified
2.	Amendment 5: Issue 14A 2.3	Support	The acknowledgement of the issue of reverse sensitivity in relation to transport networks is supported by KiwiRail.	Retain as notified
3.	Amendment 7: Issue 14A 2.5	Support	The safety and efficiency of the transport network, and the effects that inappropriately designed transport facilities can have on these as being an issue, is supported by KiwiRail.	Retain as notified
4.	Amendment 8: Objective 14A 3.1	Support	Seeking to provide for a safe and efficient transport network that is integrated with land use patterns and provides for all modes of transport is supported by KiwiRail.	Retain as notified
5.	Amendment 10: Objective 14A 3.3	Support	This Objective links to Issue 14A 2.3, and for similar reasons is also supported by KiwiRail.	Retain as notified
6.	Amendment 12: Objective 14A 3.5	Support	This Objective links to Issue 14A 2.5, and consistent with the discussion on that Issue, this Objective is supported by KiwiRail.	Retain as notified
7.	Amendment 14: Policy 14A 4.2	Support	The policy direction that land use, subdivision and development should not cause significant adverse effects on the transport network is supported by KiwiRail.	Retain as notified

Submission Number	Proposed Amendment	Support/Oppose / Seek Amendment	Feedback / Comments / Reasons	Relief Sought (as stated or similar to achieve the requested relief)
8.	Amendment 15: Policy 14A 4.3	Seek Amendment	<p>The policy direction as proposed seeks that the transport network should be located and designed to avoid, remedy or mitigate adverse effects on adjacent land.</p> <p>In relation to the rail corridor there is limited practical ability to change the location of this. While slight adjustments in boundary location can sometimes occur, the rail corridor is not able to be moved.</p> <p>Further, there are some instances where avoiding, mitigating or remedying adverse effects is not practical, particularly where any changes are within the existing designation.</p> <p>KiwiRail endeavor to avoid, remedy or mitigate effects where this is possible, however there is generally an element of subjectivity as to the scale of these effects and in some instances the options available to address such effects are limited. KiwiRail therefore seek that the policy be amended to provide for an element of practicality to be considered.</p>	<p>Amend as follows:</p> <p><i>Policy 14A 4.3</i> <i>The transport network should be located and designed to avoid, remedy or mitigate adverse effects on adjacent land <u>where practicable.</u></i></p>
9.	Amendment 16: Policy 14A 4.4	Support	KiwiRail support the requirement for land use, subdivision or development that contains a noise sensitive activity to have appropriate mitigation for reverse sensitivity effects.	Retain as notified
10.	Amendment 18: Policy 14A 4.6	Support	KiwiRail support the policy direction that the safety and efficiency of the transport network is not compromised as a result of vehicle related facilities associated with development.	Retain as notified

Submission Number	Proposed Amendment	Support/Oppose / Seek Amendment	Feedback / Comments / Reasons	Relief Sought (as stated or similar to achieve the requested relief)
11.	Amendment 24: Standard 2(b)	Seek Amendment	<p>KiwiRail acknowledge that the setback of vehicle accesses from intersections is important, and that this seeks to ensure unfettered access to and from vehicle crossings without interfering with stacked vehicles at the intersection, and to mitigate the safety risks from vehicles turning the corner and colliding with vehicles using the crossing.</p> <p>For similar reasons to the unfettered access as a result of vehicles stacking at the intersection, KiwiRail seek that vehicle accesses are setback 30m from a level crossing to ensure that in the event of a train approaching, that vehicle accesses are not impeded by queuing vehicles waiting to cross the level crossing. Further, this also means vehicles turning across the traffic into a vehicle access, are less likely to be obstructed by queuing vehicles, and thereby less likely to cause vehicles to queue behind them potentially fouling the level crossing.</p>	<p>Amend as follows:</p> <p><i>(b) Separation Distances from Intersections</i> <i>The distance between new vehicle accesses and all intersections must be at least:</i></p> <ul style="list-style-type: none"> • Primary or Major Distributor Road: 30m • Minor District Distributor Road: 20m • Local Distributor Road: 15m • Access or Pedestrian Road: 10m • <u>Level Crossing: 30m</u> <p><i>These distances are to be measured between the intersecting points of the site boundaries as shown in Diagram 2-1 below.</i></p>
12.	Amendment 27: Standard 3(a)	Support	KiwiRail support the requirement for unobstructed sightlines at level crossings as a means of ensuring the continued safe and efficient operation of the rail network. KiwiRail note that this standard relates to new buildings, structures or activities rather than existing buildings, structures and activities, and applies to existing and new level crossings.	Retain as notified
13.	Amendment 35: Standard 6	Support	KiwiRail support the requirement for mitigation for new buildings containing noise sensitive activities, or existing buildings where a new noise sensitive activity is proposed, and that building is located within 40m of the rail corridor.	Retain as notified

Submission Number	Proposed Amendment	Support/Oppose / Seek Amendment	Feedback / Comments / Reasons	Relief Sought (as stated or similar to achieve the requested relief)										
14.	Amendment 36: Standard 6(a)	Seek Amendment	The way this provision is worded appears to restrict the extent of vibration from road and rail, rather than the extent of vibration that occupants of the building are affected by, from the road and rail network. The control should be on the building mitigation. KiwiRail understand from looking at the wording of the entire Standard 6 that this is the intention, however seek that this standard be worded slightly differently to ensure clarity.	Amend as follows: (a) <i>Vibration</i> Road and rail traffic vibration levels Buildings must comply with class C of Norwegian Standard 8176 E:2005 (Vibration And Shock - Measurement Of Vibration In Buildings From Landbased Transport And Guidance To Evaluation Of Its Effect On Human Beings).										
15.	Amendment 37: Standard 6(b)	Support	<p>KiwiRail support that the indoor design noise level from road and rail traffic must be mitigated and support that Council have adopted a standard to seek to achieve that. The specific mitigation required is submitted however as not achieving practical mitigation in relation to rail noise. The characteristics of road and rail noise are different, and therefore noise mitigation should be provided to a suitable standard, where relevant, to mitigate rail noise independent of road noise.</p> <p>KiwiRail seeks a new provision relating solely to noise sensitive activities within the setback of the railway corridor therefore be provided within these standards. This proposed subsection mirrors the intention of the notified rule, although relates specifically to rail.</p>	Amend as follows: (b) <i>Noise: Indoor design noise level as a result of noise from road and rail traffic must not exceed 45dB LAeq(24hr).</i> <i>Indoor design noise level as a result of noise from rail traffic must not exceed:</i> <table><tr><td><i>Receiving Environment</i></td><td><i>LAeq, 1 hour</i></td></tr><tr><td><i>Residential – Bedrooms</i></td><td><i>35 dB</i></td></tr><tr><td><i>Residential – Habitable Spaces</i></td><td><i>40 dB</i></td></tr><tr><td><i>Teaching spaces</i></td><td><i>40 dB</i></td></tr><tr><td><i>All other sensitive activity building spaces e.g.:</i><ul style="list-style-type: none"><i>Hospital and Dementia Care Spaces</i><i>Commercial Spaces</i></td><td><i>To comply with satisfactory sound levels AS/NZS 2107:2000 (nearest specified equivalent)</i></td></tr></table>	<i>Receiving Environment</i>	<i>LAeq, 1 hour</i>	<i>Residential – Bedrooms</i>	<i>35 dB</i>	<i>Residential – Habitable Spaces</i>	<i>40 dB</i>	<i>Teaching spaces</i>	<i>40 dB</i>	<i>All other sensitive activity building spaces e.g.:</i> <ul style="list-style-type: none"><i>Hospital and Dementia Care Spaces</i><i>Commercial Spaces</i>	<i>To comply with satisfactory sound levels AS/NZS 2107:2000 (nearest specified equivalent)</i>
<i>Receiving Environment</i>	<i>LAeq, 1 hour</i>													
<i>Residential – Bedrooms</i>	<i>35 dB</i>													
<i>Residential – Habitable Spaces</i>	<i>40 dB</i>													
<i>Teaching spaces</i>	<i>40 dB</i>													
<i>All other sensitive activity building spaces e.g.:</i> <ul style="list-style-type: none"><i>Hospital and Dementia Care Spaces</i><i>Commercial Spaces</i>	<i>To comply with satisfactory sound levels AS/NZS 2107:2000 (nearest specified equivalent)</i>													

Submission Number	Proposed Amendment	Support/Oppose / Seek Amendment	Feedback / Comments / Reasons	Relief Sought (as stated or similar to achieve the requested relief)
16.	Amendment 38: Standard 6(c)	Support	KiwiRail support that in the event that windows are required to be closed to achieve the internal noise standards, that ventilation is provided to ensure that buildings are still appropriately habitable.	Retain as notified
17.	Amendment 42: District Plan Maps	Support	KiwiRail support that the planning maps are to be amended to clearly show the extent of the buffer within which noise and vibration mitigation is required.	Retain as notified

From: Finbar Kiddle <fkiddle@heritage.org.nz>
Sent: Tuesday, 1 November 2016 2:59 p.m.
To: Corporate Records
Subject: Heritage New Zealand Submission on Plan Change 39 Transport
Attachments: Heritage NZ Submission. Plan Change 39.pdf

Good afternoon

Please find attached a copy of Heritage New Zealand Pouhere Taonga's submission on Plan Change 39 Transport.

The original is in the mail.

Regards,

Finbar Kiddle

Heritage Advisor – Planning | Central Region | Heritage New Zealand Pouhere Taonga | Level 7 69 Boulcott Street | PO Box 2629 Wellington 6140 | **PH:** 04 494 8325 | Visit www.heritage.org.nz and learn more about New Zealand's heritage places.

This communication may be a privileged communication. If you are not the intended recipient, then you are not authorised to retain, copy or distribute it. Please notify the sender and delete the message in its entirety.



01 November 2016

File ref: 33002-082

Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Email: submissions@huttcity.govt.nz

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON THE PROPOSED PLAN
CHANGE 39: TRANSPORT**

1. This is a submission on the following proposed plan change:

Proposed Plan Change 39: Transport

2. Heritage New Zealand Pouhere Taonga could not gain an advantage in trade competition through this submission.

3. The specific provisions of the proposal that Heritage New Zealand Pouhere Taonga's submission relates to are:

Amendment 28 [New Chapter 14A Transport (Appendix Transport 1 – Standards)] Add a new Standard 4 Car and Cycle Parking (a) Car Parking Requirements.

4. Heritage New Zealand Pouhere Taonga's submission is:

That the requirement to provide car parking spaces in accordance with the minimums calculated under Table 4-1 not apply for new activities and changes to existing activities where that activity is occurring within or on the site of a heritage building or structure identified in Appendix Heritage 1 and Appendix Heritage 2 in Chapter 14F Heritage Buildings and Structures.

5. The reasons for Heritage New Zealand's position are as follows:

Meeting on-site parking requirements can be prohibitively expensive for heritage resources due to lot size and building layout often placing restrictions on how car parking can be provided. The resulting modifications to the heritage resource and its setting can result in significant adverse effects on historic heritage values and significant costs to developers. The exemption of heritage resources from car parking requirements can then provide a powerful incentive for the adaptive re-use of historic heritage as it removes a potentially significant cost from the development process.

Such an incentive would also give effect to Policy 14F 1.2(a):

To allow a wider range of activities in identified heritage buildings providing the character and amenity values of neighbouring properties are not affected adversely by the activity.

Heritage New Zealand considers that adverse effects on character and amenity values from the exemption (i.e. potentially more cars parking on the road) would be offset by:

- the relative scarcity of historic heritage buildings;

- market incentives for developers to provide some onsite car parking where practicable; and
- improvements in character and amenity values from rejuvenated and actively used historic heritage.

Heritage New Zealand seeks the following decision from the local authority:

That amendment 28 be modified as follows:

(a) Car Parking Requirements

For all new activities and changes to existing activities, with the exception of historic heritage as set out below, car parking spaces must be provided in accordance with the minimums calculated under Table 4-1.

New activities and changes to existing activities, where that activity occurs within or on the site of a heritage building or structure included in Appendix Heritage 1 or 2 of Chapter 14F, are exempt from the minimums calculated under Table 4-1.

6. Heritage New Zealand does not wish to be heard in support of our submission.

Yours sincerely



Claire Craig
General Manager
Central Region
Heritage New Zealand Pouhere Taonga

Address for Service:

Finbar Kiddle
Heritage Adviser Planning
Central Region
Heritage New Zealand Pouhere Taonga
PO Box 2629
Wellington 6140
DDI: 04-494-8325
Email: HAPlanningCR@heritage.org.nz

From: Jo Clendon <bikeswelcome@gmail.com>
Sent: Wednesday, 2 November 2016 4:51 p.m.
To: Corporate Records
Subject: Submission - Proposed District Plan Change 39
Attachments: bikes welcome trust forms signed02112016.pdf;
DistrictPlanChapter14TransportHuttCityCouncilSubmission-2.pdf

Hi

Please find attached two documents: submission form (acting as cover sheet) and submission document.

Please let me know if there are any issues in receiving these documents.

Thanks & regards,
Jo Clendon
jo.clendon@bikeswelcome.org
bikeswelcome.org
[facebook page: bikes welcome](#)
@bikeswelcome
ph 021 820 670

“Great bike parking everywhere: encouraging more people to ride to more places.”

RMA FORM 5

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last <u>Clendon</u> First <u>Jo</u>	
Company/organisation	<u>Bikes welcome Charitable Trust</u>	
Contact if different		
Address	Number <u>5</u> Street <u>Epuni St</u>	
	Suburb <u>Hutt Central</u>	
	City <u>Lower Hutt</u>	Postcode <u>5011</u>
Address for Service if different	Postal Address	Courier Address
Phone	Day <u>04 976 9997</u>	Evening <u>021 820 670</u>
Fax		Mobile <u>021 820 670</u>
Email	<u>jo.clendon@bikeswelcome.org</u>	

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

Transport

3. The specific provisions of the proposal that my submission relates to are: (Please give details)

See attached

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

4. My submission is: (Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views)

See attached

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

5. I seek the following decision from Hutt City Council: (Give precise details)

See attached

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

6. I ☒ wish ☐ do not wish to be heard in support of my submission.

(please tick one)

7. If others make a similar submission,

I ☒ will ☐ will not consider presenting a joint case with them at the hearing.

(please tick one)

Signature of submitter:

(a signature is not required if you make your submission by electronic means)

2/11/16.
Date

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

 Submission number
OFFICE USE ONLY

Submission on publicly notified Proposed District Plan Change 39 - Transport

Submission by: Jo Clendon on behalf of Bikes Welcome Charitable Trust

Thank you for the opportunity to provide input into the Proposed District Plan Change 39 - Transport.

Summary of Feedback

- Transport plan objectives should include the prioritisation of active and public transport along with the integration of transport modes, and reduced reliance on private vehicles. (Amendments 8 - 12)
- In addition to the objectives of safety and efficiency, the transport network should put people first and be integrated, liveable, accessible, sustainable, resilient, and supportive of a healthy connected community. (Amendments 8 - 12)
- Requirements for the evaluation of high trip generating activities (amendment 17) should include three key criteria:
 - will this reduce carbon emissions?
 - will this reduce overall congestion in the city?
 - will this promote healthy lifestyles?
- Standards for maneuvering areas should be improved further so as to make a real difference to walkability and pedestrian safety, especially around schools and areas of high pedestrian traffic volumes (amendment 25). Visibility issues around driveways should be address.
- Pedestrian safety and convenience, and the priority of pedestrian / active transport access within new developments needs to be prioritised (amendment 31).
- Cycle parking and end of trip facility requirements are inadequate and a missed opportunity to proactively 'build' active transport into our environment. In addition the focus on cycling to places of employment is too limiting and does not reflect the opportunities for active transport in other journeys / activities. (amendment 28)
- High trip generation activities should include provision for temporary / periodic activities such as markets. (amendment 39)
- The council's role in encouraging active transport uptake should be reflected in its role, objectives and powers. This should include stronger requirements for provision for active travel within neighbourhoods and subdivision developments and clear direction to prioritise active transport modes within Integrated Transport Assessment. (amendment 17)
- In providing this feedback, I make reference to *Walk and Cycle the Hutt*. (*Item 154*): "it is crucial that we follow best practice in the provision for active travel within neighbourhoods and subdivision developments." I have highlighted some areas

where there is further opportunity to explore and include best practice in this district plan transport chapter revision.

Detailed Feedback and Supporting Information

Amendments 8 - 12: Objectives

Integrated.

Integration of multiple transport modes should be supported. An example of this would be the provision of secure bike parking facilities at a train station, or a major employer offering a shuttle service to/from the local transport hub for employees. Future focused examples of integration would be the provision of EV charging at destinations such as shops, hospitals, libraries, recreation hubs, transport hubs. Consideration should also be given to charging facilities for electric bikes, and allocation of space for car sharing.

Liveable

“As core components of livability, biking and walking create a [number of benefits for cities](#). As part of compact, connected cities, they help reduce greenhouse gas emissions and traffic congestion.”¹ Communities benefit when pedestrian and cycle transport, i.e. the movement of people, is given priority over vehicle movements.

Consider for example Christchurch RDP 7.1.1 Objective 1 Point 3: that supports safe, healthy and livable communities...and point 4: that reduces dependency on private motor vehicles and promotes the use of public and active transport.

Aspects of a liveable transport environment which should be considered in the plan include:

- **Connectivity:** connecting people to people, people to places, people to spaces
- **Information:** Utilising technology to deliver the best information which encourages uptake and a positive experience of active transport modes. Way finding should also include signage designed to give a visitor to the Hutt an easy way to find their way around and enjoy everything we have to offer. Often wayfinding is based on the motorist's perspective.
- **Productivity:** Countries with high active transport uptake have less congestion which is good for productivity. Effectively cars are taken off the road as more people bike and walk, freeing up space for commercial traffic and those unable/unwilling to use active transport.
- **Community:** When people are put first benefits include increased health and well being and increased interpersonal connection. This makes for happier people and a greater sense of community.

¹ Livable Cities Symposium 2014: Enhancing quality of life in the urban age:
<http://www.wrirosscities.org/news/livable-cities-symposium-2014-enhancing-quality-life-urban-age>

Accessible.

With an aging population, and an a decrease in the number of younger persons driving², it is important that a hierarchy of transportation alternatives prioritise and provide for people whose main source of mobility is not private motor vehicles but rather active and public transport.

Sustainable.

Per the council's sustainability strategy "*we must keep well on top of our rapidly changing environmental challenges, including pollution, climate change, exposure to risks and hazards*". Climate change is a reality. Even with EV technology, we still have limited space and budget to support roading. Congestion impacts productivity. Pollution impacts health. Dependence on private vehicles also has an economic cost, including the opportunity costs associated with owning and running a vehicle, and impacts greatly on people on lower incomes (transport poverty). The only truly sustainable transport is active transport, and this should be clearly prioritised in this Transport Chapter of our district plan. Complementary schemes such as car sharing should be actively encouraged by making special parking provisions available/required.

Resilience

Resilience is an important consideration that requires further attention in both objectives and policy. We need to consider what transport modes would serve best in a disaster, plan for climate change and disruptive technologies, and for social, economic and community challenges: changing lifestyle, change in nature of work, aging population, growth of health issues associated with aging and inactivity, increased social issues such as isolation and mental health challenges. Our transport systems, and how we prioritise, design and integrate have potential to positively impact on all these aspects of resilience.

*"Resilience of a place does not only refer to contingencies—such as formulating immediate responses to crisis situations or incidents such as earthquakes, floods or other disasters in vulnerable areas—but also considers long-term mitigation and adaptation strategies to face social, economic and environmental challenges."*³

Health

Obesity and other health issues associated with physical inactivity are on the rise, including in Hutt City. An integrated plan for Hutt City must reflect the health needs of its residents both responsively and proactively. Else we continue to perpetuate an obesogenic environment, with associated economic and human costs.

The following aspects of the regional policy statement should be reflected in the proposed plan amendments: 'healthy community' and 'quality lifestyle': "*every opportunity is taken to*

² <http://www.radionz.co.nz/news/national/316897/fewer-young-people-learning-to-drive>

³ Mehmood, Abid. "Of resilient places: planning for urban resilience", European Journal of Planning Studies Vol 24, 2016 Issue 2.

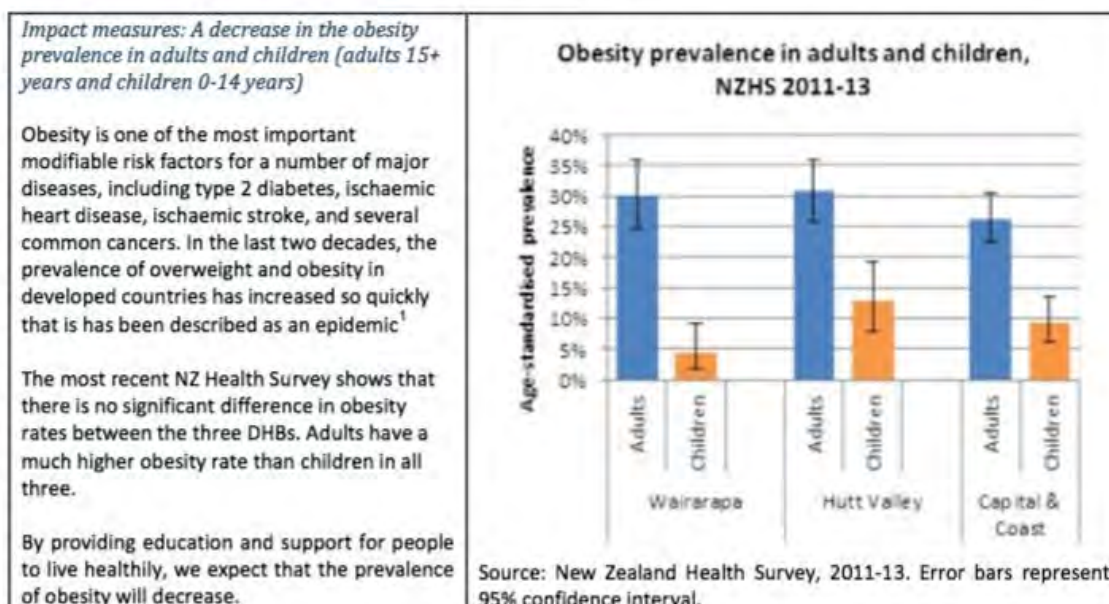
recognise and provide for good health". Local and overseas research shows the health benefits of active transport, and to realise these, health needs to be core to the objectives and policies that guide design and decision making.

Walking and biking "also have a significant impact on residents' physical health. These forms of transport reduce local air pollution and help improve respiratory health. They also help residents incorporate physical activity into their daily commute. By providing the necessary infrastructure to support biking and walking – two modes of active transport – cities can fight obesity and inactivity while benefiting the environment".⁴

2.1.2.2 Obesity in New Zealand

Childhood obesity is, according to the WHO, one of the most serious health challenges of the 21st century. New Zealand is the fourth most obese country in the OECD.

The New Zealand Health Survey 2012/13 found that one in nine children (11.1%) aged 2-14 years are obese and two in ten children (22%) are overweight. There are very marked ethnic and social inequalities in New Zealand's childhood obesity rates; one in five of Maori children is obese (19%) and in the Pacific child population one in four Pacific children (25%) is obese. Children living in the most deprived areas are three times more likely to be obese than those in the least deprived areas.



Source: Hutt DHB⁵

"Cycling and walking makes healthier NZ cities: A ground-breaking study of New Zealand's six largest cities has drawn links between high rates of cycling and walking and their residents' health. Researchers at NZ Centre for Sustainable Cities focused on rates of cycling and walking and key health indicators in the cities. They found that

⁴ Livable Cities Symposium 2014: Enhancing quality of life in the urban age:
<http://www.wrirosscities.org/news/livable-cities-symposium-2014-enhancing-quality-life-urban-age>

⁵

<http://www.huttvalleydhb.org.nz/about-us/boards-and-governance/meeting-times-and-papers/2015-10-hutt-valley-dhb-board-papers-october-2015.pdf>

cities with higher levels of cycling and walking tended to have better overall population health, with higher levels of physical activity and lower levels of harm to health from inactivity-related conditions, such as high blood pressure, obesity and diabetes.” Sustainable cities⁶

Not only should we ensure all development prioritises active transport, we should also ensure any facilities designed to promote and support healthy lifestyles provide the best possible facilities for pedestrians and bike users. As such special provision should be made in the plan for medical centres and hospitals to provide bike parking for visitors.

A people focused transport hierarchy

People should be the first priority of the transport chapter, both in terms of health and safety, but also in the wider context of active transport and the health and community benefits it brings.

New developments should be required to make pedestrian and cycle access a priority. It should be safe, accessible, obvious, and where possible, separated from parking. Such access should be sited so as to maximise use of active and public transport options. This would avoid the scenario whereby big box businesses and other high volume developments are blocked off behind a wall of carparking. This is mentioned in issue 11, pg 151 with regard to “pedestrian connectivity” but appears to have received inadequate emphasis in the proposed plan.

Overseas it is not uncommon for public transport hubs to be part of retail centres, including clear signposting. In addition design aspects such as access ways, signage and site traffic management should make pedestrian and cycle access the first priority.

Similarly new residential developments should prioritise the movement of people via active transport into, out of and within the development. Examples of which are separate paths for people to use to access and move around the development. Appropriate design should enable and encourage active transport and community engagement. E.g. pathways that travel ‘as the crow flies’, short cuts / connector ways, that make walking and cycling the ‘obvious choice’. Access should be prioritised over parking to send the message that other modes of transport (other than vehicular) are possible and attractive.

In moving beyond a focus on private car use we need to recognise the high cost of free vehicle parking: provision of on-street parking comes at a high cost. It takes up road space that could be used for cycling and walking, it needs to be maintained and monitored, and it creates vehicle movements that contribute to congestion (‘cruising for a park’). Although we like to associate parking provision with boosting business, in practice this doesn’t happen. e.g A study of shoppers on Tory St found that only 6% used parking on the street.

A people focused transport hierarchy should also be proactively applied to schools, enabling schools to actively exclude private vehicles from the ‘school speed zone’, create specially designated school walking and cycling routes.

⁶ <http://sustainablecities.org.nz/2016/08/cycling-walking/>

“It means designing streets to limit the number and speed of cars in city centers, making public spaces safe and welcoming for everyone, not just drivers.”⁷

“Age friendly cities and walkability: What if walking, bicycling and public transport, instead of roads and highways, were at the heart of urban life? What if we started evaluating our cities based on a simple “8 80” rule: ensuring the safety and joy of children and older adults (from 8 year olds to 80 year olds) are at the forefront of our decision-making? How can we improve the quality of life for people of all ages amidst large demographic shifts? Gil Penalosa and Caroline Shaw talked about these questions at [sustainable cities] seminar on video <http://sustainablecities.org.nz/2016/06/seminar-age-friendly-cities/>”.

Amendment 25 - Standard 2(c) Maneuvering Area

This addition is insufficient to ensure pedestrian safety. This standard should include:

- Rear sites and long driveways (per Auckland DP)
- School zones: vehicles must reverse into driveways if unable to turnaround in order to exit in forward facing direction.
- Allowance for use of audible and visual warning devices
- Areas of high foot traffic
- Driveways crossing cycle paths / lanes

Visibility (enabling drivers exiting driveways to be able to see footpath users) needs to be addressed. This is particularly pertinent when talking about EV's and aged users, as footpath users cannot rely on being able to hear the exiting vehicle. Sight distance provisions could be added for example some european countries restrict driveway fence height adjacent to the property boundary to enable visibility.

Amendment 32 Standard 4 (e) Cycle Parking and End of Trip Facility Requirements

Quantity.

The proposed amendment has quantity requirements based on staff numbers (vs GLFA) which could cause confusion, and is out of step with approaches used elsewhere. Would part time / casual staff members be included? How would a developer be able to estimate the number of staff the facility would accommodate without having secured a tenant / fit out design / purpose / nature of business to be undertaken? It is suggested that instead the well researched and justified standards from Christchurch's replacement district plan be adopted. I recommend you review a summary of the work done by Abley Consultants with Christchurch city council on their replacement district plan cycle parking requirements: http://www.2walkandcycle.org.nz/images/2016_Conference/Abstract_Presenters/Ward_Jeanette_-_The_cycle_parking_revolution.pdf

Recommended additions/revisions:

1. Quantities based on GLFA unless there is strong evidence that staff number based quantities are the best practice. Separate staff and visitor cycle parking supply rates.
2. End of trip facilities for staff should include showers and lockers (per Hamilton and

⁷ <https://www.wired.com/2015/06/copenhagenize-worlds-most-bike-friendly-cities/>

- ChCh plans). Drying facilities should also be included.
3. Visitor cycle parking should be provided in addition to staff cycle parking. (AKL, HAM, CHCH) (more details below)
 4. Requirements around location, secure facilities and maneuvering should be included (per AKL, CHCH)
 5. Quality requirements should be included to ensure serviceable bike parking is provided (CHCH) (more details below)

Quality Cycle parking.

It is commendable to include cycle parking minimums in the plan. To ensure cycle parking is used effectively in needs to be of sufficient quality. There are 6 Important aspects: Type of stand, weather protection, security, convenience, distance, visibility.⁸ These aspects should be addressed by specific requirements for design, location and provision:

- Rules on design and location, for example Christchurch's plan⁹ requires:
 - Stands shall be securely anchored to an immovable object.
 - Stands shall support the bicycle frame and front wheel.
 - Stands shall allow the bicycle frame to be secured.
 - Cycle parking facilities shall be clearly signposted or visible to cyclists entering the site.(visitor parking)
 - Cycle parking facilities shall be located so as not to impede pedestrian thoroughfares including areas used by mobility or vision is restricted.
 - Cycle parking facilities shall be located so that the bicycle is at no risk of damage from vehicle movements within the site.
 - Cycle parking facilities shall be located as close as possible to and no more than 30 metres from at least one main pedestrian public entrance to the building/activity. However, the requirement to provide visitor cycle parking does not apply to a building on a key pedestrian frontage that has no setback from the road frontage, which results in there being no space for the visitor cycle parking to be provided within 30 metres of at least one main pedestrian public entrance. (visitor parking)
 - Lighting must comply with the lighting requirements [given in the plan].
 - Stands shall have the minimum dimensions [given in the plan].
 - Cycle parking facilities shall be available during the hours of operation and shall not be diminished by the subsequent erection of any structure, storage of goods, or any other use.
 - staff/resident/student requirements include: Staff/residents/students cycle parking facilities shall be located so it is easily accessible for staff, residents or students of the activity.
 - Staff/ residents/ tertiary students' cycle parking facilities shall be located in: a covered area; and a secure area, unless located in an area where access by the general public is generally excluded.

⁸ Source:

http://www.2walkandcycle.org.nz/images/2016_Conference/Abstract_Presenters/Ward_Jeanette_-_The_cycle_parking_revolution.pdf

⁹ As reflected in proposed ChCh replacement district plan (attach file saved to downloads on 28 October)

- [They also recommend] that cycle parking at schools is designed and managed to discourage theft of bicycles.
- Covered parking for staff/residents and at transport hubs
- Inclusion of end of trip facilities: not only showers but also: lockers, drying facilities.

Active Transport - beyond commuting

The current proposed plan (in particular standard 4 car and cycle parking and end of trip facilities) focuses on encouraging people to cycle to places of employment (per item 220 pg 143). This is insufficient and out of step with prioritising active transport for short trips, and limits the economic, health and community benefits which can accrue with increased active transport uptake. Simple observations of traffic flows around retail areas, transport hubs, the hospital, recreation facilities and schools would suggest that a lot of short trips are made to these places. The costs of managing traffic and providing parking are indicators that clear benefits would be achieved from encouraging active transport beyond commuting. Indeed many prospective bike users need to 'sample' active transport via a trip to the shops, train station, library or pool in order to develop the skills and confidence required to try commuting by bike.

National and regional goals are in place to move short trips (under 5 km) to cycling / active transport. Short trips make up a significant proportion of all trips. e.g. Auckland figures 2007 76% of trips are under 5 km. Travel to home, work, education, for shopping, and for social visits included 78% of all trip legs¹⁰.

More recent measurements support the idea that people want to be able to bike to the shops. e.g. AT's Active Travel survey 2016 found that 35% of Auckland's cycling journeys are for the purposes of everyday transport to the shops, work, educational institution, or public transport hubs. The potential for growth is clear: when people were asked if they could maybe make some regular trips by bike, and these were their responses:

- 29% reckoned they could reasonably bike to work
- 38% *could bike to the shops*

Although these examples are from Auckland, given the topography and demography of the Hutt, our results would likely be similar or higher. In short, people can and will cycle to more places than just the workplace, which is desirable and beneficial to health, environment and perceptions of 'liveability'.

Amendment 39 Appendix Transport 2 High Trip Generator Thresholds

Where are periodic / event based activities like weekly markets reflected? E.g. Weekly Riverbank Market.

Childcare facilities. Why has 50 children been chosen when previous requirements were based on 30? Even 30 children result in a significant number of vehicle movements in a higher risk setting.

¹⁰ Source: Smith, P, M Wilson and T Armstrong (2011) 'I'll just take the car' Improving bicycle transportation to encourage its use on short trips. NZ Transport Agency research report no.426. 132pp.

Amendment 51 Chapter 5A Central Commercial

Issue: The text 'Also, provide for car parking in a way that reduces the reliance on private vehicles and encourages use of sustainable transport modes' should remain here or be incorporated into an overall objective. Similarly, policy 'a' should remain, especially with regard to pedestrian safety and convenience.

Preferably there should be an overall objective, similar to Christchurch's replacement district plan, which "reduces the dependency on private motor vehicles and promotes the use of public and active transport". A road use hierarchy, as defined within ChCh Transport Strategic plan would help reinforce this commitment.

Amendment 77 Section 13.3.3 Matters in which council seeks to control

Add in 'impact on active transport use / uptake'. This would enable to council to take a proactive role and ensure development decisions / direction support its vision (such as the walking and cycling strategy).

Jo Clendon
Bikes Welcome Charitable Trust
5 Epuni Street
Hutt Central
5011

From: Andrew Banks <andrew.banks7@gmail.com>
Sent: Wednesday, 2 November 2016 9:07 p.m.
To: Corporate Records
Subject: Submission on Proposed Plan Change 39: Transport
Attachments: 20161102 Plan Change 39 Form 5 Submission Andrew Banks.pdf; 20161102 Plan Change 39 Submission Andrew Banks.pdf

Hello,

Please find attached my submission on Proposed Plan Change 39: Transport. This includes:

- a signed copy of form 5;
- my submission document.

Can you please confirm receipt of this submission.

Thanks and regards,

Andrew Banks.

68 Oxford Terrace
Epuni
Lower Hutt 5011
New Zealand

ph. +64 21 179 7513

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last Banks First Andrew	
Company/organisation		
Contact if different		
Address	Number 68 Street Oxford Terrace	
	Suburb Epuni	
	City Lower Hutt	Postcode 5011
Address for Service if different	Postal Address	Courier Address
Phone	Day 021 1797513	Evening 021 1797513
Fax		Mobile 021 1797513
Email	andrew.banks7@gmail.com	

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

Proposed District Plan Change 39: Transport

3. The specific provisions of the proposal that my submission relates to are: (Please give details)

Refer to the attached submission document dated 2 November 2016.

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

4. My submission is: (Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views)

Refer to the attached submission document dated 2 November 2016.

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

5. I seek the following decision from Hutt City Council: (Give precise details)

Refer to the attached submission document dated 2 November 2016.

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

6. I ☒ **wish** ☐ **do not wish** to be heard in support of my submission.
(please tick one)

7. If others make a similar submission,

I ☒ **will** ☐ **will not** consider presenting a joint case with them at the hearing.
(please tick one)

Signature of submitter:
(a signature is not required if you make your submission by electronic means)

02.11.2016
Date

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submission number
OFFICE USE ONLY

**SUBMISSION ON PROPOSED PLAN CHANGE 39: TRANSPORT
THE CITY OF LOWER HUTT DISTRICT PLAN**

2 November 2016

Andrew Banks
68 Oxford Terrace,
Epuni,
Lower Hutt

1. Scope of Submission

- 1.1. My name is Andrew Banks. I am the joint owner and occupier of 68 Oxford Terrace, Epuni, Lower Hutt.
- 1.2. I am writing my submission as an owner of property that is affected by the proposed plan change. I am also writing in my capacity as a registered architect, with experience designing buildings that are required to comply with rules and standards contained in district plans.
- 1.3. The scope of my submission is amendments 35, 36, 37, 38 and 42 of Proposed District Plan Change 39: Transport. This is proposed standard 6 *Development within the State Highway and Railway Corridor Buffer Overlays*, as well as the associated changes to the district plan maps. My submission also refers to the Section 32 Evaluation of proposed standard 6.
- 1.4. I am making a number of submissions on the proposed plan change. This document outlines each submission separately, stating the action sought and the reasons for each submission. These submissions cover:
- The inclusion of railway corridors within the State Highway and Railway Corridor Buffer Overlay;
 - The requirement to maintain buildings to comply with proposed standard 6;
 - The requirement to comply with the specified vibration standard;
 - Clarification on the measurement of the source of effects;
 - Clarification on the measurement of the noise effects of ventilation systems;
 - The use of an overlay in the district plan maps to define the area to which standard 6 applies;
 - How and when compliance with the proposed standard is to be demonstrated.

I conclude by commenting on the consultation associated with the proposed plan change.

2. Railway Corridor Buffer Overlays

Submission

2.1. I oppose the inclusion of the railway corridor in the State Highway and Railway Corridor Buffer Overlay proposed by standard 6. I submit that the proposed Standard 6 is amended to remove the railway corridor from the Buffer Overlay, and remove all references to rail traffic. I also submit that the Buffer Overlay associated with the rail corridor is removed from all proposed district plan maps.

Reasons for Submission

2.2. There is insufficient detail contained in the Section 32 Evaluation to establish the nature, extent or existence of reverse sensitivity effects adjacent to rail corridors in Lower Hutt, or whether the measures contained in proposed standard 6 are the most appropriate means of mitigating reverse sensitivity effects.

2.3. Paragraph 233 of the evaluation references the NZTA document *Guide to management of effects on noise sensitive land use near to the state highway network* (September 2015). The purpose of this document is “to promote good practice for the management of noise sensitive land use near to state highways”¹. The document goes on to describe the scope and extent of reverse sensitivity issues associated with the state highway network, outlines the means for calculating buffer and effects areas for state highways, and provides model district plan standards to mitigate reverse sensitivity effects on the state highway network. The document does not state that is appropriate to use with respect to rail corridors. Further, the Section 32 Evaluation does not refer to any evidence (expert or otherwise) to justify the use of the document to establish reverse sensitivity effects and mitigations associated with rail corridors in Lower Hutt.

2.4. Specifically, the NZTA document includes a method of calculation for the extent of buffer and effects areas². This calculation method appears to be specific to roads and road traffic. The document does not include a

¹ New Zealand Transport Agency (2015). *Guide to management of effects on noise sensitive land use near to the state highway network*. Page 1.

² *ibid.* Page 9.

calculation method for rail corridors or rail traffic, and the Section 32 Evaluation provides no detail as to whether this is an appropriate method to apply to calculate the effects areas of rail corridors.

- 2.5. Additionally, the NZTA document references online *Buffer and effects area maps*³, which are generated by NZTA and updated biennially⁴. These maps do not include any information on buffer or effects areas for rail corridors in Lower Hutt. The Section 32 Evaluation does not refer to any alternative source of information for the proposed buffer areas along the rail corridors.
- 2.6. The NZTA document also includes information on a study of indicative costs associated with the acoustic treatment of houses required by the increased design standards proposed (of which the requirements of proposed standard 6 are similar)⁵. The document refers to acoustic treatment costs for 'typical single storey' and 'typical double storey' new build homes, and is specific to houses within the buffer/effects areas of a road. The NZTA document concludes that the additional cost of acoustic treatment for new homes within 20m of the road would be \$21,900 for single storey homes, or \$27,250 for double storey homes, at 2013 prices. This equates to an additional 8% to 9% of the build cost, and excludes any costs associated with mitigating the effects of vibration (which are not assessed by the document). Under paragraph 193 of the Section 32 Evaluation, the assessment of the proposed rule (to which standard 6 applies) states there are no costs associated with the implementation of the rule. This is clearly not the case, as the NZTA document notes additional per-house costs associated with the higher design standards imposed. When multiplied over the total number of properties affected by the proposed standard, the potential future costs to landowners become significant. The Section 32 Evaluation does not assess whether imposing these costs solely on effected property owners is reasonable or justified.

³ <https://www.nzta.govt.nz/roads-and-rail/highways-information-portal/technical-disciplines/noise-and-vibration/planning/reverse-sensitivity-buffer-and-effects-areas/>

⁴ New Zealand Transport Agency (2015). *Guide to management of effects on noise sensitive land use near to the state highway network*. Page 9.

⁵ Ibid. Page 16.

2.7. No other detail or evidence is provided in the Section 32 Evaluation to establish the existence or extent of reverse sensitivity effects associated with rail corridors in Lower Hutt. Such evidence could have included measured evidence (such as sampling of acoustic and vibration effects caused by rail traffic along the corridor) and qualitative evidence (such as a record of noise or vibration complaints received by the rail operator). Further, paragraph 237 of the evaluation states that KiwiRail (who is a receiver of reverse sensitivity effects, and who may be well placed to provide such evidence) did not provide any guidance to the Council on this matter. The absence of such evidence in the evaluation suggests that there is no certainty as to whether reverse sensitivity effects exist along the rail corridor, the extent and nature of these effects, or whether proposed standard 6 is an appropriate way to address these effects.

2.8. Further, the Section 32 Evaluation provides no assessment of the potential urban design effects of proposed standard 6 on the urban environment in the vicinity of the proposed buffer overlay. Along streets such as Oxford and Cambridge Terraces, where properties' street facing front yards face the rail corridor (refer figure 1), the overlay could have the effect of operating as a significant building set-back from the street frontage. This has the potential to promote the in-efficient development of sites, with larger than normal front yards for example. This presents a contradiction in areas such as Oxford Terrace, where other district plan objectives and policies (as well as the 2012-2032 Urban Growth Strategy) promote increased residential density over time.



Figure 1: Oxford Terrace between Burnton & Epuni Streets, looking north.

2.9. Proposed standard 6 could also have the effect of encouraging the establishment of solid acoustic barriers, or non-noise sensitive buildings such as garages, in front yards and on street frontages. On streets such as Oxford Terrace, which has an established and legible neighbourhood character defined to a large degree by open, planted front yards in-front of houses (refer figure 1), the establishment of acoustic barriers and other structures could have an adverse effect on neighbourhood character over time. Additionally, such structures could reduce sightlines for vehicles reversing onto busy streets such as Oxford Terrace. The establishment of such structures could also have adverse effects on streets and properties with respect to the principles of Crime Prevention Through Environmental Design, by reducing the visual permeability of front yards and reducing passive surveillance provided by houses overlooking the street (and vice versa).

2.10. Proposed standard 6 has the effect of requiring all costs for the mitigation of reverse sensitivity effects to be borne by effected property owners, while providing no limitations or controls on the source of the effects. The Section 32 Evaluation provides no assessment of alternatives to establish whether this is the most sustainable or appropriate approach. As the NZTA document notes, “there is a shared responsibility for managing reverse sensitivity noise effects, because it is neither practical nor reasonable for any one party to assume sole

responsibility.”⁶ Shared approaches to managing reverse sensitivity effects exist within other district plans. For example, the Wellington City District Plan requires that Wellington Airport implement a noise management plan, which includes, among other measures, that the airport takes active measures to reduce ground noise⁷.

2.11. Finally, I would like to refer to a recent recommendation made by the Auckland Unitary Plan Independent Hearings Panel. The Proposed Auckland Unitary Plan, notified in 2013-2014, included an overlay called the “High Land Transport Noise Overlay”. This proposed overlay was associated with various road and rail corridors in Auckland, and proposed that properties within the overlay were subject to similar rules as those contained in proposed Standard 6.

2.12. The Independent Hearings Panel recommended that the overlay be deleted from the proposed plan, on the basis that “the Panel was concerned with proceeding with the extensive application of this overlay in the absence of a rigorous cost benefit assessment, including no assessment of who should appropriately bear the costs involved.”⁸ The Auckland Council accepted this recommendation⁹, and the overlay is no longer included in the Unitary Plan. On the basis of the points made above, I submit that the Section 32 Evaluation provided with proposed plan change 39 contains a similar absence of a rigorous cost benefit assessment, particularly with respect to rail corridors in Lower Hutt.

2.13. In summary, given the scale of the application of proposed standard 6, the potential costs imposed on property owners, the lack of evidence as to the nature and extent of reverse sensitivity effects, the wider urban design effects that the proposal might have, and the absence of a robust analysis of alternatives, an insufficient level of detail has been provided in the evaluation as to whether proposed standard 6 is the most appropriate way to address reverse sensitivity effects (if any exist) along

⁶ Ibid. Page 5.

⁷ Wellington City Council. *Wellington City District Plan*. Policy 10.2.5.4: Manage the noise environment to maintain and where possible enhance community health and welfare.

⁸ Auckland Unitary Plan Independent Hearings Panel (2016). *Report to Auckland Council Hearing Topics 043 and 044 Transport, July 2016*. Page 8.

⁹ Auckland Council (2016). *Decisions Report 19 August 2016*. Page 38

rail corridors in Lower Hutt. Proposed standard 6 should therefore not apply to rail corridors in Lower Hutt.

2.14. As an additional comment, I would also like to make a personal observation on the effects of rail traffic, based on 3 years of living on Oxford Terrace within the proposed buffer overlay. It is my qualitative observation that noise generated by car and truck traffic, both on Oxford Terrace and Cambridge Terrace is both more frequent and (particularly for trucks) can be louder than most rail traffic. Conversely, commuter rail traffic seems to make about the same amount of noise as a succession of cars on the road, but is much less frequent. Diesel locomotives can sometimes make more noise, however these are very infrequent (apart from the diesel locomotive Wairarapa line trains, we may experience one diesel freight locomotive pass our house each day). I have never felt discomfort due to the effects of rail traffic (or road traffic on Oxford Terrace). Further, in my three years living at the property, I have not observed any discomfort or property dilapidation associated with rail traffic vibration. I value the urban vibrancy and convenience of living within close proximity of multiple modes of transport.

3. The Requirement to Maintain Buildings

Submission

3.1. I oppose the requirement for buildings to be maintained to meet the standards outlined in standard 6. I submit that the proposed standard is amended to delete the word “maintained”.

Reasons for Submission

3.2. The requirement to *maintain* a building to comply with the performance standards noted in proposed standard 6 could be unreasonably onerous and impractical, due to the fact that there are no limits set in the district plan on the amount of vibration or noise emission from the state highway or rail corridor. The quantum of noise and vibration effects could therefore be considered a ‘moving target’. While it may be possible to design a building to comply with the standard on ‘day one’, the requirement to *maintain* suggests that property owners are required to indefinitely comply, even in a scenario where the noise and vibration

source increases over time (and therefore the 'day one' design solution may no longer be compliant). This introduces a significant level of uncertainty and potential economic burden to property owners, who may find themselves in a situation where they are constantly required to upgrade their buildings to comply with the proposed standard.

- 3.3. Further, the requirement to maintain a building to comply with the proposed standard implies that monitoring is required to demonstrate on-going compliance. If this is the case, monitoring could require site-specific acoustic and vibration measurement (similar to that required to establish the 'day one' design requirements). It is unclear who would be responsible for monitoring, and how frequently this would need to be undertaken. The costs and inconvenience of compliance monitoring could be a significant on-going burden for effected property owners, as well as the Council (who would presumably need to verify compliance).
- 3.4. Additionally, there appears to be no requirement in the proposed rule (or elsewhere in the District Plan) for the owners/operators of the State Highway or rail corridors to maintain these assets to mitigate the effects of noise and vibration on the surrounding environment. Managing reverse sensitivity effects is a shared responsibility, so it is unreasonable that a burden of maintenance is applied only to the surrounding environment, and not the source of the noise and vibration effects.
- 3.5. The Section 32 Evaluation does not assess the implications outlined above (or any other implications) of the requirement to *maintain* on property owners affected by the proposed standard. Due to the potential costs associated with such a requirement, the impracticalities of maintaining and monitoring indefinitely, and the widespread application of the requirement, insufficient detail has been provided in the evaluation as to whether this is a reasonable requirement. I therefore submit that the requirement to *maintain* is deleted from proposed standard 6.

4. Vibration

Submission

- 4.1. I oppose the requirement for buildings to be designed to comply with the vibration standard proposed in standard 6(a) *Vibration*. I submit that proposed standard 6 is amended to delete part (a) *Vibration*.

Reasons for Submission

- 4.2. The Section 32 Evaluation does not include any assessment of the implications of applying the performance requirements of Norwegian Standard 8176 E:2005 to the design and construction of buildings within the proposed buffer overlay. While the evaluation refers to the NZTA document already discussed above, the NZTA document provides little information on how the application of the Norwegian Standard would affect the design and construction of buildings (except for noting that land owners would be responsible for the design)¹⁰. Further, it should be noted that the cost analysis contained in the NZTA report excludes costs associated with the design and construction of buildings to comply with the vibration standard.
- 4.3. It should be noted that particularly in the case of residential dwellings, designing to account for the attenuation of ground vibration is neither required by the New Zealand Building Code, nor is it standard practice. It is therefore a 'niche' design issue where the necessary design skills and experience may be extremely limited in availability, or prohibitively expensive. Further, in order to comply with the standard, specific engineering design measures, such as incorporation attenuation measures into foundation designs, may be required. No information is provided on the feasibility or costs of such measures. The Section 32 Evaluation provides no assessment or guidance around the costs and availability of design resource, or the feasibility and costs associated with incorporating the requirements of the standard into the design and construction of buildings.

¹⁰ New Zealand Transport Agency (2015). *Guide to management of effects on noise sensitive land use near to the state highway network*. Page 11. While this document provides an informative summary on the effects of the acoustic and ventilation provisions on a typical house design (refer pages 15 and 16), no such assessment is made on the effects of the vibration provisions on a typical house design.

4.4. In the absence of an assessment of the effects of the proposed vibration standard on the design and construction of buildings (particularly residential dwellings), there is no certainty that such buildings could be reasonably designed and constructed to comply with the standard proposed. Without such an assessment, there is a risk that the proposed standard implicitly prohibits particular land uses (such as residential uses in residential zones), by requiring property owners to comply with a standard that may not be able to be reasonably complied with. I therefore submit that the requirement to comply with the vibration standard is deleted from proposed standard 6.

4.5. As an additional note, the proposed Norwegian Standard was not available to view at the Council offices, as required by Schedule 1 section 34 of the Resource Management Act¹¹. I have therefore relied on background research as a basis for my submission on this particular standard. I would further submit that a standard should not be incorporated into a proposed district plan change if that standard is not made available for affected parties to review during the submission period, as required by the Act.

5. Clarification on Sources of Effects

Submission

5.1. I submit that all references to 'road traffic' within proposed standard 6 are deleted and replaced with 'State Highway traffic'.

Reason for Submission

5.2. Assuming that the intention of proposed standard 6 is to control reverse sensitivity effects on the state highway network, the proposed standard needs to be clear that it applies to the effects of State Highway traffic, and not traffic from other roads. This is particularly important for properties within the proposed buffer overlay that may also front onto other roads.

¹¹ I contacted the Council on Wednesday the 25th of October and again on Friday the 27th of October, and was advised that the standard was not held at the Council offices at that time, but that attempts were being made to locate it.

- 5.3. Without the amendment noted above, property owners would be required to measure and design for the effects of all road traffic, regardless of the source.

6. Clarification on Measurement of Ventilation System Noise

Submission

- 6.1. I submit that proposed standard 6(c) *Ventilation* is amended to clarify that noise measurements for the ventilation system are taken from *internal* grilles and diffusers and not all grilles and diffusers.

Reasons for Submission

- 6.2. The way the standard is written would require measurement of ventilation system noise at all grilles and diffusers, regardless of whether they are internal or external to the building. Assuming that the intention of the standard is to provide adequate ventilation to the interior of a building, without the adverse effects of ventilation system noise on the interior, there is no benefit to measuring the noise generated by ventilation systems at exterior grilles or diffusers.
- 6.3. External noise outputs of ventilation systems are already controlled by other noise standards in the district plan.

7. Use of a Visual Overlay in District Plan Maps

Submission

- 7.1. I object to the inclusion of a visual overlay to describe the buffer area in the district plan maps. I submit that the proposed district plan maps are amended to delete the visual overlay. I also submit that proposed standard 6 is amended to clarify the method of calculating the boundary of the proposed buffer area.

Reason for Submission

- 7.2. If a clear method of calculating the boundary of the effects area is included in the standard, a visual overlay in the district plan is not required to implement the proposed standard. A clear method of calculating the boundary of the buffer could be achieved by stating that

the buffer area is 'within 40 metres of the marked edge of the nearest State Highway carriageway', or similar. This provides certainty to land owners as to the exact extent to which the proposed standard applies.

7.3. In any case, when designing a building on land effected by the proposed buffer area, a land surveyor would be required to accurately locate the extent of the buffer area on the site. A clear method of calculation would be more reliable than translating a visual overlay from a district plan map onto a cadastral survey.

7.4. Additionally, the use of a visual overlay could be confusing to one-time or unexperienced users of the district plan. This is because there is no clear link from the overlay as shown in the district plan maps back to the specific standard in the district plan to which it applies. This would mean that a user of the district plan would potentially need to review the entire plan in order to work out which standards apply to the overlay.

7.5. Finally, there is an inconsistent use of terminology between the district plan maps and the proposed standard. The standard refers to a 'State Highway and Railway Corridor Buffer Overlay'. However, the district plan maps refer to a 'State Highway and Railway Corridor Overlay', while omitting the critical word 'Buffer'. A 'corridor overlay' could be misinterpreted as being a potential future widening of the transport corridor, rather than as a buffer area for managing reverse sensitivity effects on the transport corridor.

8. Demonstration of Compliance

Submission

8.1. I submit that proposed standard 6 is amended to provide clear guidance on how compliance with the standard is to be demonstrated.

Reason for Submission

8.2. A clearly articulated means of demonstrating compliance with the proposed standard is important in order to provide certainty for designers and property owners as to the information requirements expected by the Council in order to demonstrate that the proposed activity complies with the proposed standard.

8.3. It is unclear when in the overall design and construction process this information would be required by the Council. Due to the permitted activity status, resource consent would not be required, so the only other 'gateway' would be the building consent process. Alternatively, it could be assumed that land owners are expected to apply for a certificate of compliance in order to demonstrate that the proposed activity (such as a residential dwelling) is in fact permitted.

9. Consultation

9.1. I would finally like to address the issue of consultation. The Council has outlined the scope of its consultation on the plan change in the Section 32 Evaluation, including non-statutory consultation undertaken with 'stakeholders', outlined in paragraph 55 of the evaluation.

9.2. While the Council did not have a statutory obligation to do so, it is disappointing that the Council did not consider the significant number of property owners effected by proposed standard 6 as stakeholders to be consulted with. The requirements proposed by standard 6 are highly technical in nature, and widespread in their application. Even as a person with experience in building design, it took a significant amount of time and effort to try and understand the implications of the proposed standard, and even then I am still unclear as to how aspects of the proposal will effect building design and cost (the effects of the vibration standard, for example).

9.3. Meaningful consultation with effected property owners could have been an opportunity for the Council to articulate the concept of reverse sensitivity and to translate the technical requirements of the standard into plain language. Such consultation could have taken the form of a workshop, with experts in the proposed technical requirements on hand to explain the implications of the proposed requirements on property owners. This could have led to a more robust outcome with respect to the proposed standard, and a broader recognition amongst effected property owners on issues of reverse sensitivity. The Council has missed an opportunity in this regard.

9.4. If the Council does not receive many submissions on the proposed plan change from effected property owners, this should not be viewed this as tacit endorsement of proposed standard 6. Instead, it should be viewed a lack of understanding of the proposed standard acting as a barrier to public engagement with the planning process. I would urge those with the delegated responsibility to make a decision on the proposed plan change to consider this when deciding on the appropriateness of proposed standard 6.

END OF SUBMISSION

From: frank_s <frank_s@xtra.co.nz>
Sent: Thursday, 3 November 2016 11:35 a.m.
To: Corporate Records
Subject: Submission on Plan Change 39
Attachments: submission 39.pdf

Please find attached a submission presented on behalf of the Petone Planning Action Group.

Frank Sviatko
B12 / 25 Graham Street
Petone
New Zealand 5012

'phone +64 4 938 1728
Mobile +64274491874
Skype frank.sviatko

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. **This is a submission from:**

Full name	<i>Last</i>		<i>First</i>	
Company/organisation				
Contact <i>if different</i>				
Address	<i>Number</i> <i>Street</i>			
	<i>Suburb</i>			
	<i>City</i>		<i>Postcode</i>	
Address for Service <i>if different</i>	<i>Postal Address</i>		<i>Courier Address</i>	
Phone	<i>Day</i>		<i>Evening</i>	
Fax			<i>Mobile</i>	
Email				

2. This is a **submission** on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

Title of Proposed District Plan Change:

3. The specific provisions of the proposal that my submission relates to are:

Please give details:

(Please use additional pages if you wish)

4. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views:

(Please use additional pages if you wish)

5. I seek the following decision from Hutt City Council:

Give precise details:

(Please use additional pages if you wish)

6. I ☐ **wish** ☐ **do not wish** to be heard in support of my submission.

(please tick one)


7. If others make a similar submission,

I ☐ **will** ☐ **will not** consider presenting a joint case with them at the hearing.

(please tick one)

Signature of submitter:

(or person authorised to sign on behalf of submitter)

	<i>Date</i>
---	-------------

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submission number
OFFICE USE ONLY

The Petone Planning Action Group is heartened to see the Hutt City Council recognising that “The [current] Plan’s transport provisions focus on private car transport and do not suitably address active travel modes.” However, the Plan Change as proposed does not appear to actively promote active, public or other shared systems of transport. Further, it concentrates on achieving sustainable development without appearing to overtly promote sustainable transport.

Section 14A 1

We assume the intent of the last sentence of section 14A 1 is that activities which generate significant volumes of traffic should be subject to the resource consent process. If this is the case we suggest the insertion of the word “that” before “generate significant volumes ..”

Section 14A 2.1

We question whether this is an issue, rather than an Objective and suggest that the words “and the wellbeing of the physical environment” be added at the end.

Objective 14A 3.1

We suggest the new plan should overtly promote active transport by the addition of the words “in particular walking, cycling, and use of public and shared transport.”

Policy 14A 4.3

We suggest the scope of this clause be widened by the addition of the words “and the general environment.”

Rule 14A 5.1 (c) 1

We suggest the addition of the words “pedestrians, cyclists and public transport.” after “on-street parking”

Amendment 23 - Standard 2 (a)

In the case of residential sites access should be restricted to one crossing the width of which is sufficient for one passenger vehicle.

Application of standards:

The introduction to the plan change states “The Plan refers to engineering standards that have often been superseded by updated versions. “ This is likely to be the case in future. Rather than specifying the current standard might it be possible to include the words “and any subsequent standard.”?

Amendment 32

We believe the provision for cycle parking and end-of-trip facility requirements is a positive step.

Issue 10 – Car parking Standards

We cannot see where issue 10 is addressed in the proposed changes. We note the drafters’ reference to identifying the primary issues in Petone including Jackson Street, The Esplanade and Petone West, but cannot see where the transport plan identifies or refers specifically to these.

Further we cannot see where the issue of deciding whether commercial activities include offices is addressed.

Issue 11 – Pedestrian connectivity

Issue 11 states that pedestrian connectivity could be enhanced by consideration of the way in which developments cater for pedestrians. The word could should be replaced by should, and the plan should make specific provision for pedestrian connectivity. Further any retail or industrial development involving a parking area should be made to provide safe access for pedestrians walking from the street to the facility.

Issue 12 – Urban Growth Strategy

Mention is made of the proposed cross-valley link as an issue, but is not addressed in the proposed plan change.

Evaluation of other District Plans

Objectives 2 and 4 of the Auckland Unitary Plan are particularly relevant, but we see no policy promoting an integrated public transport, walking and cycling network, nor provision of parking systems other than those currently available.

Similarly, while reference is made to the Christchurch replacement city plan's aim to reduce dependency on private motor vehicles, and the promotion of public and active transport, the proposed changes do not appear to take these aims into account.

In referencing the Wellington City District Plan the Council appears to have accepted Wellington's objectives to improve access for all people, particularly people travelling by public transport, cycle foot, and for people with mobility restrictions, and to manage the road network to avoid, remedy or mitigate the adverse effects of road traffic, but there appear to be few specific activities designed to do so.

Bruce and Claire Bengé
21 Walnut Way
Maungaraki
Lower Hutt

2 November 2016

Chief Executive
Hutt City Council

Dear Sir



Hutt City District Plan -Proposed District Plan Change 39

We wish to object to the proposed District Plan Change 39 Transport.

We own three flats that could be affected by this proposed change; 30 and 31 Trevethick Grove Woburn that are adjacent to the railway line, and 49a Wakefield Street Ava that is across the road from the railway line.

This submission relates to provisions around Amendment 35, Standard 6 – Development within the State Highway and Rail Corridor Buffer Overlays.

Our submission is:

4. Amendment 35 will cause additional costs to rebuild existing dwellings located within this corridor should they be damaged to an extent that requires rebuilding by fire, earthquake etc. The replacement costs when taking into account the relevant standards for vibration, noise and ventilation will be above normal replacement costs for a standard residential dwelling outside of the 40 metre wide State Highway and Railway Corridor Buffer Overlays.

As there are no additional effects on the environment than those now experienced by the current inhabitant's, property owners should be given the option of re-building to normal building standards (without additional costs to comply with proposed amendments 36, 37 and 38). Hence not incurring increased construction costs that would be above those normally expected.

We also recognise the importance of the railway as regionally significant infrastructure and understand that this should not be overly restricted in terms of its economic significance to the region. The same outcome as anticipated by proposed amendment 35 can be achieved by adding in the option of a 'non-complaints' covenant as an alternative complying with proposed amendments 36, 37 and 38.

5. We seek the following decision from Hutt City Council

We would like to see proposed Amendment 35 amended to include the following words that are **bold, underlined and in italics**:

Standard 6 - Development within the State Highway and Railway Corridor Buffer Overlays

Within the 40 metre wide State Highway and Railway Corridor Buffer Overlays, all new buildings containing noise sensitive activities, or existing buildings with new noise sensitive activities, must be **either** designed, constructed and maintained to meet the following standards **or have a no complaints covenant registered against the title**:

Yours faithfully

A handwritten signature in black ink, appearing to read "D C Bengé".

Bruce and Claire Bengé

A second handwritten signature in black ink, appearing to read "B C Bengé".

RMA FORM 5

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. This is a submission from:

Full name	Last <u>BENGE</u> First <u>CLAIRE</u> & <u>BRUCE</u>	
Company/organisation	<u>Rental Property Owners</u>	
Contact if different		
Address	Number <u>21</u> Street <u>Walnut Way</u>	
	Suburb <u>Maungaraki</u>	
	City <u>LOWER HUTT</u>	Postcode <u>5010</u>
Address for Service if different	Postal Address	Courier Address
Phone	Day <u>04 569 8383</u>	Evening <u>04 569 8383</u>
Fax		Mobile <u>0274 496-737</u>
Email	<u>claire.benge@xtra.co.nz</u>	

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

Transport

3. The specific provisions of the proposal that my submission relates to are:

Please give details: provisions around Amendment 35 standard 6 - Development within State Highway 4 and Rail Corridor Buffer Overlays

(Please use additional pages if you wish)

4. My submission is:

Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views:

see attached letter

(Please use additional pages if you wish)

5. I seek the following decision from Hutt City Council:

Give precise details:

see attached letter

(Please use additional pages if you wish)

6. I ☒ **wish** ☐ **do not wish** to be heard in support of my submission.
(please tick one)

7. If others make a similar submission,

I ☒ **will** ☐ **will not** consider presenting a joint case with them at the hearing.
(please tick one)

Signature of submitter:
(or person authorised to sign on behalf of submitter)

Date 2/11/2016

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submission number
OFFICE USE ONLY

From: Vicki Brown <visibro@outlook.co.nz>
Sent: Thursday, 3 November 2016 6:50 p.m.
To: Corporate Records
Subject: Proposed district plan change 39

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991
EP-FORM-309
Hutt City Council 30 Laings Road, Private Bag 31912,
Lower Hutt 5040 www.huttcity.govt.nz (04) 570 6666
March 2012

RMA FORM 5

Submission number

OFFICE USE ONLY

To: Chief Executive, Hutt City Council

1. This is a submission from

:

Full name

Brown Simon

Address

54 Cambridge Tce

Waiwhetu

Lower Hutt

5010

Phone

Day

Evening

Fax

Mobile 021 1807472

Email visibro@outlook.co.nz

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No: 39

Title of Proposed District Plan Change: Proposed District Plan Change 39: Transport.

3. The specific provisions of the proposal that my submission relates to are:
Vibration, Noise, Ventilation

4. My submission is:

As a long term resident of an area affected by this proposed change to the district plan, I would like to make a submission, that management of Vibration and Noise should be with the source of the Vibration and Noise, not those affected by it.

I see making owners of new buildings responsible for building to this standard to manage noise and vibration as flawed and un-workable for the following reasons.

- This will fuel the spiralling cost of building. Building to meet this standard will increase building compliance costs.
- It will create uncertainty and conflict as to what and how to build to meet this standard. For example, a sizable pot hole is causing noise and vibration when large trucks hit it meaning that a site does not comply with the standards and the cost to comply are significant. Any reasonable person would expect the pot hole to be fixed to resolve this. Without a clear standard for transport to comply with there will be conflict.
- It will not be possible to maintain buildings to this noise standard over time (as currently proposed) if the noise and vibration from transport are allowed to increase. Once built, (as with existing properties within the proposed overlay zone) it will be un-reasonably expensive to carry out further work to continue to meet this proposed standard.
- The ventilation requirement (30dB Laeq(30s) sounds like a "gold" standard that may be difficult to meet, and may not be met by any of the popular commercially sold systems. My test of an HRV system with a cell phone noise app suggested it would fail this. If there is to be a requirement for ventilation systems to be this quiet, should it not be equally important regardless of where it is installed? Why just impose this for this zone?

Has this change been properly notified? Under section (a) Vibration the notice reads "Road and rail traffic vibration levels must comply with class C of Norwegian Standard" This clearly (as it should) requires road and rail traffic vibration levels to not exceed the proposed standard. Any re-wording of this to apply it to buildings instead of road and rail would be a major change.

This proposed change will do nothing to reduce the exposure to noise and vibration of the many, many existing residents in this zone. Only management of the source of the noise and vibration will achieve this.

As a long term resident in this affected zone, I would like to share what I see as the major cause of noise and vibration and how I see it can be managed.

- Pot-holes and poor quality repair of road trenching are a major source of vibration. Large / over-loaded trucks hitting these at speed cause significant vibration. This is something that the Council can easily play a role in reducing just by maintaining the roads.
- The use of coarse chip surfacing also creates more noise than fine chip or bitumen.
- New transport technology also has a part to play. My experience is when comparing the noise levels from cars and trucks < 10 years old to that of older vehicles from the 60's & 70's is that cars have got quieter. The next promised generation of cars & trucks will be electric and will be even quieter. The council could help influence the attractiveness of electric vehicles in the region with policy changes.
- Rail also causes noise and vibration for me and all the other residents along the rail corridor.
 - o Over the last couple of years or so, rail has invested in continuous track where there are (almost) no track joins. This has noticeably reduced the noise from trains and its use should be extended to all tracks in the region if it has not already been done.
 - o Sadly the effectiveness of continuous track is still let down by the points in the tracks which still create significant noise and vibration. Why can't rail find a solution for these points as they have with continuous track?

- Rail still pull passenger trains with heavy diesel locos designed for freight trains. These are relatively frequent and cause a lot of noise and vibration. I believe it is time for rail to modernize these services to reduce the pollution and noise that they make.

As the council contributes to bulk funding of rail services there must be some level of influence that the Council can use to promote the management and reduction of noise and vibration caused by rail.

5. I seek the following decision from Hutt City Council:

Give precise details:

- To not proceed with this Proposed District Plan Change 39: Transport.
- Develop a policy to manage transport noise and vibration at source that will benefit the many existing residents in this zone. This policy should include:
 - Maintenance of pot-holes
 - A high standard of repair for road trenching
 - The type of road surfacing used
 - Promotion of electric vehicles as an example of new quieter transport technology.
 - As a bulk funder of rail services, use influence to get rail to address the pollution, noise and vibration caused by rail services. Specifically:
 - Use of continuous track
 - Get rail to look for a solution to the noise and vibration generated by points in the rail network.
 - Modernize the passenger services pulled by heavy, noisy diesel locos designed for freight trains so that they meet modern pollution and noise and vibration standards..
- Drop the ventilation requirement from this change. If needed at all, this should be applied to all properties not just properties in this zone.
- Do not change the wording of the Vibration clause Under section (a) Vibration. The notice reads "Road and rail traffic vibration levels must comply with class C of Norwegian Standard" Management of this belongs with road and rail transport, not building standards.

6. I do not wish to be heard in support of my submission.

7. If others make a similar submission, I will consider presenting a joint case with them at the hearing.

Signature of submitter:

Simon Brown

Date 27/10/2016

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public.

You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

RMA FORM 5

Submission on publicly notified Proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991

Received by Customer Service Centre
HUTT CITY
TE AWA KAIRANGI

To: Chief Executive, Hutt City Council

on 3/11/16 Time 3:04pm

1. This is a submission from:

Full name	Last FOX First ANDREW	
Company/organisation		
Contact if different		
Address	Number 1A Street NIKAN GROVE	
	Suburb WOBBURN	
	City LOWER HUTT	Postcode
Address for Service if different	Postal Address	Courier Address
Phone	Day 939 3382	Evening 569 1161
Fax		Mobile 0274 315 318
Email	a.i.fox@hotmail.com	

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

TRANSPORT

3. The specific provisions of the proposal that my submission relates to are: (Please give details)

Plan 39 Transport, Provisions within a), b), and c).

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

4. My submission is: (Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views)

1) The measurement of vibration is unclear and open to abuse 2) 40m is massive and too wide 3) The proposal tries to make the victims liable

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

5. I seek the following decision from Hutt City Council: (Give precise details)

To Maintain the status quo and reject the proposed change

(If your submission does not fit in the above box please use this form as the cover page and use additional pages)

6. I ☒ **wish** ☐ **do not wish** to be heard in support of my submission.

(please tick one)

7. If others make a similar submission,

I ☒ **will** ☐ **will not** consider presenting a joint case with them at the hearing.

(please tick one)

Signature of submitter:

(a signature is not required if you make your submission by electronic means)

Andrew Fox

Date

3-11-16

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submission number
OFFICE USE ONLY

358 Cambridge Tce.
Lower Hutt.
Ph/Fax 5673990.

DPC39/13

Environmental Policy Division
Hutt City Council.
Private Bag 31912.
Lower Hutt.



Submission on Proposed Plan Change 39.

This Submission is in opposition to the
Proposed Plan Change.

As a Ratepayer resident within the
Proposed standard area it would appear that
the Proposed Plan Change relates to Noise,
Vibration and Ventilation Provisions as they
might affect properties within the prescribed
areas, be it within 40 metres of State Highways
/ Roads and Railway Corridors.

I believe and I think that the Legal
Profession will agree that the creation of Noise
and the effects of Vibration are or can be
regarded as the creation of a "nuisance".

As such I believe that the perpetrators
of a nuisance are committing an offence
and could be charged in Law and/or be
asked to desist.

The Hutt City Council must to a
certain extent agree as there are provisions

In place for noise control and the like and action is often taken accordingly.

It comes as a complete surprise to read details of what is proposed which essentially deals with noise and traffic vibration and it appears transfers the responsibility of dealing with the "nuisance" from perpetrator to victim.

In fact I believe that other residents with properties within the prescribed corridors would be up in arms if they understand what is proposed and the implications.

Observations that the proposal will only affect new properties is just not true as they could also have an effect on market values if the properties are sold and purchased for future development or change of use.

Many of the properties within the corridors referred to are also on the Council's long term plans for Higher Density Development particularly those proximate to Railway Stations.

The way I see it the Proposal if accepted or agreed to goes right against natural justice and leaves Council in possible costly (from a Ratepayers point of view) litigation.


If Public Health and/or Safety Issues are at stake then Council should have approached the Roads Board and Railways and asked them to do what is done Overseas and that is to construct appropriate noise deadening barriers. As far as vibration is concerned there have been cases recently where developments have taken place and the vibrations have not only caused a nuisance but damage to neighbouring properties.

This should be dealt with by Council in terms of legal responsibilities not transferred to those affected.

There are at least two examples of vibration effects and in both cases they are outside the corridor areas.

Given some of the reasons stated and probably more it is my view that the proposal should be rejected and that appropriate provisions be made within the review of the District Plan to deal with noise and/or vibration by way of making those responsible for creating the nuisances also responsible for their effects.

I do not regard the Proposal as a Transport issue but a justice issue and look forward to attending any meetings at which the matter is to be considered.

4 Nov. 2016.  N. G. URSIN

cc The Editor
Huff News.

A copy for your information, I hope
that the matter can feature in the Media
so that the Public in general can express
their views

R.
Nick Ursin

Introduction

Submission on Proposed Plan Change 39

Proposed Plan Change 39 is a review of the transport provisions of the District Plan. It contains a complete review of Chapter 14A Transport (including the standards referred to in the chapter) as well as the other transport provisions throughout the Plan.

Privacy Statement

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submitter Details

First Name: **richard**
Last Name: **beatson**
Street: **45 Riddlers Crescent**
Suburb: **Petone**
City: **Lower Hutt**
Country: **New Zealand**
PostCode: **5012**
Daytime Phone: **04 566 5033**
Mobile: **027 672 9053**
eMail: **rich.beatson@gmail.com**

Wishes to be heard:

- ☐ Yes
- ☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Correspondence to:

- ☒ Submitter
- ☐ Agent
- ☐ Both

Submission

1. The specific provisions of the proposal that my submission relates to are:
(Please give details)

Decision Requested
Remove requirement for 'Maintenance' of Buildings Remove Railway Buffer Corridor Overlay from proposed Standard 6; and remove references to 'Rail Traffic'

Reason for Decision
Enforced 'Maintenance' is possibly beyond the remit of the District Plan. Standards required could become unreasonably onerous for property owners. There seems to be no real practical method or measure nominated in terms of vibration or acoustics OR data on the likely additional cost to property owners. How is making a building 'vibration'-proof or acoustically suitable deemed reasonably practical within adjacent residential properties, for example. Possibly mitigatory solutions by property owners may have negative urban design affects - e.g. undue influence on site planning, fencing etc There should be requirement for the Road/Rail assets to make reasonable efforts to reduce noise along these transport corridors to limit the noise and vibration at the source, rather than the onus lying solely with adjacent property owners. Is the NZTA documentation cited suitable for calculation of affects of rail as well as roading? The affects of such proposals may be contrary to the values of Historic Residential Acticity Areas e.g.: Riddlers Crescent, Petone

2. My submission is:
(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Comments
Amendments 35, 36, 37, 38, 42 - Oppose Amend Standard 6 to remove the requirement for 'maintenance' Remove Railway Buffer Corridor Overlay from proposed Standard 6 (and District Plan maps) and remove references to 'Rail Traffic'

3. I seek the following decision from Hutt City Council:
(Give precise details)

Comments
Amendments 35, 36, 37, 38, 42 - Oppose Amend Standard 6 to remove the requirement for 'maintenance' Remove Railway Buffer Corridor Overlay from proposed Standard 6 (and District Plan maps) and remove references to 'Rail Traffic'

4. In support of my submission:

- ☐ I wish to be heard
- ☒ I do not wish to be heard

5. If others make a similar submission:

- ☐ I will consider presenting a joint case with them at the hearing
- ☒ I will not consider presenting a joint case with them at the hearing

Attached Documents

File
No records to display.

Need Help?

Privacy Statement

Introduction

Submission on Proposed Plan Change 39

Proposed Plan Change 39 is a review of the transport provisions of the District Plan. It contains a complete review of Chapter 14A Transport (including the standards referred to in the chapter) as well as the other transport provisions throughout the Plan.

Privacy Statement

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submitter Details

First Name: **David**
Last Name: **Tripp**
Street: **3 High St**
Suburb: **Petone**
City:
Country: **New Zealand**
PostCode: **5012**
Daytime Phone: **(04)5864626**
Mobile: **(027)5864626**
eMail: **David.Tripp@xtra.co.nz**

Wishes to be heard:

- ☒ Yes
☐ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Correspondence to:

- ☒ Submitter
☐ Agent
☐ Both

Submission

1. The specific provisions of the proposal that my submission relates to are:
(Please give details)

Decision Requested

Reason for Decision

2. My submission is:
(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Comments

3. I seek the following decision from Hutt City Council:
(Give precise details)

Comments

4. In support of my submission:

- ☐ I wish to be heard
- ☐ I do not wish to be heard

5. If others make a similar submission:

- ☐ I will consider presenting a joint case with them at the hearing
- ☐ I will not consider presenting a joint case with them at the hearing

Attached Documents

File
2016 David Tripp Submission on District Plan Transport Chapter

Need Help?

Privacy Statement

Submission on Hutt City District Plan Change 39 (Transport)

November 2016

Dr David Tripp

Overview

The health benefits of active transport (cycling and walking) are substantial. This is the most important means by which HCC can promote the health of its population. Sadly, the draft Transport Chapter completely ignores the health of the people of the Hutt Valley entirely. This is a tragedy.

This submission advocates for a much greater focus in your proposed District Plan Transport Chapter on active transport. It should be a clear focus of our transport network and be acknowledged as a priority in the district plan.

I urge you to consider the approach taken by other forward looking councils (for example Christchurch) and make ensure the Transport Chapter has at its core the promotion of a transport network that supports the health of its people.

Health Benefits of Active Transport

Active transport is fundamental to the health of urban populations. Numerous studies now reflect this fact.

A recent NZ study found that cities with higher levels of car-ownership had lower levels of cycling and walking.¹ A further recent US study found that investment in cycle infrastructure had significant health benefits.²

In high and middle income countries, physical inactivity has become the fourth leading risk factor for premature mortality.³ Declining rates of functional active travel have contributed to this population-level decrease in physical activity, and evidence suggests that rising levels of obesity are more pronounced in settings with greater declines in active travel.⁴⁵

¹ Shaw C, Russell M. Benchmarking cycling and walking in six New Zealand cities: New Zealand Centre for Sustainable Cities, University of Otago, 2016.

² Gu J, Mohit B, Muennig PA. The cost-effectiveness of bike lanes in New York City. LID - injuryprev-2016-042057 [pii] LID - 10.1136/injuryprev-2016-042057 [doi]. (1475-5785 (Electronic))

³ UK Department of Health. Start active, stay active: a report on physical activity from the four home countries' chief medical officers. DoH, 2011.

⁴ Pucher J, Buehler R, Bassett D, Dannenberg A. Walking and cycling to health: a comparative analysis of city, state, and international data. *Am J Public Health* 2010;100:986-1992

⁵ Bassett D, Pucher J, Buehler R, Thompson D, Crouter S. Walking, cycling and obesity rates in Europe, North America, and Australia. *J Phys Act Health* 2008;5:795-814.

Active commuting to work has been strongly recommended by the UK National Institute for Health and Care Excellence (NICE) as a feasible way of incorporating greater levels of physical activity into daily life.⁶ Policies designed to affect a population-level modal shift to more active modes of work commuting therefore present major opportunities for public health improvement.

Studies consistently suggest that use of active commuting modes translates into higher levels of overall individual physical activity.^{7 8 9} A recent UK study provided 103 commuters with accelerometers for seven days and found that total weekday physical activity was 45% higher in participants who walked or cycled to work compared with those who commuted by car, while no differences in sedentary activity or weekend physical activity were observed between the two groups.⁹

A recent, large study published in the British Medical Journal examined the effect of active transport (cycling and walking) on the obesity epidemic, and compared this effect with sport involvement.¹⁰ The British Medical Journal study findings show a robust, independent association between active commuting and two objective markers of obesity, BMI and percentage body fat. Those who used active modes had a lower BMI and percentage body fat compared with those who used private transport.

These differences are larger than the effect sizes seen in most individually focused interventions based on diet and physical activity to prevent overweight and obesity.¹¹ They are also approximately four times larger than the reductions in obesity due to involvement in sport.

	Reduction in BMI		Reduction in Percentage Body Fat	
	Men	Women	Men	Women
Attributable to active transport	-0.97	-0.87	-1.35	-1.37
Attributable to involvement in sport	-0.10	-0.26	-0.19	-0.34

Relevance to the Transport Chapter of the District Plan

Transport infrastructure is HCC's greatest lever over the health of its population (other than the supply of safe water and sewage disposal). The Transport Chapter of the district plan is HCC's major vehicle for stating the objectives of its transport network.

⁶ National Institute for Health and Care Excellence. Walking and cycling: local measures to promote walking and cycling as forms of travel or recreation (public health guidance 41). NICE, 2012. www.nice.org.uk/guidance/ph41.

⁷ Faulkner GE, Buliung RN, Flora PK, Fusco C. Active school transport, physical activity levels and body weight of children and youth: a systematic review. *Prev Med* 2009;48:3-8.

⁸ Ogilvie D, Foster CE, Rothnie H, Cavill N, Hamilton V, Fitzsimons CF, et al. Interventions to promote walking: systematic review. *BMJ* 2007;334:1204.

⁹ Audrey S, Procter S, Cooper AR. The contribution of walking to work to adult physical activity levels: a cross sectional study. *Int J Behav Nutr Phys Act* 2014;11:37

¹⁰ Associations between active commuting, body fat, and body mass index: population based, cross sectional study in the United Kingdom, *BMJ* 2014;349:g4887 doi: 10.1136/bmj.g4887 (Published 19 August 2014)

¹¹ Stephens K, Cobiac J, Veerman J. Improving diet and physical activity to reduce population prevalence of overweight and obesity: an overview of current evidence. *Prev Med* 2014;15:167-78.

Yet, the proposed transport chapter makes NO reference to the health of communities. This is a huge missed opportunity.

The RMA clearly supports health as an objective of our planning documents. The purpose of the RMA is to promote the sustainable management of natural and physical resources. Under s5(2), sustainable management means:

Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being ***and for their health*** and safety....

Example from the Christchurch District Plan

7.1.1 Objective 1 - Integrated transport system for Christchurch District

1. An integrated transport system for Christchurch District:
 1. that is safe for all transport modes;
 2. that is responsive to the current recovery needs, future needs, and enables economic development;
 3. that supports safe, healthy and liveable communities by maximising integration with land use;
 4. that reduces dependency on private motor vehicles and promotes the use of public and active transport;
 5. that is managed using the one network approach.

7.1.1.6 Policy 6 - Promote public transport and active transport

6. Promote public and active transport by:
 1. ensuring new, and upgrades to existing, road corridors provide sufficient space and facilities to promote safe walking, cycling and public transport, in accordance with the road classification where they contribute to the delivery of an integrated transport system;
 2. ensuring activities provide an adequate amount of safe, secure, and convenient cycle parking and associated end of trip facilities;
 3. encouraging the use of travel demand management options that help facilitate the use of public transport, cycling, walking and options to minimise the need to travel; and requiring new district centres to provide opportunities for a public transport interchange

I wish to present my submission in person.

David Tripp

3 High St Petone

From: Peter Chrisp <Peter.Chrisp@summerset.co.nz>
Sent: Friday, 4 November 2016 1:59 p.m.
To: Corporate Records
Subject: Plan Change 39 Submission
Attachments: Plan Change #39.pdf

Please accept our attached submission.

Regards

Peter Chrisp

Development Manager
Summerset Group Holdings Limited

Phone 04 894 7320 Fax 04 894 7319

DDI 04 901 3420 Mob 022 043 5328

Web www.summerset.co.nz

Email Peter.Chrisp@summerset.co.nz

Office PO Box 5187, Wellington 6140
Level 20, Majestic Centre
100 Willis St, Wellington



This is a confidential and privileged communication. If sent to you in error please notify me and delete.

Resource Management Act 1991**Form 5****Submission on a Publicly Notified Plan Change**

To: Chief Executive
Hutt City Council
Private Bag 31912
Lower Hutt

1. This is a submission from:

Summerset Villages (Lower Hutt) Ltd

2. This is a submission on the following plan change to the City of Lower Hutt District Plan:

Proposed District Plan Change 39: Transport

3. The specific provisions of the proposed plan change that my submission relates to are:

Amendment 28

- (a) Car Parking Requirements: Table 4.1: Minimum Parking Standards

Housing for the elderly	0.7 per unit/apartment; and 0.3 per rest home bed
-------------------------	--

4. My submission is:

I support the proposed car parking requirements (as stated in Table 4.1) for "housing for the elderly"

5. I seek the following decision from the Hutt City Council:

- (a) confirmation of the proposed parking standards for "housing for the elderly" as stated in Table 4.1; and
- (b) such other necessary consequential amendments to ensure consistency throughout the District Plan, including Plan Change 35, for minimum car parking standards for "housing for the elderly", including "housing for the elderly" within the area identified in Appendix General Residential 22.

6. I do wish to be heard in support of my submission.

7. If others make a similar submission, I will not consider presenting a joint case with them at the hearing.

Signed:



.....
Peter Chrisp
Development Manager
Summerset Group Holdings Limited

Dated: 4 November 2016

Address for Service:

Peter Chrisp
Development Manager
Summerset Group Holdings Limited
P O Box 5187
Wellington 6140

Email: Peter.Chrisp@summerset.co.nz
DDI: (04) 901 3420

From: Timon Bakker <timon.bakker@gmail.com>
Sent: Friday, 4 November 2016 2:24 p.m.
To: Corporate Records
Subject: HCN submission on Plan Change 39
Attachments: 2016 HCN Submission on District Plan Transport Chapter.docx

Hello,
Please find attached the submission for Hutt Cycle Network.
Regards

Timon Bakker
Hutt Cycle Network



Submission on Plan Change 39, District Plan Transport Chapter

November 2016

Overview

- Our transport planning must actively encourage active transport (public transport, walking and cycling) to make our city more liveable, our people healthier, reduce council costs and care for our environment
- The proposed plan change falls well short of Council's original intent to shift the focus from private car transport to active travel modes
- The objectives should – but do not – actively promote safe and inviting active transport modes
- The proposed roading hierarchy should – but does not – make mention of cycling and public transport in what remains a car-centric hierarchy
- Proposed trip-end facilities are well short of best practice
- Council can and must redraft a more forward looking Transport Chapter

What should our transport priorities be?

46% of Hutt City's carbon emissions are from transport.¹ Despite the aspirations of many, we seem to have trouble in translating this into transport strategy. The UN is appealing for countries to "invest at least 20 per cent of their transport budgets in walking and cycling infrastructure to save lives, reverse pollution and reduce carbon emissions"²

Other important issues relating to the transport network include congestion (more roads will not ease the increasing congestion in our CBD), and healthy lifestyles (the obesity epidemic is partly due to reduced use of active and public transport).

When evaluating transport projects, three key criteria should be

¹ <http://www.gw.govt.nz/assets/About-GW-the-region/Wellington-GHG-Inventory-Report-Final.pdf>

² <http://www.unep.org/NewsCentre/default.aspx?DocumentID=27086&ArticleID=36285>

- Will this reduce carbon emissions?
- Will this reduce overall congestion in the city?
- Will this promote healthy lifestyles?

In the past, we've tended to think about "transport" as moving cars, not people. Could we instead ask how do we get people around the Hutt Valley and into Wellington, while reducing carbon emissions, congestion, and encouraging healthy lifestyles? Framed like that, the answer is clearly frequent and efficient public transport, and making active transport, particularly biking, attractive.

This is reinforced by the NZTA and others, which states that the benefits of cycling include³⁴:

- More livable towns and cities
- Improved conditions for travelling within towns and cities
- Stronger local economies
- Reduced costs for councils
- Less impact on the environment, and
- Healthier and more productive people.

We also know that providing cycling infrastructure responds to what a significant percentage of people say they want.

Our transport priorities should therefore be clearly stated as reducing dependence on private motor vehicles, and enhancing public transport, cycling and walking.

Our Overall Assessment of the Proposed Plan Change

Councils commissioned this plan change because, amongst other considerations, "the [existing] Plan's transport provisions focus on private car transport and do no suitably address active travel modes".⁵

The Proposed Plan Change is a conservative and underwhelming attempt to provide for an efficient transportation network that meets the needs of a vibrant community with commercial and active transport needs which are forward focused towards the 2020's.

It falls well short of the intention of sustainable management under the RMA, s5(2), of "managing... the natural and physical resources... which enables people and communities to provide for their social, economic and cultural well-being and for their health...."

³ NZTA, 2016, <https://www.nzta.govt.nz/assets/Walking-Cycling-and-Public-Transport/docs/benefits-of-investing-in-cycling/cyclelife-benefits-booklet.pdf>

⁴ Walk and Cycle the Hutt Plan 2014-2019 <http://iportal.huttcity.govt.nz/Record/ReadOnly?Uri=3677441>

⁵ Proposed Plan Change, page 3

The section “Analysis of Other Recent Plans” (page 107) gives the impression of a “game change” in those Councils - that those Council’s wish to clearly promote shifts in how transport is to be considered in their cities. That is not evident in the Hutt’s suggested amended plan.

The Network agrees an efficient transport plan is required to ensure the future prosperity of this city. Cycling, and other active transport modes, are essential elements of a modern transport system and a healthy community. They need to be integrated into our City’s transport plan and given a clear priority.

Comments on Specific Components of the Plan Change

- *Objectives, Issues and Policies*

The analysis of the proposed plan notes:

- The objective of the Hutt Corridor plan includes increasing trips made by walking, cycling and public transport (page 116)
- The key matter for the District Plan from the Regional Cycling Plan (GWRC) is the provision for cyclists in land development (page 117)
- The Regional Travel Demand Management Plan (GWRC) requires all large subdivisions and developments to include appropriate provision for walking, cycling and public transport (page 116)
- HCC’s walking and cycling strategy states “As the city grows, it is crucial that we follow best practice in the provision for active travel within neighbourhoods and subdivision developments” (page 121)

Despite these requirements and the clear intent from HCC itself, the Issues, Objectives and Policies of the proposed plan make NO mention of cycling, walking or public transport.

The issues and objectives in the plan aim to reduce noise and vibration, but make no mention of:

- preventing death from obesity and diabetes because of inactivity
- reducing the potentially devastating impacts on our city from global warming
- creating liveable, people centred communities free of traffic congestion
- improving the uptake of active transport modes

This reflects dismally on the vision of council.

The neutrality and narrow focus of the proposed objectives does not give voice to Council's intent, and gives no guidance, and therefore broad discretion, to council officers.

- ***The Transport Hierarchy***

The Transport Network Hierarchy (page 13) is a bland restatement of a motor-vehicle centric approach to transport.

It is about cars and commercial vehicles. It makes NO mention of cycling or public transport. Motorways – rather than people, their health or the environment - are “at the top of the food chain”. This is profoundly disappointing. Neither does it accommodate the growing number of elderly people who no longer drive, nor the increasing number of young people who do not drive.

The inclusion of bus routes and cycle networks into a city transport hierarchy is seen by the Hutt Cycle Network as a sensible way to achieve integration of systems. This not a political statement, but common sense.

- ***Trip end Facilities***

The proposed trip end facilities for cyclists fall well short of best practice. They only provide for cycle parks for employees.

Trip-end facilities should include:

- Covered, secure cycle parking for employees
- Cycle parking at specified ratios for all other individuals attending a site (students at educational institutions, residents, shoppers/customers, public transport interchanges and stations, etc.)
- Cycle facilities to be closer to key entrances than car parks (except for disabled car parking)
- CCTV surveillance of all cycle parking where the organization has CCTV surveillance systems

We wish to present orally on our submission.

Timon Bakker
Chair
Hutt Cycle Network

From: Claire Fell <Claire.Fell@beca.com>
Sent: Friday, 4 November 2016 2:41 p.m.
To: Corporate Records
Subject: New Zealand Fire Service Submission on Plan Change 39- Transport
Attachments: NZFS Submission Hutt CC Plan Change 39- Transport.pdf

Good afternoon,

Please find attached a submission on behalf of the NZ Fire Service Commission on proposed Plan Change 39

We look forward to hearing from you in due course

Kind Regards,

Claire Fell

Planner

Beca

Phone +64 4 473 7551

DDI +64 4 901 2381

MOB 027 405 5447

Claire.fell@beca.com

www.beca.com

www.Linkedin.com/company/beca

NOTICE: This email, if it relates to a specific contract, is sent on behalf of the Beca company which entered into the contract. Please contact the sender if you are unsure of the contracting Beca company or visit our web page <http://www.beca.com> for further information on the Beca Group. If this email relates to a specific contract, by responding you agree that, regardless of its terms, this email and the response by you will be a valid communication for the purposes of that contract, and may bind the parties accordingly.

This e-mail together with any attachments is confidential, may be subject to legal privilege and may contain proprietary information, including information protected by copyright. If you are not the intended recipient, please do not copy, use or disclose this e-mail; please notify us immediately by return e-mail and then delete this e-mail.

FORM 5**SUBMISSION ON A DRAFT PUBLICLY NOTIFIED PLAN
CHANGE UNDER THE RESOURCE MANAGEMENT ACT 1991**

To: Hutt City Council

Submission on: Hutt City Council- Proposed Plan Change 39- Transport

Name of submitter: **New Zealand Fire Service Commission (the Commission)**

Address for service: C/- Beca Ltd
PO Box 3942
WELLINGTON 6140

Attention: Claire Fell

Phone: 04 901 2381

Email: Claire.fell@beca.com

This is a submission on Proposed Plan Change 39 of the Hutt City Plan on matters concerning the New Zealand Fire Service Commission (the Commission).

The specific parts of the application that the NZFS Commission's submission relates to are:

Access way widths for new developments under the Proposed Plan Change.

Reason for submission:

In achieving the sustainable management of natural and physical resources under the RMA 1991, decision makers must have regard to the health and safety of people and communities. Furthermore, there is a duty to avoid, remedy or mitigate actual and potential adverse effects on the environment. The risk of fire represents a potential adverse effect of low probability but high potential impact. The Commission has a responsibility under the Fire Service Act 1975 to provide for structural firefighting activities in a safe, effective and efficient manner. As such, the NZFS Commission monitors development occurring under the RMA 1991 to ensure that, where necessary, appropriate consideration is given to fire safety.

The Commission provided feedback on the Draft Plan Change on the 3rd of September 2015. The letter outlined that the Commission would like to take this opportunity to promote the inclusion of access ways that meet the provisions of the NZFS Code of Practice SNZ PAS 4509:2008 for Fire Fighting water supplies (the Code) within the Hutt City Council District Plan.

As outlined in the original letter, the Code outlines the access requirements for all developments to enable a fire appliance to access a property that may be on fire. The access requirements within the code state that four metres clearance is needed in terms of height and width for all properties that are further than 132 metres from a fire hydrant. This is to enable the fire appliance to effectively access the property and have enough room to manoeuvre around the appliance to connect hoses and access other compartments of the vehicle.

Access Requirements

Amendment 23 of the proposed plan change outlines the standards for the site access. It states that site access must be designed and constructed in accordance with Section 3 of AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking. The Commission is unsure as to whether or not this standard provides for access widths that are more than four metres wide to enable fire appliances to access in accordance with the Code. The Commission would like to see more clarity in this rule regarding the minimum standards for new access ways. Ensuring that there is a four metre minimum requirement for all new site access points will enable Commission to attend a fire and operate in an effective and efficient manner when attending emergencies.

Although there are changes made to the subdivision chapter, the Commission notes that submitting on the minimum width requirements for access ways are out of scope for this particular plan change.

Car parking for emergency service activities

The Commission is supportive of the standard outlined in Amendment 28 of the District Plan chapter that related to the minimum parking standards for emergency facilities. Two parking spots per 100m² GFA is practical in terms of the requirements of a fire station.

The NZFS Commission's submission is:

This is a submission in opposition of Amendment 23.

“Standard 2 Site Access and Manoeuvring Area

(a) Vehicle Access (excluding separation distances from intersections)

No more than two separate crossings for any front site. The total width of such crossings must not exceed 50% of the road frontage.

Site access must be designed and constructed in accordance with Section 3 of AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking.”

The Commission would like to request that minimum width requirements of four metres apply to all new site accesses.

This is a submission in **support** from the Commission for the following provision:

Appendix 1- Standard 4, Amendment 28, Standard 4 (a) Car Parking Requirements

Industrial- Emergency facilities- 2 per 100m² GFA.

The NZFS Commission seeks the following decision from the Council:

That the above proposed changes be made to the District Plan if Plan Change 39 is approved.

The NZFS Commission does wish to be heard in support of their submission.



.....
(Signature of person authorised to sign on behalf of New Zealand Fire Service Commission)

4/11/2016

.....
Date

From: Caroline Watson <Caroline.Watson@gw.govt.nz>
Sent: Friday, 4 November 2016 3:42 p.m.
To: Corporate Records
Subject: Submission on Plan Change 39: Transport
Attachments: SUBMISSION HCC Proposed Plan Change 38 Transport Review.docx

Good afternoon

Here is the submission from GWRC on Plan Change 39: Transport.

Please acknowledge receipt of this email.

Kind regards

Caroline Watson | Policy Advisor, Environmental Policy
GREATER WELLINGTON REGIONAL COUNCIL
Te Pane Matua Taiao

34 Chapel St, PO Box 41, Masterton 5840

T: 06 826-1541 |

www.gw.govt.nz www.facebook.com/greaterwellington

 **Think green:** read on the screen.

ATTENTION: This correspondence is confidential and intended for the named recipient(s) only. If you are not the named recipient and receive this correspondence in error, you must not copy, distribute or take any action in reliance on it and you should delete it from your system and notify the sender immediately. Unless otherwise stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

ATTENTION: This correspondence is confidential and intended for the named recipient(s) only. If you are not the named recipient and receive this correspondence in error, you must not copy, distribute or take any action in reliance on it and you should delete it from your system and notify the sender immediately. Unless otherwise stated, any views or opinions expressed are solely those of the author, and do not represent those of the organisation.

04 November 2016

Environmental Policy Division
Hutt City Council
Private Bay 3191231-912
Lower Hutt 5040

Shed 39, Harbour Quays
PO Box 11646
Manners Street
Wellington 6142
T 04 384 5708
F 04 385 6960
www.gw.govt.nz

submissions@huttcity.govt.nz

Dear Sir/Madam

Submission on Proposed District Plan Change 39: Transport

Please find enclosed Greater Wellington Regional Council's submission on Proposed District Plan Change 39: Transport.

Please feel free to contact me on (06) 826 1541 (note new phone number) or caroline.watson@gw.govt.nz if you have any questions or concerns.

Yours sincerely



Caro Watson
Policy Advisor, Environmental Policy

Encl: Submission

Greater Wellington Regional Council: Submission

To:	Hutt City Council
Submission on:	Proposed District Plan Change 39: Transport

1. Reason for submission

- 1.1 Greater Wellington Regional Council (GWRC) wishes to make a submission on Proposed District Plan Change 39: Transport, pursuant to Section 6 of the Resource Management Act 1991 (RMA).

Regional transport policy and planning

- 1.2 At a regional level, GWRC has a regional transport planning role. We support the Regional Transport Committee in developing the Regional Land Transport Plan (RLTP) and provide strategic transport planning advice, coordination and advocacy.
- 1.3 GWRC is responsible for the planning and delivery of the public transport network in the Wellington region. In doing so, GWRC is guided by the Regional Public Transport Plan (RPTP), which sets the direction for public transport over a 10 year period and aims to deliver an effective, efficient and integrated public transport network. In order to achieve this, it is important that the public transport component of the transport network in Hutt City is accurately described in the Hutt City District Plan.
- 1.4 The Wellington Regional Land Transport Plan provides the strategic direction for land transport in the region over the next 10-30 years. It outlines a programme of land transport activities that will need funding over the next 6 years. Plan Change 39 seeks to achieve outcomes that are in alignment with the direction of the RLTP.
- 1.5 The RPS for the Wellington region gives guidance on the direction of the sustainable management of natural and physical resources in the Wellington region. The integration between land use and transport has been identified as a regionally significant issue for the region, and the RPS sets out objectives and policies to address these issues.

2. Comments

- 2.1 GWRC commends Hutt City Council for their much more 'multi-modal' approach to the transport provisions in the Hutt City District Plan, as proposed in Plan Change 39. These provisions will help to deliver the outcomes sought for transport in the region.
- 2.2 Overall, GWRC supports Proposed District Plan Change 39: Transport and seeks some amendments and further consideration of some particular matters.

2.3 The primary reasons for supporting Proposed District Plan Change 39 are its consistency with:

- The Wellington Regional Policy Statement 2010 (RPS),
- The Regional Land Transport Plan 2015 (RLTP), and
- The Regional Public Transport Plan 2014 (RPTP).

3. Policy framework

3.1 When assessing Proposed District Plan Change 39 for consistency with the RPS, RLTP, RPTP, Greater Wellington Regional Council is particularly interested in how this plan change will support and contribute to achieving the sustainable management of natural and physical resources in the Wellington region.

4. Relevant RPS provisions

Protecting regionally significant infrastructure

4.1 Policy 8 of the RPS requires that district plans include policies and rules that protect regionally significant infrastructure from incompatible new subdivision use and development occurring under, over, or adjacent to the infrastructure. GWRC commends this plan change for including stronger provisions to protect regionally significant infrastructure from incompatible and inappropriate activities.

Travel demand management

4.2 RPS Policy 10 seeks that district plans include policies to promote travel demand management mechanisms that reduce the reliance on non-renewable fossil fuels and carbon dioxide emissions from transportation. The removal of car parking requirements in some zones as well as the requirement to include cycle facilities as part of developments will both help to promote the use of public transport, walking and cycling.

Enhancing the viability and vibrancy

4.3 Policy 30 of the RPS seeks that district plans include provisions that enable and manage a range of land use activities that maintain and enhance the viability and vibrancy of regional central business districts, of which Hutt City centre is one. GWRC largely supports the direction of and amendments to the transport provisions in the Hutt City District Plan, which will contribute to enhancing the liveability of Hutt City. GWRC particularly supports a reduction in the minimum parking spaces required for some new development and the new standards requiring minimum provisions for cycle parking and end of trip facilities.

Land use and transport integration

4.4 Policy 55 and 57 of the RPS seeks that urban development has a compact, well designed and sustainable form and is well integrated and connected with the public transport network. GWRC provides public transport services throughout the region and is generally supportive of the amendments proposed as part of

District Plan Change 39 regarding integration with public transport facilities. There are some instances in the plan change documentation where there are inaccuracies in relation to the responsibilities of GWRC towards public transport infrastructure and other areas where amendments or further considerations are sought.

- 4.5 These suggested amendments and other comments have been included in table format in Appendix 1 attached to this submission.

5. Relief sought

- 5.1 Should the Hutt City Council approve Proposed District Plan Change 39, GWRC requests that our support is noted where given and amendments are made where sought.

6. Further involvement

GWRC recommends that the points as outlined be considered. We would also welcome the opportunity to clarify and further discuss the matters raised.

GWRC wishes to be heard in support of its submission.



Matt Hickman
Manager, Environmental Policy

Address for service:

Caro Watson
Policy Advisor, Environmental Policy
Greater Wellington Regional Council
34 Chapel Street
PO Box 41
Masterton

T 06 826 1541

Appendix 1 – Table of specific comments from GWRC

Section	Title	Comment	Requested change
14A 1	Introduction	The description of the transport network on page 8 can be improved to be consistent with the Regional Public Transport Plan (RPTP).	<p>Amend text in 2nd bullet to read:</p> <ul style="list-style-type: none"> • Pedestrian and cycling facilities within the road corridor, and off-road where primarily for transport purposes; routes, whether they be within a road corridor or not;
14A 1	Introduction	The description of the transport network on page 8 can be improved to be consistent with the Regional Public Transport Plan (RPTP).	<p>Amend text in 6th bullet to read:</p> <ul style="list-style-type: none"> • ‘public transport <u>services and their associated infrastructure</u> (including bus, commuter railway train and ferry services, and their associated stops, stations and terminals <u>train stations, harbour ferry wharfs, bus stops and Park and Ride car parks at train stations</u>).’
14A 2-4	Issues, Objectives, Policies	<p>Strongly Support the new issues, objectives and policies identified in Amendments 3 – 18.</p> <p>In particular:</p> <p>Support Objective 14A 3.1 which is consistent with RPS Policy 57 which seeks integrated land use and transportation.</p> <p>Support Objective 14A 3.3 which seeks to give effect to Policy 8 of the RPS by giving protection to regionally significant infrastructure from incompatible new subdivision, use and development.</p> <p>Support Objective 14A 3.4 which seeks to protect regionally significant infrastructure from the effects of high trip generating activities which is also consistent with RPS Policy 8.</p>	n/a

Section	Title	Comment	Requested change
		<p>Support Objective 14A 3.5 which is consistent with the direction in RPS Policy 8 seeking to protect regionally significant infrastructure from adverse effects of new development.</p> <p>Support Policy 14A 4.2 which seeks to avoid significant adverse effects on the connectivity, accessibility and safety of the transport network which is consistent with Policy 8 of the RPS.</p> <p>Support Policy 14A 4.4 which seeks to avoid, remedy or mitigate adverse effects on the transport network from development activities which are noise sensitive, which is also consistent with RPS Policy 8.</p> <p>Support Policy 14A 4.5 which is consistent with the direction provided in Policy 8 of the RPS around the protection of regionally significant infrastructure from adverse effects from other activities.</p> <p>Support Policy 14A 4.6 which seeks to protect regionally significant infrastructure from activities that might compromise its safety and efficiency.</p>	
14A 4.7	Policies	Strongly support Policy 14A 4.7 and recommend the use of ‘all modes’ rather than ‘multiple modes’ as these have slightly different meanings and the former is what should be sought through this policy. Also for consistency with Objective 14A 3.1.	Amend Policy 14A 4.7 to read: <i>‘The transport network, land use, subdivision and development should provide for multiple <u>all modes of transport modes</u>’.</i>
14A 5.1	Rules	<p>Strongly support new rules and requirement for an Integrated Transport Assessment for high trip generator thresholds, in accordance with best practice guidelines.</p> <p>This is consistent with Policy 57 of the RPS, which seeks an integrated and multi-modal approach to land use and transport planning and development.</p>	n/a
Appendix	Engineering	Support having a requirement for road design in accordance with	n/a

Section	Title	Comment	Requested change
Transport 1 - Standards	standards	best practice standards This is consistent with Policy E.5 of the RLTP 2015 that seeks the use of best practice design standards for all new transport infrastructure projects.	
Appendix Transport 1 - Standards	Standards	Support a standard to ensure minimum sight distances at Railway Level Crossings This is consistent with the RLTP 2015 Objective 'A safer system for all users of the regional transport network' and the associated outcome 'Improved regional road safety'.	n/a
Appendix Transport 1 - Standards	Minimum Parking Standards	Parking is an important consideration in achieving the agreed direction of the RLTP 2015 and the RPS as it can influence the uptake of public transport and active modes, influence travel behaviour and travel demand, and the efficient use of the transport network. Strongly support the removal of any parking requirements in Central Commercial Activity Area and the Petone Commercial Area. We welcome this deliberate approach which seeks to encourage residential and small businesses in these areas, while managing the impact of larger commercial activities as High Trip Generators through the new Rule 14 5.1(c) requirement to provide and Integrated Transport Assessment. Strongly support the reduction in the minimum parking spaces for residential from 2 spaces to 1 space. This is consistent with: Policy E.7 of the RLTP which states that ' <i>Parking provisions in district plans should be reviewed to ensure they provide flexibility</i>	n/a

Section	Title	Comment	Requested change
		<p><i>and do not result in an oversupply of parking as part of new residential or commercial development’.</i></p> <p>Policy 10 and Policy 57 of the RPS in relation to promoting travel demand management and integrated land use and transport.</p> <p>(We note that maximum parking standards were considered in the review process and section 32 report but these were rejected based on an assessment of NZ and overseas evidence).</p>	
Appendix Transport 1 - Standards	Table 4-1 Minimum Parking Standards	<p>We note that the number of parking spaces (1) per 2.5 students seems high. There are examples from around NZ that use different requirements such as Porirua City Council, North Shore City Council and Manukau City District Plan.</p> <p>The requirement for bus parking as a district plan provision should be included at new secondary and tertiary education facilities.</p>	<p>Amend the parking standards for tertiary or adult education (outside the Tertiary Education Precinct) to 1 carpark per 3 students.</p> <p>Amend the provisions to include a requirement to have a minimum of 2 bus parks at both new secondary schools and tertiary or adult education facilities (both within the Tertiary Education Precinct and outside it).</p>
Appendix Transport 1 - Standards	Cycle parking and end of trip facility requirements	<p>Strongly support the new standard requiring minimum provision of cycle parking and end of trip facilities.</p> <p>Cycle parking and end of trip facilities are an important factor in supporting the RLTP 2015 outcome that seeks to increase the number of people who travel by bike.</p> <p>The requirement is consistent with Policy I 10 of the RLTP 2015 which states that cycling will be provided for as part of new land use development, consistent with best practice standards.</p> <p>It is also consistent with Policy 10 of the RPS which promotes travel</p>	<p>Seek further consideration of several additional provisions in relation to cycle parking and end of trip facilities:</p> <ul style="list-style-type: none"> Including requirements for ‘quality’ aspects of cycle parking that meet best practice guidelines. <p>e.g. a stand required as a minimum to provide support for the bike and something to lock it to, location close to the main entrance, sheltered/covered, secure (natural surveillance or CCTV), located so as not to impede pedestrians or vehicle movements.</p>

Section	Title	Comment	Requested change
		<p>demand management and a reduction in transport generated carbon dioxide and fuel use.</p> <p>We commend the proposed inclusion of these provisions in the Hutt City District Plan.</p> <p>We also seek some further consideration of several additional provisions in relation to cycle parking and end of trip facilities that could build upon these minimum requirements to support cycling uptake.</p>	<ul style="list-style-type: none"> • Extending the requirement to apply to new multi-unit residential developments (e.g. 20 or more units). • Including cycle parking rates for visitors (short stay)
Appendix Transport 1 - Standards	Development within the State Highway and Railway Corridor Buffer Overlays	<p>Support the proposed 40m buffer area (with noise, vibration, ventilation standards for new buildings or activities) to protect the state highway and railway corridor against reverse sensitivity effects.</p> <p>This is consistent with Policy 8 of the RPS which seeks to protect Regionally Significant Infrastructure from incompatible new subdivision, use and development.</p>	n/a
Appendix Transport 3 - Transport Network Hierarchy	Pedestrian streets	Very few streets have been included as pedestrian streets, and we would expect to see some consideration to the pedestrian / bus conflict on Bunny Street plus Queens Drive from Bunny Street to Waterloo Road.	Amend the provisions to include a list of additional street locations that have a high pedestrian/bus conflict in Hutt City.
Section 32		<p>Note – The Section 32 Report includes reference to a number of non-statutory regional transport plans that no longer exist.</p> <p>These are – Hutt Corridor Plan, Regional Road Safety Plan, Regional Cycling Plan, Regional Walking Plan, Regional Travel Demand Management, and Regional Freight Plan. These documents have</p>	n/a

Section	Title	Comment	Requested change
		been superseded by the new RLTP 2015, which now includes chapters covering these mode and issue areas, with a similar policy direction, updated in 2015.	
Section 32	Other Relevant Statutory and Non-Statutory Strategies and Policies	The Section 32 Report does not include reference to Regional Public Transport Plan (GWRC Statutory plan)	<p>Seek to revisit the evaluation to include an analysis of the plan against the requirements in the RPTP and therefore include the reference of the Regional Public Transport Plan (GWRC)</p> <p>http://www.gw.govt.nz/assets/Transport/Regional-transport/RPTP/WGNDocs-1386111-v1-FinalRPTPdocWEBversion.PDF</p>
Section 32	Other Relevant Statutory and Non-Statutory Strategies and Policies	The Section 32 Report does not include reference to Regional Rail Plan (GWRC Non-Statutory plan)	<p>Seek to revisit the evaluation to include an analysis of the plan against the requirements in the RPTP and therefore include the reference of the Regional Rail Plan (GWRC)</p> <p>http://www.gw.govt.nz/assets/Transport/Public-transport/Train-docs/WellingtonRegionalRailPlan2010-2035.pdf</p>
Definitions		We suggest that a new definition for ‘transport network’ should be included in the plan change to make it clear what the objectives and policies are trying to achieve. While we note that the “Hutt City transport network” is described in the introduction and this could be used to form the base of the definition.	<p>Include a new definition for “transport network”.</p> <p>The transport network comprises the following components and transport modes:</p> <ul style="list-style-type: none"> • All road corridors (including both State Highways and Local Roads); • Pedestrian and cycling facilities within the road corridor, and off-road where primarily used for transport purposes. • All railway corridors; • Car and cycle parking facilities; • Loading facilities; and

Section	Title	Comment	Requested change
			<ul style="list-style-type: none">Public transport services and their associated infrastructure (including bus, train and ferry services, and their associated train stations, harbour ferry wharfs, bus stops and Park and Ride car parks at train stations).

Introduction

Submission on Proposed Plan Change 39

Proposed Plan Change 39 is a review of the transport provisions of the District Plan. It contains a complete review of Chapter 14A Transport (including the standards referred to in the chapter) as well as the other transport provisions throughout the Plan.

Privacy Statement

Personal information provided by you in your submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Submitter Details

First Name: **Harriet**
Last Name: **Fraser**
Organisation: **Harriet Fraser Traffic Engineering and Transportation Planning**
On behalf of: **Myself**
Street: **2021 Akatarawa Road**
Suburb: **Akatarawa Valley**
City: **Upper Hutt**
Country: **New Zealand**
PostCode: **5372**
Daytime Phone: **045262979**
Mobile: **0276685872**
eMail: **harriet@harrietfraser.co.nz**

Wishes to be heard:

- ☐ Yes
☒ I do NOT wish to speak in support of my submission and ask that the following submission be fully considered.

Correspondence to:

- ☒ Submitter
☐ Agent
☐ Both

Submission

1. The specific provisions of the proposal that my submission relates to are:

(Please give details)

Decision Requested

Changes to Plan Change 39 are considered as per the attached submission.

Reason for Decision

Seeking to make the District Plan transportation standards as workable as possible while ensuring that traffic effects associated with development are given reasonable consideration.

2. My submission is:

(Include whether you support or oppose the specific provisions or wish to have them amended, and reasons for your views)

Comments

See attached submission.

3. I seek the following decision from Hutt City Council:

(Give precise details)

Comments

Consideration of changes as set out in the attached submission.

4. In support of my submission:

☐ I wish to be heard

☒ I do not wish to be heard

5. If others make a similar submission:

☐ I will consider presenting a joint case with them at the hearing

☒ I will not consider presenting a joint case with them at the hearing

Attached Documents

File
Harriet Fraser Submission on Hutt City Proposed Plan Change 39

Need Help?

Privacy Statement

Harriet Fraser Submission on Hutt City Proposed Plan Change 39

Introduction

I am a local traffic engineer. I worked for Traffic Design Group in Lower Hutt from 1998 to 2012 and since 2012 I have been working as a sole practitioner with a significant amount of my workload being in Hutt City. I have assessed the traffic effects of many developments against the provisions of the existing District Plan. At the moment I am engaged by Palmerston North City Council to assist with changes they hope to make to the transportation section of their District Plan. I have set out a number of concerns/ suggestions below. Time constraints prevent me from going into a lot of depth and where I do not include a comment on a proposed amendment does not mean that I either agree or disagree with the proposed change. I have simply focussed on what in my experience are the main issues.

Amendment 23

Standard 2 – Site Access and Manoeuvre Area

(a) Vehicle Access (excluding separation distances from intersections)

Site access must be designed and constructed in accordance with Section 3 of AS/NZS 2890.1:2004 Parking Facilities Part 1: Off-Street Car Parking.

Comment – Section 3 of AS/NZS 2890.1 includes the provision of a pedestrian visibility splay. I commend the introduction of pedestrian visibility splay requirements into the District Plan. However I consider that the requirement should be linked in to the receiving traffic environment and in particular pedestrian environment. In my view the provision of pedestrian splays for low trafficked driveways across footpaths with low pedestrian volumes may be overly onerous on the developer/applicant. For instance single residential dwellings in a residential area with access onto an Access Road might reasonably be able to be exempt from the requirement.

Section 3 of AS/NZS 2890.1 also includes separation distances between one-way entry and exit driveways but does not include separation distances between two frontage two-way driveways as permitted by the Proposed Plan Change or to a driveway on a neighbouring site. I suggest that a minimum separation distance is included to achieve the following:

- Avoid long combined vehicle crossings
- Allow for the provision of pedestrian visibility splays
- Provide holding space for pedestrians between driveways
- Allow for inter-visibility and separation between vehicles on neighbouring driveways.

Amendment 24

(b) Separation Distances from Intersections

Diagram 2-1: Separation Distance from Intersection

Comment – add clarification with regard to whether the separation distances apply to driveways along the frontage opposite the intersection.

(c) Manoeuvring Area

Sufficient area must be provided to allow vehicles to enter and exit the site in a forward direction except where the access is to a dwelling and the posted speed limit is less than 80kph.

Comment – this proposed standard allows for vehicles to reverse onto or off residential properties regardless of how heavily trafficked the frontage road is. I would suggest that it may not be safe or appropriate for vehicles to reverse onto or off some of the busier streets in the city. To avoid confusion I suggest that it would be useful to add the word ‘single’ in before the word ‘dwelling’ in the final sentence.

Amendment 28

Standard 4 – Car and Cycle Parking and End of Trip Facilities

(a) Car Parking Requirements

Comment – the proposed plan change results in a requirement for new dwellings to provide one rather than two parking spaces. This assumes that either one space is sufficient for all parking needs of residents and their visitors or that overspill parking can be readily accommodated. In the 2013 Census 44% of Hutt City households had two or more cars. On top of this, consideration needs to be given to visitor parking demands. Parts of the City have very little kerbside/ public parking available eg. on the edge of the CBD, near Hutt Hospital, around WelTec, close to some of the suburban and commercial centres and in the vicinity of some of the train stations. In these areas additional overspill parking will exacerbate existing parking pressures. It is important that where there are existing parking pressures that the on-site parking provision can reasonably meet the parking demands generated by the site. I am also of the view that a multi-unit development providing one space per dwelling with no on-site visitor parking could result in significant overspill parking.

The proposed plan change continues to require one parking space per on-site staff member for childcare centres. This requirement does not in my view include proper allowance for the parking activity associated with drop-off and pick-up. As for the residential parking discussed above, this may not be a problem where overspill parking is not a problem but there are areas of the City where kerbside parking is very heavily used.

Amendment 32

(e) Cycle Parking and End of Trip Facility Requirements

Table 4-2: Minimum Cycle Parks and Showers

<i>No. of Staff Members</i>	<i>No. of Cycle Parks</i>
<i>1-5</i>	<i>0</i>
<i>6-10</i>	<i>1</i>
<i>10 or more</i>	<i>1 per 10 staff members</i>

Comment – the 2013 Census data showed 1.8% of Hutt residents cycled to work. The proposed cycle parking provision assumes that 10-16.7% of staff will cycle to work. When compared to the Census data this level of provision seems excessive. I suggest that providing cycle parking facilities for

around 4% of staff would be more reasonable and still allows for some variation and growth. Table 4-2 would then be as follows.

No. of Staff Members	No. of Cycle Parks
1-5	0
6-25	1
25 or more	1 per 25 staff members or part thereof

Amendment 33

Standard 5 – Loading and Unloading

(a) Loading and Unloading Requirements for Non-Residential Activities

For non-residential activities the number of loading spaces to be provided must not be less than that shown in Table 5-1.

Comment- the loading and unloading requirements for different activities vary enormously. Many activities can be fully serviced by cars and vans where others require articulated trucks. I suggest that somewhere in the Standards a requirement is included that ‘all reasonable provision for loading/ unloading activities associated with the activity be met on-site’. Some design provision should also be included for when servicing occurs by either van or articulated trucks.

It is unclear whether Standard 2 (c) Manoeuvring Area applies to both car and truck access. It might be useful to include a similar provision under Standard 5.

Other

It might be useful to include a cross reference to the access provisions for private accesses in Chapter 11 Subdivision. Otherwise I suggest modifying Amendment 22 to read:

(b) Engineering Standards

All roads and private ways must be designed.....

It might be useful to include provision for a rubbish collection point for multi-unit residential developments.

From: Dan McGregor (GBC Winstone) <Dan.McGregor@gbcwinstone.co.nz>
Sent: Monday, 7 November 2016 8:09 a.m.
To: Corporate Records
Subject: Plan Change 39
Attachments: Winstone submission HCC PC39.pdf

Good morning,

Please find attached a late submission on Plan Change 39.

Regards
Dan



The information contained in this document is confidential to the addressee and is not necessarily the view of the Company. If you are not the intended recipient of this email or attachments. If you have received this in error, please notify us by return email. The Company does not guarantee the security or reliability of this information.



7 November 2016

Chief Executive

Hutt City Council

Via e-mail submission@huttcity.govt.nz

To whom it may concern

RE: LATE SUBMISSION TO PLAN CHANGE 39 TRANSPORT

GBC Winstone and Firth Industries (divisions of Fletcher Concrete and Infrastructure Ltd) seek a waiver for the acceptance of a late submission to Plan Change 39 (PC39). Unfortunately we did not identify the potential issues associated with PC39 until late in the submission period and required planning assistance in the evaluation of PC39 and the preparation of the submission.

Council has the ability to accept late submissions in accordance with section 37 of the Resource Management Act. In this case:

- i. Accepting the late submission does not prejudice any party;
- ii. Accepting the late submission does not involve more than doubling of the timeframes;
- iii. GBC Winstone and Firth Industries are parties with significant investment in the City and who are directly affected by PC16.

Please feel free to contact me regarding the above matters.

Yours faithfully

Dan McGregor

For GBC Winstone and Firth Industries

Submission on the Proposed Plan Change 39 Transport

To: The Chief Executive
Hutt City Council

Name of submitters: Winstone Aggregates, a division of Fletcher Concrete and
Infrastructure Limited

Firth Industries, a division of Fletcher Concrete and Infrastructure
Limited

Introduction:

1. This is a submission on the Proposed Plan Change 39 (PC39).
2. The submitters could not gain an advantage in trade competition through this submission.
3. GBC Winstone is New Zealand's largest manufacturer and distributor of aggregates and sand to roading, ready mixed concrete, concrete product manufacturers, and to building and contracting customers. Winstone Aggregates operate 26 locations nationwide & have been in operation since 1864.
4. Firth Industries (Firth) is New Zealand's largest manufacturer of concrete products, systems and solutions. Firth has a team of 650 people, working in more than 65 plant sites throughout New Zealand.
5. GBC Winstone and Firth operate the Belmont Quarry and a number of heavy industry activities, including block making plant, within the quarry.

Submission, Relief and Reasons

6. The submitters oppose PC39 in respect to the effect it has on the Extraction Activity Area and the permitted activities which are anticipated by that Zone. The Extraction Activity Area is a dedicated Zone for mineral extraction activities and allied industry activities. The Zone provides a standalone framework for the management of mineral extraction and industry activities, and the location of the zone is specific to where the resource is contained. The Zone has been in place for a considerable period of time, and the vehicle access requirements are part of the existing transportation network and infrastructure.
7. PC39 has the effect of creating capture-all rules associated with “any activity not listed above” in Appendix Transport 2 – High Trip Generator Thresholds. This could have the effect of capturing existing permitted and well-established activities in the Extraction Activity Area where there is a minor expansion of buildings, activities or operations.
8. The submitters seek that the Extraction Activity Area (including mineral extraction activities and industries located within the Zone) is exempt from:
 - i. Policy 14A.4.5 (Amendment 17);
 - ii. Rule 14A.5 (Amendment 20);
 - iii. Appendix Transport 2 – High Trip Generator Thresholds (Amendment 39).
9. The submitters seek that PC39 be amended to specifically exempt the Extraction Activity Area from the provisions of PC39.
10. The submitter seeks the following decision from the Council:
 - (a) that the proposed provisions be amended to address the concerns set out in this submission so as to provide for the sustainable management of the City's natural and physical resources and thereby achieve the purpose of the RMA.
 - (b) any other additional or consequential relief to PC39, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission.
11. Suggested relief to deal with the concerns in this submission is set out above. However, there may be other methods or relief that are able to address the submitters' concerns and the suggested revisions do not limit the generality of the reasons for this submission.

12. For those provisions the submitters oppose, those provisions require amendment, as sought above. This is because, without the amendments proposed by the submitters, the provisions:
- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
 - (b) will not enable the social and economic wellbeing of the community in the City;
 - (c) will not sustain the potential of the physical resource represented by the submitters' assets in the City for the future;
 - (d) are not adequate to protect and enable the submitters' operations in the City generally;
 - (e) do not have sufficient regard to the efficient use and development of the submitters' assets and of those resources which are dependent on, or benefit from, the submitters' assets and operations; and
 - (f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.
13. The submitters wish to be heard in support of their submission.
14. If others make a similar submission, the submitters will consider presenting a joint case with them at any hearing.

Signature:

FOR THE SUBMITTERS



Dan McGregor
Environmental Projects Planner

GBC Winstone

Date: 7 November 2016

Address for Service:

PO Box 17-195

Greenlane, Auckland

Phone (09) 525 9324

Fax: (09) 525 9301

Email:

Dan.McGregor@winstoneaggregates.co.nz

From: James Willoughby (Firth) <James.Willoughby@firth.co.nz>
Sent: Monday, 7 November 2016 10:56 a.m.
To: Corporate Records
Subject: Plan Change 39 Transport
Attachments: Plan Change 39.pdf

Hello,

Please find attached our late submission on Plan Change 39 – Transport.

Regards James



James Willoughby | Head of Environment, Health & Safety

D: +64 9 583 2166 | M: +64 27 429 9727

Private Bag 99904, Newmarket, Auckland 1149

James.Willoughby@firth.co.nz | www.firth.co.nz | www.csppacific.co.nz

The information contained in this document is confidential to the addressee and is not necessarily the view of the Company. If you are not the intended recipient, you must not peruse, use, disseminate, distribute or copy this email or attachments. If you have received this in error, please notify us by return email. The Company does not guarantee the security or reliability of this email or any attachments.

7 November 2016

Chief Executive

Hutt City Council

Via e-mail submission@huttcity.govt.nz

To whom it may concern

RE: LATE SUBMISSION TO PLAN CHANGE 39 TRANSPORT

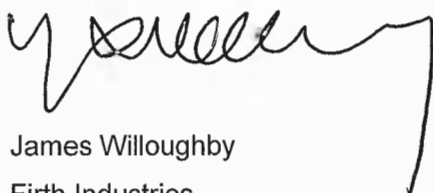
Firth Industries (divisions of Fletcher Concrete and Infrastructure Ltd) seek a waiver for the acceptance of a late submission to Plan Change 39 (PC39). Unfortunately we did not identify the potential issues associated with PC39 until late in the submission period and required planning assistance in the evaluation of PC39 and the preparation of the submission.

Council has the ability to accept late submissions in accordance with section 37 of the Resource Management Act. In this case:

- i. Accepting the late submission does not prejudice any party;
- ii. Accepting the late submission does not involve more than doubling of the timeframes;
- iii. Firth Industries are a party with significant investment in the City and who are directly affected by PC16.

Please feel free to contact me regarding the above matters.

Yours faithfully



James Willoughby

Firth Industries

Submission on the Proposed Plan Change 39 Transport

To: The Chief Executive
Hutt City Council

Name of submitters: Firth Industries, a division of Fletcher Concrete and Infrastructure Limited

Introduction:

1. This is a submission on the Proposed Plan Change 39 (PC39).
2. The submitters could not gain an advantage in trade competition through this submission.
3. Firth Industries (Firth) is New Zealand's largest manufacturer of concrete products, systems and solutions. Firth has a team of 650 people, working in more than 65 plant sites throughout New Zealand.
4. Firth operate a number of heavy industry activities, including block making plant, within the quarry.

Submission, Relief and Reasons

5. The submitters oppose PC39 in respect to the effect it has on the Extraction Activity Area and the permitted activities which are anticipated by that Zone. The Extraction Activity Area is a dedicated Zone for mineral extraction activities and allied industry activities. The Zone provides a standalone framework for the management of mineral extraction and industry activities, and the location of the zone is specific to where the resource is contained. The Zone has been in place

for a considerable period of time, and the vehicle access requirements are part of the existing transportation network and infrastructure.

6. PC39 has the effect of creating capture all rules associated with “any activity not listed above” in Appendix Transport 2 – High Trip Generator Thresholds. This could have the effect of capturing existing permitted and well-established activities in the Extraction Activity Area where there is a minor expansion of buildings, activities or operations.
7. The submitters seek that the Extraction Activity Area (including mineral extraction activities and industries located within the Zone) is exempt from:
 - i. Policy 14A.4.5 (Amendment 17);
 - ii. Rule 14A.5 (Amendment 20);
 - iii. Appendix Transport 2 – High Trip Generator Thresholds (Amendment 39).
8. The submitters seek that PC39 be amended to specifically exempt the Extraction Activity Area from the provisions of PC39.
9. The submitter seeks the following decision from the Council:
 - (a) that the proposed provisions be amended to address the concerns set out in this submission so as to provide for the sustainable management of the City's natural and physical resources and thereby achieve the purpose of the RMA.
 - (b) any other additional or consequential relief to PC39, including but not limited to, the maps, issues, objectives, policies, rules, discretions, assessment criteria and explanations that will fully give effect to the matters raised in this submission.
10. Suggested relief to deal with the concerns in this submission is set out above. However, there may be other methods or relief that are able to address the submitters' concerns, and the suggested revisions do not limit the generality of the reasons for this submission.
11. For those provisions the submitters oppose, those provisions require amendment, as sought above. This is because, without the amendments proposed by the submitters, the provisions:
 - (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
 - (b) will not enable the social and economic wellbeing of the community in the City;

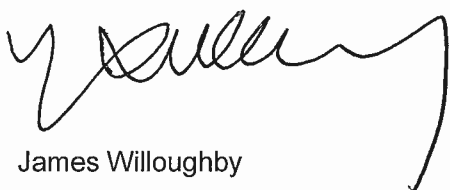
- (c) will not sustain the potential of the physical resource represented by the submitters' assets in the City for the future;
- (d) are not adequate to protect and enable the submitters' operations in the City generally;
- (e) do not have sufficient regard to the efficient use and development of the submitters' assets and of those resources which are dependent on, or benefit from, the submitters' assets and operations; and
- (f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

12. The submitters wish to be heard in support of their submission.

13. If others make a similar submission, the submitters will consider presenting a joint case with them at any hearing.

Signature:

FOR THE SUBMITTERS



James Willoughby

Head of Environment, Health & Safety

Firth Industries

Date: 7 November 2016

Address for Service:

Private Bag 99904

Newmarket, Auckland

Phone (09) 583 2166

Email: james.willoughby@firth.co.nz

From: Tom McKnight <Tom.McKnight@beca.com>
Sent: Tuesday, 8 November 2016 4:56 p.m.
To: Corporate Records
Cc: Nathan Baker; Victor Walker (Victor.Walker@education.govt.nz); Orchid Atimalala
Subject: Hutt City Council - Plan Change 39- Transport Submission
Attachments: NZ1-13325579-Hutt City Council - Plan Change 39- Transport Submission.pdf

Good afternoon

Please find attached a submission prepared on behalf of the Minister of Education in regards to Hutt City District Plan Proposed Plan Change 39: Transport.

Currently this submission has not been signed due to the absence of the correct signatory's however once they have returned a signed submission will be forwarded onto Hutt City Council as soon as possible.

Any questions please give me a call

Kind Regards
Tom

Tom McKnight

Planner
Beca Planning
Beca
Phone +64-4-460 1769
Mobile: 0278013157

tom.mcknight@beca.com

www.beca.com

<http://www.linkedin.com/company/beca>

NZ Workplace Health & Safety Supreme Award 2014 // Best overall contribution to improving workplace H&S
IWA Global Project Innovation Awards 2014 // Global Winner Design Projects – Wairakei Bioreactor

NOTICE: This email, if it relates to a specific contract, is sent on behalf of the Beca company which entered into the contract. Please contact the sender if you are unsure of the contracting Beca company or visit our web page <http://www.beca.com> for further information on the Beca Group. If this email relates to a specific contract, by responding you agree that, regardless of its terms, this email and the response by you will be a valid communication for the purposes of that contract, and may bind the parties accordingly.

This e-mail together with any attachments is confidential, may be subject to legal privilege and may contain proprietary information, including information protected by copyright. If you are not the intended recipient, please do not copy, use or disclose this e-mail; please notify us immediately by return e-mail and then delete this e-mail.

FORM 5**Submission on publically notified proposal for policy statement or plan, change or variation under Clause 6 of Schedule 1, Resource Management Act 1991**

To: Hutt City Council

Name of submitter: Minister of Education ('the Minister')

Address for service: C/- Beca Ltd
85 Molesworth Street
Wellington 6011

Attention: Tom McKnight

Phone: (04) 460 1769

Email: tom.mcknight@beca.com

This is a submission on the proposed Hutt City Proposed District Plan Change 39: Transport ('the proposal').

The specific parts of the application that the Minister of Education's submission relates to are:

- Chapter 14A – Transport (Issues, Objectives and Policies)

Background:

The Minister is a requiring authority as defined in Section 166 of the Resource Management Act. The Minister designates existing and proposed state school sites as an effective way of managing the Government's network of schools. There are 38 designated school sites listed in the Hutt City District Plan.

In addition, the Minister also has responsibilities and an interest in respect of state integrated schools. There are several state integrated schools (for example St Bernard's College) within Lower Hutt. As these school properties are not the property of the Crown, some may not be designated (owners of integrated schools have the choice whether to require designations through the Minister's designation powers). In that sense, the Minister is keen to ensure that educational facilities, in general, are well provided for in the Hutt City District Plan – in a way that recognises and reflects that all state schools (integrated and non-integrated) are important community assets and that they play a vital role within their communities.

The Ministry of Education is the Government's lead advisor on the New Zealand education system, shaping direction for education agencies and providers and contributing to the Government's goals for education. The Ministry has responsibility for all education property owned by the Crown. This involves managing the existing property portfolio, upgrading and improving the portfolio, purchasing and constructing new schools to meet increased demand, identifying and disposing of surplus state school property. The Ministry is therefore a considerable stakeholder in terms of educational facilities and assets in Lower Hutt, and has a strong interest in the provision for educational facilities within the Hutt City District Plan generally.

The Ministry is interested in resource management objectives, policies and methods included in District Plans as they have the potential to effect the general operation of state schools.

The *Hutt City Proposed District Plan Change 39: Transport* identifies a number of resource management issues, objectives, and policies within Lower Hutt that are related to transport. These transport matters are of interest to the Ministry even though school sites are designated.

The Ministry supports the inclusion of some of the proposed issues, objectives and policies with Proposed Plan Change 39. Specifically the Ministry supports the inclusion of issues, objectives and policies which help provide a safe, efficient, and multi-modal transport network; protect the surrounding environment from the effects from the construction, maintenance and development of the transport network; and locate and design a transport network to avoid, remedy or mitigate adverse effects on adjacent land.

1. The Minister submits that:

The Minister formally recognises their support for some of the issues, objectives and policies within Hutt City Proposed District Plan Change 39: Transport and seeks that these be retained, these being included in the table below. Broadly, these issues, objectives and policies relate to the safe and efficient functioning of the transport network.

The Minister manages the specific transport matters of each school on a case by case basis through acceptable conditions on the Minister's designations and other school specific methods such as School Travel Plans. These specific tools are utilised as the Minister is not required to have reference to the standards and controls of any District Plan.

Notwithstanding the Minister's reliance on the designation conditions to manage traffic and transport effects of a school on the transport network; it is appropriate to reflect a consistent standard within the Hutt City District Plan controls, for schools and education facilities which the Minister does not have financial responsibility for e.g. State Integrated, Private or charter schools.

2. The Minister seeks the following decision from Hutt City Council

The Minister requests that the points raised in this submission be considered and provided for within Hutt City District Plan Change 39: Transport.

2.1 Specific Policy Provisions

The Minister formally supports with some minor amendments the policy provisions outlined in table 1.

Table 1: Supported policy provisions

Clause	Provision	Comment
Issues		
<i>Issue 14A 2.1</i>	<i>A safe, efficient, multi-modal transport network that is well integrated with land use and development is essential for both sustainable development and social and economic wellbeing.</i>	Support A safe, efficient, multi-modal transport network enables the provision of key social infrastructure (and therefore well-being) such as the Minister's schools. The Minister typically achieves this through the use of school-specific school travel plans and designation conditions.
Objectives		
<i>Objective 14A 3.2</i>	<i>Adverse effects from the construction, maintenance and development of the transport network on the adjacent environment are</i>	Support The Minister is keen to ensure

	<i>managed.</i>	all/any reverse sensitivity effects of the provision of transport on existing schools are appropriately addressed, including those on people and the community.
Policies		
<i>Policy 14A 4.3</i>	<i>The transport network should be located and designed to avoid, remedy or mitigate adverse effects on <u>the adjacent land</u> and <u>environment</u>.</i>	Support with amendment The Minister seeks that Policy 14A.4.3 be changed to mitigate adverse effects on ' <i>the adjacent environment</i> ' opposed to adjacent land. The reason being that 'environment' as defined in the RMA includes people and communities along with natural and physical resources, and the Minister has a particular interest in ensuring adverse effects from the transport network on people and communities are avoided, remedied and mitigated. The use of the word 'land' does not provide this level of coverage.
<i>Policy 14A 4.7</i>	<i>The transport network, land use, subdivision and development should provide for multiple transport modes.</i>	Support The Minister supports a transport network that provides for multiple transport mode options for school students and school community.

The Minister wishes to be heard in support of their submission.

Subject: FW: Plan Change 39 Submission
Attachments: SC654E0313417042114550.pdf

From: Andrew Cumming
Sent: Friday, 21 April 2017 5:39 PM
To: Nathan Geard
Subject: FW: Plan Change 39 Submission

Hi

Please file this as a late submission, give it a number and assume it will be accepted by the Hearing Panel in due course. In the meantime we'll treat the submitter as any other submitter.

From: Tim Julian [<mailto:Tim.Julian@colliers.com>]
Sent: Friday, 21 April 2017 3:39 PM
To: Andrew Cumming
Subject: Plan Change 39 Submission

Hi Drew,

Please find my submission re Plan Change 39 attached. Will this suffice or should I drop a hard copy in?

Regards

Tim Julian

Sales & Leasing Broker | Wellington
Dir +64 4 470 3923 | Mob +64 21 488 029
Main +64 4 473 4413 | Fax +64 4 499 1550
Level 10, 36 Customhouse Quay | Wellington, 6011 | New Zealand
PO Box 2747 | Wellington, 6140 | New Zealand
tim.julian@colliers.com

[Click here to view my current sales listings](#)



Commercial Consultants Limited trading as Colliers International
Licensed under REAA 2008



This e-mail and attachments (if any) is intended only for the addressee(s) and is subject to copyright. This e-mail contains information which may be confidential or privileged. If you are not the intended recipient please advise the sender by return e-mail, do not use or disclose the contents and delete the message and any attachments from your system. Unless specifically stated, this e-mail does not constitute formal advice or commitment by the sender or Colliers International or any of its subsidiaries.

Colliers International respects your privacy. Our privacy policies can be accessed by clicking here: <http://www.colliersmn.com/privacy>

Please let us know if you no longer wish to receive marketing material and other property information from us - send an email to our Chief Privacy Officer at UnsubscribeNewZealand@colliers.com. If possible, please include the name of the property and/or Colliers International publication that you most recently received.

From: Andrew Cumming [<mailto:Andrew.Cumming@huttcity.govt.nz>]
Sent: Friday, 21 April 2017 11:56 a.m.
To: Tim Julian
Cc: Chris Milne; Kim Kelly; Nathan Geard
Subject: RE: Online questionnaire

Tim

Good meeting you last night and thanks for raising the problem you had making an online submission. I will follow up on that to have our system improved so it's clear what to expect once the "Submit" button is clicked.

In terms of your submission, I invite you to email me a submission as soon as you can now. Please state that it's a submission on Plan Change 39 Transport and set out that you had thought you had lodged an online submission. Request in the circumstances that your late submission is accepted. Since you wish to be heard at the hearing please state that.

Based on your comments in your earlier email to Cr Milne you are not raising any issues that haven't been raised in other submissions. That means there would be no natural justice issues from accepting your submission given that the further submission (cross submission) phase ended some time ago (so no one will have the opportunity to make a further submission on your submission unless the further submission phase is repeated). On that basis I would be comfortable recommending (to the Hearing Panel) that your late submission is accepted which would bring you fully into the process with the right to present at hearing and appeal any decision to the Environment Court.

Once I receive your submission I will respond to you setting out where to from there.

Here's a link to the plan change and submissions <http://www.huttcity.govt.nz/Your-Council/Plans-publications-and-bylaws/District-Plan/District-Plan-changes/district-plan-change-39/>

Regards
Drew

Andrew Cumming
Divisional Manager Environmental Policy

Hutt City Council, 30 Laings Road, Private Bag 31912, Lower Hutt 5040, New Zealand
T 04 570 6828, M 027 461 0364, W www.huttcity.govt.nz



From: Tim Julian [<mailto:Tim.Julian@colliers.com>]
Sent: Friday, 21 April 2017 9:52 AM
To: Chris Milne; Andrew Cumming; Kim Kelly
Subject: RE: Online questionnaire

Thanks Chris – I was left wondering and as time went on a felt disappointed that I would not have the ability to speak when the Council hears submitters concerns but being busy I did not get around to enquiring as to whether my submission had been received or not. I attach a stream of thoughts that I sent to Chris prior to completing the on-line submission. Given this clear evidence of interest and a detailed message sent to a councillor and the fact that Janette can vouch that I wrote a full submission on line could I be granted status and gain the right to speak to the hearing committee Drew? At the very least can I be sent the other submissions and if it has reached the stage of cross submissions those or perhaps you can send me a link on your website where I can find these??

Regards,

Tim Julian

Sales & Leasing Broker | Wellington
Dir +64 4 470 3923 | Mob +64 21 488 029
Main +64 4 473 4413 | Fax +64 4 499 1550
Level 10, 36 Customhouse Quay | Wellington, 6011 | New Zealand
PO Box 2747 | Wellington, 6140 | New Zealand
tim.julian@colliers.com

[Click here to view my current sales listings](#)



Commercial Consultants Limited trading as Colliers International
Licensed under REAA 2008



This e-mail and attachments (if any) is intended only for the addressee(s) and is subject to copyright. This e-mail contains information which may be confidential or privileged. If you are not the intended recipient please advise the sender by return e-mail, do not use or disclose the contents and delete the message and any attachments from your system. Unless specifically stated, this e-mail does not constitute formal advice or commitment by the sender or Colliers International or any of its subsidiaries.

Colliers International respects your privacy. Our privacy policies can be accessed by clicking here: <http://www.colliersmn.com/privacy>

Please let us know if you no longer wish to receive marketing material and other property information from us - send an email to our Chief Privacy Officer at UnsubscribeNewZealand@colliers.com. If possible, please include the name of the property and/or Colliers International publication that you most recently received.

From: Christopher Milne [<mailto:cda.milne@gmail.com>]

Sent: Thursday, 20 April 2017 6:18 p.m.

To: Andrew Cumming; Kim Kelly

Subject: Online questionnaire

Drew, in the light of feedback received tonight I'd suggest that the online submission form should say prior to hitting the 'submit' button what will happen next. This way people like Tim Julian will be clear whether or not their submission has been successfully received. Cheers Chris

IMPORTANT: The information contained in this e-mail message may be legally privileged or confidential. The information is intended only for the recipient named in the e-mail message. If the reader of this e-mail message is not the intended recipient, you are notified that any use, copying or distribution of this e-mail message is prohibited. If you have received this e-mail message in error, please notify the sender immediately. Thank you.

41 Cambridge Terrace
Lower Hutt
Tel 021 488 029
E tim.julian@colliers.com

21 April 2017

Hutt City Council
Private Bag 31 912
Lower Hutt 5040

Attention Andrew Cumming

Dear Andrew,

Plan Change 39 Transport Hutt City District Plan - Submission

1.0 General

- 1.1 This submission relates to proposed Hutt City Plan Change 39
- 1.2 I do not support Plan Change 39 ("Plan Change"
- 1.3 I wish to be heard in support of my submission

2.0 Specific Concerns

- 2.1 The source of noise on the corridors identified in the Plan Change are obvious and have been in place for many decades. Further, the increase in traffic volumes are also obvious. To impose costs on property owners, current or future, is to remove freedom of choice regarding the use of property owner's scarce resources. If the noise is bothersome a property owner will make a decision as to whether to spend money on mitigating the noise which could involve a range of measures that the individual owner is best able to assess and implement and could involve fencing, planting or more expensive measures such as double glazing and acoustic treatment of walls and not necessarily an imposed solution from Council. It is simply not necessary for the Council to impose requirements on property owners.
- 2.2 It is patently obvious to prospective tenants as to noise and vibration impact from rail and vehicular traffic and their decisions regarding whether to rent in affected locations will be determined having regard to this noise and vibration, the amenity and utility offered by the property and the level of rent proposed by the property

owner. The market will determine the rent which will reflect the fact that the property is affected by noise and vibration

- 2.3 The properties along Cambridge Terrace are relatively modest and within a price range of people with modest means but nevertheless the location has some great benefits such as being close to public transport and in excellent school zones. As such, owners of these properties may not have the means to stand the imposition of further cost beyond the cost of projects proposed for alterations and additions to dwellings on their properties. Plan Change 39 may therefore inhibit property owners' ability to enjoy the full benefits of ownership.
- 2.4 By making it a requirement for a house owner to complete the proposed acoustic treatments it could have the effect of making a simple addition of a deck and French doors, for example, turn into a major issue, as at the time of seeking a building consent I can see the Council Building team requiring an upgrade of other window joinery, walls and installation of a ventilation system (nothing to do with the work the property owner wants to complete) in order to comply with the noise rules, making the proposed work beyond the reach of the applicant.
- 2.5 The roads and rail lines have been in situ for many decades – in the case of the rail line across the road from our house since 1927, almost certainly before any of the current property owners have owned their properties. As such, we were and are well aware of the noise when we purchased the property involved. The price we paid for the property suited our budgets and reflected all of the benefits and detriments of living at the relevant address. If subsequently we wish to mitigate noise then this is a matter for the property owner alone and not something that the Council should impose on property owners, potentially making minor modifications to dwellings turn into major projects and thereby making such minor projects (or even more significant projects) out of reach of the limited means of the property owner.
- 2.6 It seems to me that the Council's limited resources should be expended on matters that truly make a difference to the citizens of the city. The proposed Plan Change 39 increases the complexity of any consent application for building work by increasing the number of rules needing to be complied with and issues needing to be considered by council officers and processing such applications with no net benefit to the applicant or the general citizenry of the City i.e. the supposed benefits arising from the change is entirely paid for by the property owner
- 2.7 The actions envisaged by the Rule Change are likely to stop owners of properties making improvements to their properties as applications may trigger work for which the applicant sees limited utility and amenity (from their perspective – which is what counts). This will be an unintended consequence of establishing this Plan Change.
- 2.8 The "problem" being addressed in the Plan Change has no positive third party impact. That is, the party that is affected by noise and vibration is the very same party as is being required to pay for rectification of the "problem" AND rectification of the problem is already a course of action available to the sufferer of the "problem".

There is not a general community benefit arising from the noise and vibration rectification. Again there is simply not a requirement for the Council to be involved

3.0 Other Matters

3.1 I would be very surprised if a single owner or resident affected by the proposed change has agitated for a District Plan change. I accept that Council has proposed this Plan Change with the best of intentions but the Change is in fact paternalistic in nature and the detriments arising will far outstrip any benefit.

3.2 If the Plan Change must proceed then I submit that it should apply only to new dwellings and not to existing structures.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Tim Julian', with a long, sweeping horizontal stroke at the end.

Tim Julian

Cell +6421 488 029

Email tim.julian@colliers.com

30 JAN 2017

DPC39F/1

Nick Ursin

358 Cambridge Terrace

Lower Hutt 5011

NEW ZEALAND

Phone & Fax No: 00 64 4 5673990

The Environmental Policy Division
Hutt City Council
Private Bag 31912
Lower Hutt.

Further Submission on Proposed Plan Change 39.
Thank you for making available the details of the Submissions received.

Of the 9 relevant Submissions in relation to the proposed changes as they affect Noise, Vibration and Ventilation requirements only 2 submitted by State Agencies (Transport and Railways) were in support while 7 from Hutt Resident Ratepayers were in opposition.

While the Transport and Rail Submissions may be regarded by the Agencies as Operational I believe their promotion and support of the proposals are putting the Government and Ministers in a position of supporting the subversion of natural justice and changes to Policies relating to Justice Resource Management and Local Body Precedents which may not be enforceable.

Given that Transport's comment that they are prepared to work with Council on the proposed changes I believe that the views of the relevant Ministers should be canvassed before proceeding further, as

It is obvious that Policies could be involved.

The Ministers Views should be made Public.

As an example of who is leading any changes the Transport Agency in its Submission under Ref 11, 3.11 makes reference to Noise + Building Consents and lays down new Standards. As such it would be interesting to learn whether the standard sought were in fact drafted by a person qualified and experienced in acoustics and who that expert was? and how readily available is the expertise and at what cost?

It is clear to me and others that the State Agencies involved are not interested in Natural Justice and that they are trying to use the Council by way of the proposed District Plan Change 39 to transfer responsibility for noise, vibration and ventilation from their corridors to the affected Public.

I am opposed to the Agencies views and submissions, seek the views of Government and the appropriate Ministers and request that the Proposed and suggested changes be rejected and that Council re-draft appropriate Noise, vibration and ventilation requirements to reflect that

the responsibility for any nuisance created within the Road and Rail Corridors lies solely with Controlling Agencies and their Ministers.

I wish to be heard at any follow-up meeting.

Nick Ursin
Resident.

30 Jan. 2017.

cc. The Prime Minister for the
information of appropriate Ministers
and their views.

cc. The Editor
Hott News for information to the
Public in General.

/ N.

From: Andrew Banks <andrew.banks7@gmail.com>
Sent: Monday, January 30, 2017 7:56 PM
To: District Plan
Subject: Further Submission on Proposed Plan Change 39: Transport
Attachments: 20170130 Plan Change 39 Form 6 Submission Andrew Banks.pdf; 20170130 Plan Change 39 Further Submission Andrew Banks.pdf

Hello,

Please find attached my further submission on Proposed Plan Change 39: Transport. This includes:

- a signed copy of form 6;
- my further submission document.

Can you please confirm receipt of this submission.

Thanks and regards,

Andrew Banks.

68 Oxford Terrace
Epuni
Lower Hutt 5011
New Zealand

ph. +64 21 179 7513

Further Submission on publicly notified Proposed District Plan Change

Clause 8 of the First Schedule, Resource Management Act 1991



To: Chief Executive, Hutt City Council

1. This is a further submission from:

Full name	Last Banks First Andrew	
Company/organisation		
Contact if different		
Address	Number 68 Street Oxford Terrace	
	Suburb Epuni	
	City Lower Hutt	Postcode 5011
Address for Service if different	Postal Address	Courier Address
	Day	Evening
	Mobile 021 1797513	Fax
Email	andrew.banks7@gmail.com	

2. This is a further submission in support of or opposition to a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

Proposed District Plan Change 39: Transport

3. I consider that under Clause 8 of the First Schedule of the Resource Management Act I may make a further submission because:

☐

I represent a relevant aspect of the public interest: *(Please give details)*

☒

I have an interest in the Proposed Plan Change that is greater than the interest of the general public:

(Please give details)

Refer to the attached Further Submission document dated 30 January 2017.

☐

I represent Hutt City Council

4. I

☐

support

☒

oppose

the submission of:

Name and address of original submitter:

Refer to the attached Further Submission document dated 30 January 2017.

(Please use additional pages if you wish)

Further Submission number
OFFICE USE ONLY

5. The particular parts of the submission I support or oppose are: *Clearly indicate the Submission No. e.g. DPC 01/25 and Decision No. e.g. D5, of the original submission you support or oppose, together with any relevant provisions of the proposal*
 Refer to the attached Further Submission document dated 30 January 2017.

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:
 Refer to the attached Further Submission document dated 30 January 2017.

(Please use additional pages if you wish)

7. I seek that the whole (or part [describe part]) of the submission be allowed or disallowed: *Give precise details*
 Refer to the attached Further Submission document dated 30 January 2017.

(Please use additional pages if you wish)

8. I ☒ **wish** ☐ **do not wish** to be heard in support of my further submission.
(please tick one)

9. If others make a similar submission,

- I ☐ **will** ☒ **will not** consider presenting a joint case with them at the hearing.
(please tick one)

Signature of further submitter:

(a signature is not required if you make your submission by electronic means)


30.01.2017
 Date

Note to person making a further submission: A copy of your further submission must be served on the original submitter within five working days after making a further submission to Hutt City Council.

Personal information provided by you in your further submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 39: TRANSPORT
THE CITY OF LOWER HUTT DISTRICT PLAN**

30 January 2017

Andrew Banks
68 Oxford Terrace,
Epuni,
Lower Hutt

1. Scope of Further Submission

- 1.1. My name is Andrew Banks. I am the joint owner and occupier of 68 Oxford Terrace, Epuni, Lower Hutt.
- 1.2. I am writing my further submission as an owner of property that is affected by the proposed plan change. I therefore have an interest in the Proposed Plan Change that is greater than the interest of the general public.
- 1.3. I have also made a submission on the proposed plan change (refer to submission DPC39/8).
- 1.4. I am making further submissions on the submissions of:
- **The New Zealand Transport Agency (DPC39/4).** Address:
PO Box 5084
Lambton Quay
WELLINGTON 6145
Attention: Kathryn Barrett
wroplanning@nzta.govt.nz
 - **KiwiRail Holdings Limited (DPC39/5).** Address:
PO Box 593
WELLINGTON 6140
Attention: Rebecca Beals
Rebecca.Beals@kiwirail.co.nz

2. New Zealand Transport Agency (DPC39/4) – Provision of a Certificate to accompany an Acoustic Report***Submission Reference***

- 2.1. I refer to the submission of the New Zealand Transport Agency (NZTA) (DPC39/4), supplementary submission (dated 16 December 2016) number 11.

Further Submission

- 2.2. I oppose the inclusion of the requirement that an acoustic report prepared under part (i) of the proposed submission “contain a certificate by its author that the means given therein will be adequate to ensure compliance with the acoustic design requirements specified in this standard”. I seek that the requirement to provide a certificate is not included in the proposed standard.

Reasons for Further Submission

2.3. In my opinion, a certificate as described in the NZTA submission provides no practical benefit with respect to the ability for users of the district plan to demonstrate compliance with the proposed standard. In my opinion, the important and useful requirements are:

- that a report is prepared indicating the means by which the standard is to be complied with;
- that this report is prepared by a person qualified and experienced in acoustics.

2.4. No information is provided in the submission as to whether the acoustic design industry has the ability to provide the certificate requested as a matter of course, or whether such a certificate is 'insurable' with respect to the type of professional indemnity insurance cover typically held by acoustic design professionals.

2.5. Were it the case that acoustic design professionals were not able to provide such a certificate as a matter of course, this may have the effect of limiting the ability of property owners to engage an acoustic design professional, should the professional not be commercially willing to provide such a certificate. Additionally, this may have the effect of further increasing the cost of acoustic design services to effected property owners, where acoustic design professionals may be required to take out more expensive insurance policies that cover the issuing of such certificates (if indeed such a policy exists).

3. New Zealand Transport Agency (DPC39/4) – Deemed to Comply Solution for Glazing***Submission Reference***

3.1. I refer to the submission of the New Zealand Transport Agency (NZTA) (DPC39/4), supplementary submission (dated 16 December 2016) number 11.

Further Submission

3.2. I support in principle a 'deemed to comply' approach for glazing as noted in part (ii) of the submission, but only if double glazed units are

included as part of this. I seek that suitable double glazed units are included in any list of 'deemed to comply' glazing.

Reasons for Further Submission

- 3.3. I support generally the approach of the NZTA to provide a list of 'deemed to comply' solutions as part of the proposed standard. In my opinion, this is an efficient means of implementing the intent of the standard, as it would have the effect of reducing the additional design and reporting costs associated with complying with the standard, should effected property owners wish to use any of the 'deemed to comply' solutions.
- 3.4. However, with respect to glazing, I note that only single glazing is included in the list of 'deemed to comply' glazing. The use of double glazed units is common with respect to new house construction (as well as additions or alterations to existing dwellings), particularly given the compliance requirements of Acceptable Solution H1/AS1 to Clause H1 (Energy Efficiency) of the New Zealand Building Code. I note that in residential construction, single glazing generally does not comply with the requirements of H1/AS1, unless it is high-performance glass installed in timber or PVC window frames¹. In my opinion, inclusion of suitable market-available double glazed units would significantly increase the practical ability for property owners to use the 'deemed to comply' solutions for glazing.

4. New Zealand Transport Agency (DPC39/4) – Deemed to Comply Solution for Floor Construction

Submission Reference

- 4.1. I refer to the submission of the New Zealand Transport Agency (NZTA) (DPC39/4), supplementary submission (dated 16 December 2016) number 11.

¹ Refer to section 2.1 of Acceptable Solution H1/AS1 of the New Zealand Building Code, Amendment 2, October 2011. Refer also to the Window/Glazing System performance tables contained in tables C1 to C4 of New Zealand Standard NZS4218:2009 *Thermal Insulation – Housing and Small Buildings*.

Further Submission

- 4.2. I support in principle a 'deemed to comply' approach for floor construction as noted in part (ii) of the submission, but only if the 'deemed to comply' solutions for floor construction are designed to comply with proposed standard 6(a) *Vibration*. I seek that deemed to comply solutions for floor construction are included that also comply with standard 6(a) *Vibration*.

Reasons for Further Submission

- 4.3. In my opinion, there is no practical use in implementing a 'deemed to comply' approach for floor construction under proposed standard 6(b) *Noise*, where compliance with the Norwegian Standard referenced under proposed standard 6(a) *Vibration* may require some other design solution. I note that under section 4 of my original submission (DPC39/8), I opposed standard 6(a) *Vibration* partly because there was insufficient information provided in the Section 32 Evaluation as to how the application of the Norwegian Standard would affect the design and construction of buildings, particularly with respect to foundation and flooring design.
- 4.4. As noted in 3.3 above, I support in principle the use of 'deemed to comply' solutions. However in the case of floor construction, it is unclear whether the 'deemed to comply' solutions proposed are consistent with the requirements of proposed standard 6(a) *Vibration*. In my opinion, a 'deemed to comply' approach for floor construction that also complied with standard 6(a) *Vibration* would be useful for users of the district plan, as this would mean that all aspects of standard 6 could be complied with through 'deemed to comply' methods².

² By referring to clause G4 of the New Zealand Building Code, standard 6(c) *Ventilation* already takes a 'deemed to comply' approach by allowing for compliance with Acceptable Solution G4/AS1.

5. KiwiRail Holdings Limited (DPC39/5) – Standard 6(a) *Vibration****Submission Reference***

5.1. I refer to the submission of KiwiRail Holdings Limited (DPC39/5), submission number 14.

Further Submission

5.2. I oppose the revision to the vibration standard proposed by the submission, on the basis that I oppose standard 6(a) *Vibration*.

Reason for Further Submission

5.3. I refer to section 4 of my original submission (DPC39/8), where I state reasons for opposing the inclusion of standard 6(a) *Vibration*.

6. KiwiRail Holdings Limited (DPC39/5) – Noise Standards***Submission Reference***

6.1. I refer to the submission of KiwiRail Holdings Limited (DPC39/5), submission number 15.

Further Submission

6.2. I oppose the revised noise standards proposed by the submission. I seek that the proposed revision is not included in the district plan change.

Reasons for Further Submission

6.3. I note that in section 2 of my original submission (DPC39/8), I oppose the application of all standards proposed by standard 6 to properties near rail corridors in Lower Hutt. Some of the reasons for this position in my original submission included:

- In my opinion, the extent, nature and/or existence of reverse sensitivity effects associated with rail corridors in Lower Hutt was not established in the Section 32 Evaluation accompanying the proposed plan change (refer paragraphs 2.2 to 2.7 of my original submission);
- Potential adverse effects on urban design, character and the safety of the street environment as a result of the proposed

standards being implemented had not been assessed (refer paragraphs 2.8 and 2.9 of my original submission);

- In my opinion, the Section 32 Evaluation did not include sufficient cost-benefit analysis, or any analysis of alternative approaches, to demonstrate whether it is reasonable or practical for property owners within the proposed buffer zone to bear all costs for managing reverse sensitivity effects associated with the rail corridor (refer paragraphs 2.10 to 2.11 of my original submission).

6.4. The KiwiRail submission appears to seek a higher noise standard for rail traffic than that proposed by the original proposed plan change. Apart from stating that “the characteristics of road and rail noise are different”, no information is provided as to why this is a reasonable requirement.

6.5. The KiwiRail submission contains no information as to whether the noise standards proposed by their submission can be reasonably or practicably implemented through building design and construction. In the example of residential construction, it is unclear whether conventional methods of construction³ could be used, or whether non-conventional materials, systems or construction details would be required. Further, the submission contains no information on whether the methods of construction required to achieve the noise standards proposed are readily available to the design and construction industry, or whether they would be compatible with the requirements of the New Zealand Building Code. Of particular concern would be compatibility with the requirements of clause E2 of the Building Code (External Moisture). It is unclear whether or not the requirements proposed by the KiwiRail submission would mean that affected property owners were unable to use the Acceptable Solutions to clause E2, as the Acceptable Solutions may not comply with the requirements of the KiwiRail submission. The absence of any information on how the noise standard proposed by the KiwiRail submission would affect building design and construction means that there is no certainty as to whether the standard could be reasonably complied with.

³ Such as those methods and typical design details contained in NZS3604:2011 *New Zealand Standard for Timber-framed Buildings* and Acceptable Solution E2/AS1 (External Moisture) of the New Zealand Building Code.

6.6. The revised noise standards proposed by the KiwiRail submission could introduce a further cost burden to effected property owners in the form of additional design and construction costs. The KiwiRail submission provides no information or analysis to quantify this. I note that the cost analysis contained in the NZTA *Guide to the management of effects on noise sensitive land use near to the state highway network*⁴ (referred to in the Section 32 Evaluation) is based on acoustic standards that are different to those proposed by the KiwiRail submission. In the absence of any information on the potential cost burden applied to effected property owners by the revised noise standard, it is not clear whether the potential costs imposed by the standard on property owners are reasonable with respect to managing reverse sensitivity effects.

END OF FURTHER SUBMISSION

⁴ New Zealand Transport Agency (2015). *Guide to the management of effects on noise sensitive land use near to the state highway network*. Page 16.

Subject: FW: Plan Change 39 - Further Submission [#29948M]
Attachments: EP-FORM-316 - Further Submission on publicly notified proposed District Plan Change.PDF; NZ1-13633455-Further Submission in opposition to submissions on the Proposed Hutt City Plan Change 39.pdf

-----Original Message-----

From: "Jaiman Patel" <Jaiman.Patel@beca.com>

Sent: Tuesday, 31 January 2017 3:14 p.m.

To: "contact@huttcity.govt.nz" <contact@huttcity.govt.nz>, "frank_s@top.net.nz" <frank_s@top.net.nz>

Cc: "Claire Fell" <Claire.Fell@beca.com>

Subject: Plan Change 39 - Further Submission

Good Afternoon.

Please find attached a further submission in regard to the Hutt City Proposed Plan Change 39 (Transport).

Aspects of this further submission relate to the opposition of the Petone Planning Action Groups initial submission number 9.7.

Should you have any questions please feel free to contact myself or Claire Fell.

Kind Regards,

Jaiman Patel

Planner
Beca
Phone: +64-9-300 9000; Fax: +64-9-300 9300
DDI: +64-9-300 9756;
jaiman.patel@beca.com
www.beca.com

NOTICE: This email, if it relates to a specific contract, is sent on behalf of the Beca company which entered into the contract. Please contact the sender if you are unsure of the contracting Beca company or visit our web page <http://www.beca.com> for further information on the Beca Group. If this email relates to a specific contract, by responding you agree that, regardless of its terms, this email and the response by you will be a valid communication for the purposes of that contract, and may bind the parties accordingly.

This e-mail together with any attachments is confidential, may be subject to legal privilege and may contain proprietary information, including information protected by copyright. If you are not the intended recipient, please do not copy, use or disclose this e-mail; please notify us immediately by return e-mail and then delete this e-mail.

IMPORTANT: The information contained in this e-mail message may be legally privileged or confidential. The information is intended only for the recipient named in the e-mail message. If the reader of this e-mail message is not the intended recipient, you are notified that any use, copying or distribution of this e-mail message is prohibited. If you have received this e-mail message in error, please notify the sender immediately. Thank you.

Further Submission on publicly notified Proposed District Plan Change

Clause 8 of the First Schedule, Resource Management Act 1991

To: Chief Executive, Hutt City Council

1. **This is a further submission from:**

Full name	Last Fell First Claire	
Company/organisation	Beca Ltd - On behalf of the New Zealand Fire Service	
Contact if different		
Address	Number 85 Street Molesworth Street	
	Suburb Thorndon	
	City Wellington	Postcode 6011
Address for Service if different	Postal Address 85 Molesworth St, Thorndon, Wellington 6011	Courier Address 85 Molesworth St, Thorndon, Wellington 6011
Phone	Day 049012381	Evening
Fax		Mobile 0274055447
Email	claire.fell@beca.com	

2. This is a **further submission** in support of or opposition to a submission on the following proposed change to the City of Lower Hutt District Plan:

Proposed District Plan Change No:

39

Title of Proposed District Plan Change:

Transport

3. I consider that under Clause 8 of the First Schedule of the Resource Management Act I may make a further submission because:

☒ I represent a relevant aspect of the public interest:

Please give details:

Represent the New Zealand Fire Service - on matters relating to fire safety

☒ I have an interest in the Proposed Plan Change that is greater than the interest of the general public:

Please give details:

Represent the New Zealand Fire Service - on matters relating to fire safety

☐ I represent Hutt City Council

4. I ☐ support ☒ oppose the submission of:

Name and address of original submitter:

B12/25 Graham Street
Petone
LOWER HUTT 5012
Attention: Frank Sviatko
frank_s@top.net.nz

(Please use additional pages if you wish)

Further Submission number
OFFICE USE ONLY

5. The particular parts of the submission I support or oppose are:

Clearly indicate the Submission No. e.g. DPC 01/25 and Decision No. e.g. D5, of the original submission you support or oppose, together with any relevant provisions of the proposal

Refer to attachment

(Please use additional pages if you wish)

6. The reasons for my support or opposition are:

Refer to attachment

(Please use additional pages if you wish)

7. I seek that the whole (or part [describe part]) of the submission be allowed or disallowed:

Give precise details

Refer to attachment

(Please use additional pages if you wish)

8. I ☒ **wish** ☐ **do not wish** to be heard in support of my further submission.

(please tick one)

9. If others make a similar submission,

I ☒ **will** ☐ **will not** consider presenting a joint case with them at the hearing.

(please tick one)

Signature of further submitter:

(or person authorised to sign on behalf of submitter)

PP



Date **31/01/2017**

Note to person making a further submission: A copy of your further submission must be served on the original submitter within five working days after making a further submission to Hutt City Council.

Personal information provided by you in your further submission will be used to enable Hutt City Council to administer the submission process and will be made public. You have the right under the Privacy Act 1993 to obtain access to and to request correction of any personal information held by the Council concerning you.

Further Submission in opposition to submissions on the Proposed Hutt City Plan Change 39

Clause 8 of Schedule 1, Resource Management Act 1991

FORM 6 Resource Management (Forms, Fees and Procedures)

1. Further Submitter Details:	
Full name of person making further submission:	New Zealand Fire Service Commission
Contact name if different from above:	c/- Claire Fell
Organisation or Company (if relevant):	Beca Ltd
Address for service of person making further submission:	PO Box 3942 Wellington 6140
Phone:	04 901 12381
Email (preferred correspondence):	Claire.Fell@beca.com

2. Interest in the submission
<p>The New Zealand Fire Service Commission (the Commission) is a party who has an interest in the Proposed Hutt City Plan Change 39 that is greater than the interest the general public has. This is for the following reasons:</p> <ul style="list-style-type: none"> ▪ The Commission's role includes promoting fire safety and fire prevention, and extinguishing fires. Proposed Hutt City Plan Change 39 provides an opportunity to better facilitate these activities, by including appropriate objectives, policies and rules which will enable people and communities to provide for their social and economic wellbeing, and for their health and safety with regard to fire safety, fire prevention and fire extinction. ▪ It is essential that the Commission is able to meet its responsibility of providing an efficient and effective emergency service to all New Zealanders, so as to avoid, remedy or mitigate the adverse effects of fire and other emergencies (as required by the Fire Service Act 1975). ▪ The Commission is the governing body that controls the New Zealand Fire Service (NZFS) and the National Rural Fire Authority (NRFA). ▪ The Fire Service Act 1975 and the Forest and Rural Fires Act 1977, establish the governance management, and operational arrangements for protecting life and property

from fire in New Zealand.

3. Request to be heard in support of further submission

The Commission does wish to be heard in support of its further submission.

If others make a similar submission, the Commission will consider presenting a joint case with them at a hearing.

Appendix 1 to this submission sets out the detail of the further submission of the Commission.

4. Signature of person authorised to sign on behalf of the further submitter



Date: 31st January 2017

Claire Fell

PP – Jaiman Patel

Appendix 1 – Further Submission of the Commission

To: Hutt City Council

Name of further submitter: New Zealand Fire Service Commission (the NZFS Commission)

This is an attachment to the NZFS Commission's further submission made in response to Submitter DPC39/9 on Proposed Plan Change 39 of the Hutt City Plan.

1. Submitter DPC39/9 Petone Planning Action Group

Submission number	Relevant Topic	Aspect of Submitter's Relief sought	Further submitter position	Explanation for Support/Oppose	Council decision requested
9.7	Transport	Add a permitted activity standard of a maximum of one crossing to any residential site, with a maximum width that is sufficient for one passenger vehicle.	Oppose	In the event of a fire, there should be sufficient room for NZFS vehicles and appliances to access the subject site. This is stated in the NZFS Fire Fighting Code of Practice, and also within the Commissions submission on Proposed Plan Change 39, where they have requested all access ways shall be 4m wide. In addition there are instances where non-residential activities are appropriately developed on residential sites; these activities may require more than one crossing in a site or a wider crossing point.	Refuse

Subject: FW: Proposed District Plan Change 39 - Transport
Attachments: NZ Transport Agency Further Submission on Hutt PC 39 - Final.pdf

From: Kathryn Barrett [<mailto:Kathryn.Barrett@nzta.govt.nz>]
Sent: Wednesday, 1 February 2017 11:42 AM
To: District Plan
Cc: Andrew Cumming; Nathan Geard
Subject: Proposed District Plan Change 39 - Transport

Good Morning,

Please find attached the NZ Transport Agency's further submission on Plan Change 39.

A copy of the further submission will be sent to those submitters in which a further submission has been made.

We look forward to working with you on this plan change.

Kind regards,

Kathryn Barrett / Senior Planning Advisor

Planning and Investment – Central

DDI 64 4 931 8871

M 64 27 319 4008

E kathryn.barrett@nzta.govt.nz / **W** nzta.govt.nz

Wellington Regional Office / Level 5, Majestic Centre
100 Willis Street, Wellington 6011, New Zealand



Find the latest transport news, information, and advice on our website:

www.nzta.govt.nz

This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

1 February 2017

Andrew Cumming
Divisional Manager Environmental Policy
Hutt City Council
Private Bag 31912
Lower Hutt 5040

Dear Andrew

Further Submission on Proposed Plan Change 39 to Hutt District Plan – Transport

Thank you for the opportunity to submit on the primary submissions for Proposed Plan Change 39 to Hutt District Plan – Transport. Please find attached the NZ Transport Agency's further submission.

We welcome the opportunity to discuss the contents with Council officers. If you have any further questions, please do not hesitate to contact myself on (04) 931-8871 or kathryn.barrett@nzta.govt.nz.

Yours sincerely



Kathryn Barrett
Senior Planning Advisor

FORM 6, Clause 8 of First Schedule, Resource Management Act 1991

Further Submission on Proposed Plan Change 39 to Hutt District Plan – Transport

To: Andrew Cumming
Divisional Manager Environmental Policy
Hutt City Council
Private Bag 31912
Lower Hutt 5040

Via email: district.plan@huttcity.govt.nz

From: New Zealand Transport Agency
PO Box 5084
WELLINGTON 6145

The NZ Transport Agency (Transport Agency) is making this further submission in accordance with Clause 8 of Schedule 1 of the Resource Management Act 1991.

The Transport Agency has an interest in Proposed Plan Change 39 (PC39) that is greater than the interest the general public has for reasons including the following:

- The Transport Agency manages and funds state highways within the District, which have the potential to be affected by relief sought in the relevant submissions.
- The Transport Agency made an original submission on matters raised or affected by those submissions.

The Transport Agency also represents the public interest in ensuring the efficient and safe operation of the State highway network.

The Transport Agency's position in relation to specific submissions is identified within the table included in Schedule 1 (attached).

As set out in its primary submission on PC39, the Transport Agency is generally supportive of the direction PC39 has taken, particularly with regard to reverse sensitivity provisions. However, we seek to ensure greater alignment with higher level documents, such as the Regional Policy Statement and the Regional Land Transport Plan. This includes adding focus and emphasis on multi modal objectives and policies, strengthening the importance of resilience within the plan and ensuring that the transport needs of growth are considered.

The Transport Agency's submission and further submission seeks:

- A policy framework that recognises the importance of regional connectivity, resilience, economic productivity, multi modal, and travel demand management.

- A policy framework that ties in with other plans, as it is important to note that the District Plan is only one of the suites of plans by which Council seeks to achieve its vision and desired outcome. Because of this, alignment, where possible, should be sought.
- Retention of provisions requiring the appropriate design and construction of buildings housing noise sensitive activities within the State Highway Corridor Buffer Overlay.

The Transport Agency seeks the relief laid out in Schedule 1, and any consequential, alternative, or further relief required to address the concerns as set out in our primary submission or this further submission. If resolution is reached with other parties, we seek the relief necessary to support that resolution.

The Transport Agency wishes to be heard in support of its further submission. Due to the specific interests of the Transport Agency it will not consider presenting a joint case with others at the hearing.



.....
Kathryn Barrett – Senior Planning Advisor on behalf of the NZ Transport Agency

Date: 1 February 2017

Submission Number and Name	Parts of the submission supported or opposed	Reason	Relief	Support / Oppose
DCP39/5 KiwiRail Holdings Limited	5.14 Amendment 36 Standard 6 (a) – Vibration	The standard applies directly to new buildings, not the road and rail network. The Transport Agency agrees with KiwiRail's reasons: that the control should be expressed as being on new building design, not the existing road and rail network.	As per KiwiRail's Submission.	Support
	5.16 Amendment 38 Standard 6(c) – Ventilation	n/a	Retain as notified.	Support
	5.17 Amendment 42 District Plan Maps	Maps will provide an immediate visual indication to plan users. This will be particularly useful to first time or infrequent plan users. It will provide a useful indication that there are specific rules on a site.	Retain District Plan Maps as notified with regard to the State Highway and Railway Corridor Buffer Overlays.	Support
DCP39/8 Andrew Banks	8.2 Amendment 36 Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays	<p>The Transport Agency understands the intention of the wording "and maintained" was to signal the expectation that new buildings would be designed and constructed so that long-term compliance with the applicable vibration, noise and ventilation standards would be achieved. The standard (and rule) would only apply to the construction of new buildings.</p> <p>Additionally, the Transport Agency's reverse sensitivity guide provides guidelines around predicting future traffic noise: design and construction should allow an addition 3dB to existing or predicated noise levels. The purpose of the Transport Agency's Reverse Sensitivity guide¹ is to promote good practice for the management of noise sensitive land uses near to state highways. The good practice this guide promotes recognises the social, economic and health benefits of managing interior working and living environments located near to state highways and other land transport networks. Relieving stress related illness and other sleep deprivation related health effects, reduces both individual and collective expenditure on health care. Careful and considered planning also balances the aspirations and wellbeing of landowners with New Zealanders' desire to have access to a safe and efficient road transport network.</p> <p>Reverse sensitivity is the legal vulnerability of an established activity to complaint from a new land use². This can occur in situations where different</p>	Retain as notified.	Oppose

¹ Guide to the management of effects on noise sensitive land use near to the state highway network: <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>

² NZ Journal of Environmental Law (1999) Volume 3, Pardy, B. and Kerr, J. Reverse sensitivity – the common law giveth, and the RMA taketh away. www.nzcel.auckland.ac.nz/uoa

Submission Number and Name	Parts of the submission supported or opposed	Reason	Relief	Support / Oppose
		land uses/activities are located in close proximity to each other, resulting in conflict between the activities. The term 'reverse sensitivity' generally relates to the effects of the development of a sensitive activity in an area that is already affected by established activities ³ . For land transport network operators, including the Transport Agency, there is a risk that new activities (such as houses and schools) that choose to locate near to established roads or railways may object to the effects of the land transport network (such as noise and vibration) and take action against the operator. Therefore, reverse sensitivity provisions are required in district plans as a way to appropriately manage activities. Standard 6 is consistent with that good practice approach.		
	8.3 Amendment 36 Standard 6(a) – Vibration	The Transport Agency provides detailed guidance on this matter: "Guide to the management of effects on noise sensitive land use near to the state highway network" ⁴ .	Retain as notified.	Oppose
	8.5 Amendment 38 Standard 6(c) – Ventilation	The Transport Agency has detailed guidance that supports the measuring of noise vibration as per the proposed plan change.	Retain as notified.	Oppose
	8.6 Amendment 35– 38 Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays Amendment 42 District Plan Maps	Maps will provide an immediate visual indication to plan users. This will be particularly useful to first time or infrequent plan users. It will provide a useful indication that there are specific rules on a site.	Retain as notified.	Oppose
	8.7 Terminology on Plan Maps	The Transport Agency agrees that the terminology used on the Plan Maps should be consistent with that in the rule and standards.	Ensure Plan Maps refer to " <i>State Highway and Railway Corridor Buffer Overlay</i> "	Support
DCP39/9 Petone Planning Action Group	9.3 Amendment 3 Issue 14A 2.1	The meaning of the proposed additional term "wellbeing of the physical environment" is not clear. Given the reference to "sustainable development" in Issue 14A 2.1, there is no need for this additional reference.	The Transport Agency prefers its wording supplied in its Primary Submission.	Oppose in part
	9.5 Amendment 15 Policy 14A 4.3	The meaning of the proposed additional term "general environment" is not clear.	The Transport Agency prefers its wording supplied in its Primary Submission.	Oppose

³ Judge Sheppard (RMA 10/97) confirmed: 'the term reverse sensitivity is used to refer to the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those other activities.'

⁴ Guide to the management of effects on noise sensitive land use near to the state highway network: <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>

Submission Number and Name	Parts of the submission supported or opposed	Reason	Relief	Support / Oppose
DCP39/10 Bruce and Claire Bengé	10.1 Amendment 35 Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays	<p>The meaning of the term "no complaints covenant" is unclear. Nor is it clear who would be party to such covenants, and who would be responsible for their enforcement. It would be very difficult for any no complaints covenant to be enforced through the RMA.</p> <p>It would not be good practice for the Council to rely on landowners to make use of no complaints covenants, where there is a resource management issue that should properly be dealt with by plan provisions. Standard 6 (and the associated rule and policies) is an appropriate planning method for promoting good practice for the management of noise sensitive land uses near to state highways.</p>	Retain as notified.	Oppose
DCP39/11 Simon Brown	11.1 Amendments 35– 38 Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays	<p>The purpose of the Transport Agency's Reverse Sensitivity guide⁵ is to promote good practice for the management of noise sensitive land uses near to state highways. The good practice this guide promotes recognises the social, economic and health benefits of managing interior working and living environments located near to state highways and other land transport networks. Relieving stress related illness and other sleep deprivation related health effects, reduces both individual and collective expenditure on health care. Careful and considered planning also balances the aspirations and wellbeing of landowners with New Zealanders' desire to have access to a safe and efficient road transport network.</p> <p>Reverse sensitivity is the legal vulnerability of an established activity to complaint from a new land use⁶. This can occur in situations where different land uses/activities are located in close proximity to each other, resulting in conflict between the activities. The term 'reverse sensitivity' generally relates to the effects of the development of a sensitive activity in an area that is already affected by established activities⁷. For land transport network operators, including the Transport Agency, there is a risk that new activities (such as houses and schools) that choose to locate near to established roads or railways may object to the effects of the land transport network (such as noise and vibration) and take action against the operator. Therefore, reverse sensitivity provisions are required in district plans as a way to appropriately manage activities.</p> <p>Standard 6 is consistent with that good practice approach.</p>	Retain as notified.	Oppose

⁵ Guide to the management of effects on noise sensitive land use near to the state highway network: <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>

⁶ NZ Journal of Environmental Law (1999) Volume 3, Pardy, B. and Kerr, J. Reverse sensitivity – the common law giveth, and the RMA taketh away. www.nzcel.auckland.ac.nz/uoa

⁷ Judge Sheppard (RMA 10/97) confirmed: 'the term reverse sensitivity is used to refer to the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those other activities.'

Submission Number and Name	Parts of the submission supported or opposed	Reason	Relief	Support / Oppose
DCP39/14 Richard Beatson	14.1 Amendments 35– 38 Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays Amendment 42 District Plan Maps	<p>The Transport Agency understands the intention of the wording "and maintained" was to signal the expectation that new buildings would be designed and constructed so that long-term compliance with the applicable vibration, noise and ventilation standards would be achieved. The standard (and rule) would only apply to the construction of new buildings.</p> <p>The purpose of the Transport Agency's Reverse Sensitivity guide⁸ is to promote good practice for the management of noise sensitive land uses near to state highways. The good practice this guide promotes recognises the social, economic and health benefits of managing interior working and living environments located near to state highways and other land transport networks. Relieving stress related illness and other sleep deprivation related health effects, reduces both individual and collective expenditure on health care. Careful and considered planning also balances the aspirations and wellbeing of landowners with New Zealanders' desire to have access to a safe and efficient road transport network.</p> <p>Reverse sensitivity is the legal vulnerability of an established activity to complaint from a new land use⁹. This can occur in situations where different land uses/activities are located in close proximity to each other, resulting in conflict between the activities. The term 'reverse sensitivity' generally relates to the effects of the development of a sensitive activity in an area that is already affected by established activities¹⁰. For land transport network operators, including the Transport Agency, there is a risk that new activities (such as houses and schools) that choose to locate near to established roads or railways may object to the effects of the land transport network (such as noise and vibration) and take action against the operator. Therefore, reverse sensitivity provisions are required in district plans as a way to appropriately manage activities.</p> <p>Standard 6 is consistent with that good practice approach.</p> <p>Additionally The Transport Agency's reverse sensitivity guide provides guidelines around predicting future traffic noise: design and construction</p>	Retain as notified.	Oppose

⁸ Guide to the management of effects on noise sensitive land use near to the state highway network: <https://www.nzta.govt.nz/assets/resources/effects-on-noise-sensitive-land/effects-on-noise-sensitive-land-use.pdf>

⁹ NZ Journal of Environmental Law (1999) Volume 3, Pardy, B. and Kerr, J. Reverse sensitivity – the common law giveth, and the RMA taketh away. www.nzcel.auckland.ac.nz/uoa

¹⁰ Judge Sheppard (RMA 10/97) confirmed: 'the term reverse sensitivity is used to refer to the effects of the existence of sensitive activities on other activities in their vicinity, particularly by leading to restraints in the carrying on of those other activities.'

Submission Number and Name	Parts of the submission supported or opposed	Reason	Relief	Support / Oppose
		<p>should allow an addition 3dB to existing or predicated noise levels.</p> <p>Maps will provide an immediate visual indication to plan users. This will be particularly useful to first time or infrequent plan users. It will provide a useful indication that there are specific rules on a site.</p>		
DCP39/20 Greater Wellington Regional Council	20.1 Amendment 2 Section 14A 1 – Introduction Chapter 3 – Definitions 20.26	<p>The Transport Agency particularly supports the amendment to the first bullet point.</p> <p>At this point the Transport Agency has no fixed position on where the amendment is located in the plan (either introduction or definitions); however for succinctness it should not be duplicated.</p>	As per Greater Wellington Regional Council's specified relief.	Support
DCP39/22 Winstone Aggregates and Firth Industries	22.1 Amendment 17 Policy 14A 4.5 Amendment 20 Section 14A.5 – Rules Amendment 39 Appendix Transport 2 – High Trip Generator Thresholds	The notified provisions will not affect the application of existing use rights under the Resource Management Act 1991 (including section 10). Any activities that do not benefit from existing use rights should be subject to the provisions in the same way as other activities.	Retain as notified.	Oppose
DCP39/23 Firth Industries	23.1 Amendment 17 Policy 14A 4.5 Amendment 20 Section 14A.5 – Rules Amendment 39 Appendix Transport 2 – High Trip Generator Thresholds	The notified provisions will not affect the application of existing use rights under the Resource Management Act 1991 (including section 10). Any activities that do not benefit from existing use rights should be subject to the provisions in the same way as other activities.	Retain as notified.	Oppose

From: Alice Gilbert <Alice.Gilbert@minterellison.co.nz>
Sent: Wednesday, February 1, 2017 4:56 PM
To: District Plan
Cc: Bianca Tree
Subject: PPC39 - Further submission - SIML
Attachments: SIML- Further Submission - PPC39.pdf

Good afternoon

Please find **attached** a further submission of Stride Investment Management Limited to Proposed Plan Change 39.

Please let us know if you have any queries.

Kind regards
Alice

Alice Gilbert

Solicitor 

T +64 9 353 9795

Alice.Gilbert@minterellison.co.nz

MinterEllisonRuddWatts Lumley Centre 88 Shortland Street Auckland 1010



 Please consider the environment before printing this email message.

IMPORTANT INFORMATION - PLEASE READ

This email and any attachments are confidential and may be legally privileged (in which case neither is waived or lost by mistaken delivery). Please notify us if you have received this message in error, and remove both emails from your system. Any unauthorised use is expressly prohibited. Minter Ellison collects personal information to provide and market our services (see our privacy policy at <http://www.minterellison.co.nz> for more information about use, disclosure and access). Minter Ellison's liability in connection with transmitting, unauthorised access to, or viruses in this message and its attachments, is limited to re-supplying this message and its attachments.

**FURTHER SUBMISSION ON PROPOSED DISTRICT PLAN CHANGE 39 TO THE
HUTT CITY DISTRICT PLAN UNDER CLAUSE 8 OF THE FIRST SCHEDULE TO THE
RESOURCE MANAGEMENT ACT 1991**

To: Environmental Policy Division
Hutt City Council
30 Laings Road, Lower Hutt
Attention: Chief Executive
Email: district.plan@huttcity.govt.nz

Name of Submitter: Stride Investment Management Limited

Address: c/- Minter Ellison Rudd Watts
PO Box 3798
AUCKLAND 1140
Attention: Bianca Tree

Scope of submission

1. Stride Investment Management Limited (**SIML**) is a person who has an interest in Proposed Plan Change 39 (**Plan Change 39**) that is greater than the interest of the general public. SIML operates the Queensgate Shopping Centre in Hutt City that will be directly affected by the proposed changes to the Transport chapter of the Hutt City District Plan.

Further submission on Cycle Parking and End of Trip Facility Requirements

2. SIML opposes and supports a number of primary submissions to Plan Change 39 that are described in Appendix 1.
3. The particular parts of the primary submissions that SIML opposes or supports are described in Appendix 1.

Reasons for further submission

4. The reasons for SIML's support or opposition to the submissions are described in Appendix 1.
5. In addition, SIML opposes the relevant parts of the submissions in Appendix 1 because they:

- (a) are inconsistent with, and will not achieve, the purpose and the principles of the Resource Management Act 1991 (**Act**);
 - (b) are inconsistent with the principles in Part 2 of the Act;
 - (c) do not appropriately assist the Council to carry out its function of achieving the integrated management of the effects of the use, development or protection of land;
 - (d) do not meet the requirement to satisfy the criteria of section 32 of the Act; and
 - (e) are not consistent with good resource management practice.
6. In general, SIML supports the relevant parts of the primary submissions in Appendix 1 because they:
- (a) are consistent with, and will achieve, the purpose and the principles of the Act;
 - (b) are consistent with the principles in Part 2 of the Act;
 - (c) appropriately assist the Council to carry out its function of achieving the integrated management of the effects of the use, development or protection of land;
 - (d) meet the requirements to satisfy the criteria of section 32 of the Act; and
 - (e) are consistent with good resource management practice.

Issue to be addressed – Cycle Parking and End of Trip Facility Requirements

- 7. Plan Change 39 at amendment 32 proposes a new Standard 4(e) Cycle Parking and End of Trip Facility Requirements.
- 8. This proposed standard requires that “For all new activities and changes to existing activities, cycle parking and showers must be provided in accordance with the minimums stated in Tables 4-2.”
- 9. Table 4-2 applies to all types of activity (e.g. office, retail, industrial) and sets out minimum numbers of cycle parks that need to be provided for staff members, and the minimum number of showers.
- 10. Standard 4(e) applies to new activities, but also “changes to existing activities”.
- 11. The section 32 analysis for Plan Change 39 considered the approach taken in other district plans to guide the provisions for cycle spaces and end of trip facilities. In particular, the provisions in the Hamilton City Proposed District Plan, Proposed Auckland Unitary Plan and Proposed Christchurch Replacement District Plan were considered.

12. The Auckland Unitary Plan is now operative in part, and the provisions for cycle parking and end of trip facilities are not subject to appeal.
13. There have been some material changes to the cycle parking and end of trip facility provisions in the Auckland Unitary Plan from the notified version, including:
 - (a) In respect of cycle spaces, it was made clear that the requirement for cycle spaces only applies to “new buildings and development”, and therefore do not apply to a change in activity or a redevelopment of an existing building. It is appropriate to only require cycle spaces where a new development is occurring so that the provision and location of the cycle spaces can be accommodated within the building and site design.
 - (b) Cycle spaces are required for various activities, but separate rates are provided for specific activities, recognising the very different rates that are appropriate for office, tertiary education, retail and industrial activities etc.
 - (c) Cycle spaces for retail activities provide visitor spaces based on GFA, with a lower rate the larger the centre, and no parking required for a single small retail store; and staff cycle spaces are based on the GFA of office space.
 - (d) In respect of end of trip facilities (showers and changing facilities), the only activities required to provide these facilities are offices, education facilities and hospitals. The requirement for end of trip facilities also only applies to new buildings and developments. It was recognised that it would be onerous to require end of trip facilities for a number of activities, and they should only be required for new developments.
14. We have attached as Appendix 2 a copy of the Auckland Unitary Plan (operative in part) standards for cycle parking and end of trip facilities.
15. There are three key concerns with the proposed Standard 4(e) Cycle Parking and End of Trip Facility Requirements and Table 4-2:
 - (a) The provisions apply to “changes to existing activities”. This would capture where an activity changes from one type to another, and where an existing building is redeveloped no matter the scale or nature of the redevelopment.
 - (b) The number of cycle spaces for staff members are set at a single rate for all activities and do not take into account the difference in demand for cycle spaces for different activities.
 - (c) The number of showers are set at a single rate for all activities and do not take into account that it is impractical to provide end of trip facilities for some activities.
16. A number of submissions have supported or sought amendment to the Standard 4(e) Cycle Parking and End of Trip Facility Requirements. These submissions are both general in the relief sought or specific. By this notice, SIML has joined a number of these submissions as detailed in Appendix 1.

Relief Sought

17. The relief sought by SIML is that Standard 4(e) Cycle Parking and End of Trip Facility Requirements is amended to:
- (a) Be consistent with the Regional Land Transport Plan 2015 (**RLTP**) and the requirement for cycle spaces and end of trip facilities be only required for “new buildings and development”, and not for changes in activities or redevelopment of existing buildings;
 - (b) The number of cycle parking facilities required be reduced, and appropriate rates be applied that recognise the different demand rates for different activities; and
 - (c) The requirement for showers to be limited to specific activities where these facilities can be accommodated, including office, education, and hospitals, and not apply to retail activities.
18. SIML wishes to be heard in support of its further submission.
19. If others make a similar submission, SIML will consider presenting a joint case with them at the hearing.

DATED at Auckland this 1st day of February 2017

Stride Investment Management Limited by its
solicitors and duly authorised agents
MinterEllisonRuddWatts



Bianca Tree

Address for service of submitter:

Stride Investment Management Limited

c/- Minter Ellison Rudd Watts
P O Box 3798
AUCKLAND 1140
Attention: Bianca Tree

Telephone No: (09) 353 9700

Email: bianca.tree@minterellison.co.nz
alice.gilbert@minterellison.co.nz

TO:

Hutt City Council, 30 Laings Road, Lower Hutt

Harvey Norman Properties (N.Z.) Limited C/- Haines
Planning Consultants Limited PO Box 90842 Victoria
Street West AUCKLAND 1142 Attention: Daniel Shao
Daniel.Shao@hainesplanning.co.nz

Siegfried Bachler 176 Cambridge Terrace Fairfield
LOWER HUTT 5011 Siegfried.Bachler46@gmail.com

Seaview HP Limited 354 Lambton Quay Wellington
Central WELLINGTON 6011 Attention: Shayne
Hodge shayne@thehodgegroup.co.nz

New Zealand Transport Agency PO Box 5084
Lambton Quay WELLINGTON 6145b Attention:
Kathryn Barrett wroplanning@nzta.govt.nz

KiwiRail Holdings Limited PO Box 593 WELLINGTON
6140 Attention: Rebecca Beals
Rebecca.Beals@kiwirail.co.nz

Heritage New Zealand Pouhere Taonga PO Box
2629 WELLINGTON 6140 Attention: Finbar Kiddle
HAPlanningCR@heritage.org.nz

Bikes Welcome Charitable Trust 5 Epuni Street Hutt
Central LOWER HUTT 5011 Attention: Jo Clendon
Jo.Clendon@bikeswelcome.org

Andrew Banks 68 Oxford Terrace Epuni LOWER
HUTT 5011 Andrew.Banks7@gmail.com

Petone Planning Action Group B12/25 Graham Street
Petone LOWER HUTT 5012 Attention: Frank Sviatko
frank_s@top.net.nz

Bruce and Claire Bengé 21 Walnut Way Maungaraki
LOWER HUTT 5010 Claire.Benge@xtra.co.nz

Simon Brown 54 Cambridge Terrace Waiwhetu
LOWER HUTT 5010 visibro@outlook.co.nz

Andrew Fox 1A Nikau Grove Woburn LOWER HUTT
5010 a.Lfox@hotmail.com

Nick Ursin 358 Cambridge Terrace Naenae LOWER
HUTT 5010

Richard Beatson 45 Riddlers Crescent Petone
LOWER HUTT 5012 Rich.Beatson@gmail.com

David Tripp 3 High Street Petone LOWER HUTT
5012 David.Tripp@extra.co.nz

Summerset Villages (Lower Hutt) Limited PO Box
5187 WELLINGTON 6140
Peter.Chrisp@summerset.co.nz

Hutt Cycle Network 58 Wakefield Street Alicetown
LOWER HUTT 5010 Attention: Timon Bakker
Timon.Bakker@gmail.com

New Zealand Fire Service Commission C/- Beca
Limited PO Box 3942 WELLINGTON 6140 Attention:
Claire Fell Claire.Fell@beca.com

Greater Wellington Regional Council PO Box 41
MASTERTON 5840 Attention: Caroline Watson
Caroline.Watson@gw.govt.nz

Harriet Fraser Traffic Engineering and Transportation
Planning 2021 Akatarawa Road Akatarawa Valley
UPPER HUTT 5372 Harriet@harrietfraser.co.nz

Winstone Aggregates and Firth Industries PO Box
17-195 Greenlane AUCKLAND 1546 Attention: Dan
McGregor
Dan.McGregor@winstoneaggregates.co.nz

Firth Industries Private Bag 99904 Newmarket
AUCKLAND 1149 Attention: James Willoughby
James.Willoughby@firth.co.nz

Minister of Education C/- Beca Ltd 85 Molesworth
Street WELLINGTON 6011 Attention: Tom McKnight
Tom.McKnight@beca.com

Appendix 1

Number	Submission Reference	Submitter	Issue raised by submitter	Relief sought by submitter	Support / Oppose	Reasons for support / opposition by SIML
1	4.7	New Zealand Transport Agency	NZTA's primary submission seeks at paragraph 3.9 that there should be minor changes to the minimum numbers of cycle parks and showers.	<p>Consider increasing the number of cycle parks to an equivalent ratio of 2 per 10 staff members;</p> <ul style="list-style-type: none"> • Specifying the provision of lockers on a 1 per 10 ratio alongside the provision of lockers for storing bike gear; • There is also benefit in specifying design standards for cycle parking e.g. in situations where 10 or more bicycle parks are required it would be more practical for bicycle stands to be provided; and • Consider provisions to support cycle parking in retail areas, based on the expected number of visitors per hour e.g. 1 cycle park per 20 persons visiting per hour. 	Oppose	<p>There is no evidence provided to support the submission to increase the number of cycle parks to 2 per 10 people, or cycle parks of 1 per 20 visitors for retail centres.</p> <p>Provisions should not be required to provide cycle spaces or end of trip facilities for existing retail developments.</p>

2	7.17	Bikes Welcome Trust	Cycle parking requirements based on staff numbers could cause confusion, and is out of step with approaches used elsewhere. How would a developer be able to estimate the number of staff the facility would accommodate without having secured a tenant / fit out design / purpose / nature of business to be undertaken?	<p>Replace the standards with those of the Proposed Christchurch Replacement District Plan.</p> <ol style="list-style-type: none"> 1. Quantities based on GLFA unless there is strong evidence that staff number based quantities are the best practice. Separate staff and visitor cycle parking supply rates. 2. End of trip facilities for staff should include showers and lockers (per Hamilton and ChCh plans). Drying facilities should also be included. 3. Visitor cycle parking should be provided in addition to staff cycle parking. (AKL, HAM, CHCH). 4. Requirements around location, secure facilities and manoeuvring should be included (per AKL, CHCH). 5. Quality requirements should be included to 	Support in part and oppose in part	<p>Reference needs to be given to other district plans, including the Auckland Unitary Plan.</p> <p>The Auckland Unitary Plan only requires end of trip facilities for offices, education facilities and hospitals.</p>
---	------	---------------------------	--	--	------------------------------------	---

				ensure serviceable bike parking is provided (CHCH).		
3	17.1	Hutt Cycle Network	The Proposed Plan Change does not provide for an efficient transportation network that meets the needs of a vibrant community with commercial and active transport needs which are forward focused towards the 2020's.	Redraft the Transport chapter.	Support in part and oppose in part.	Amendments to Standard 4(e), and appropriate controls for cycle parking and end of trip facilities are required to achieve best practice.
4	17.3	Hutt Cycle Network	Proposed end of trip facilities do not meet best practice.	The end of trip facility provisions require amendment to meet best practice.	Support in part	End of trip facilities should only be required for new buildings not to "changes to existing activities".
5	17.7	Hutt Cycle Network	The proposed end of trip facilities do not meet best practice.	<p>End of trip facilities should include:</p> <ul style="list-style-type: none"> • Covered, secure cycle parking for employees; • Cycle parking at specified ratios for all other individuals attending a site (students at educational institutions, residents, shoppers / customers, public transport 	Oppose in part and support in part	End of trip facilities should not be required for all types of activity, and should only be required for those activities where facilities can be accommodated and are practical, including offices, education facilities and hospitals.

				<p>interchanges and stations, etc.);</p> <ul style="list-style-type: none"> • Cycle facilities to be closer to key entrances than car parks (except for disabled car parking); and • CCTV surveillance of all cycle parking where the organization has CCTV surveillance systems. 		
6	20.21	Greater Wellington Regional Council	Support for the new standard requiring minimum provision of cycle parking and end of trip facilities.	Including cycle parking rates for visitors (short stay).	Oppose	Cycle parking rates for visitors are inappropriate unless a new activity or development is establishing which can provide these facilities.
7	20.21	Greater Wellington Regional Council	<p>Cycle parking and end of trip facilities should be consistent with the RLTP.</p> <p>The requirement is consistent with Policy I 10 of the RLTP which states that cycling will be provided for as part of new land use development, consistent with best practice standards.</p>	Seek further consideration of several additional provisions in relation to cycle parking and end of trip facilities.	Support in part	<p>The RLTP supports the provision of quality pedestrian and cycle facilities within <u>new developments</u> that are well connected to adjacent networks and local centres.</p> <p>The RLTP recognises that new land use developments should provide for cycle parking and end of trip facilities,</p>

							but this policy does not apply to changes of activities or redevelopment.
8	21.6	Harriet Fraser Traffic Engineering and Transportation Planning	Providing cycle parking facilities for around 4% of staff would be more reasonable and still allows for some variation and growth.	Number of staff members	Number of cycle parks	Support in part.	A more reasonable provision of cycle parks is proposed based on how many people were shown to cycle to work in the 2013 Census.
				1-5	0		
				6-4025	1		
				4025 or more	1 per 4025 staff members <u>or part thereof</u>		

Appendix 2

E27 Transport

Activity			Applies to zones and locations specified in Standard E27.6.2(5)	
			Minimum rate	Maximum rate
(T73)		Veterinary clinics	1 per 20m ² GFA	No maximum
(T74)	Land used for organised sport and recreation		12.5 spaces per hectare	No maximum
(T75)	Clubrooms		0.2 per person the facility is designed to accommodate	No maximum
(T76)	Water transport	Land adjacent to a public boat launching ramp	No minimum rate for accessory parking associated with boat launching	No maximum
(T77)		Marinas	0.35 per berth provided	No maximum
(T78)		Minor ports at Gabador Place, Tamaki and Onehunga	0.5 per employee intended to be working in or at the facility at any one time	No maximum
(T79)	All other activities, except for activities within rural zones		1 per 50m ² GFA	No maximum
(T80)	All other activities where located in rural zones		No minimum	No maximum

(6) Bicycle parking:

- (a) the activities specified in Table E27.6.2.5 must provide the minimum number of bicycle parking spaces specified; and
- (b) the following bicycle parking requirements apply to new buildings and developments.

Table E27.6.2.5 Required bicycle parking rates

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
(T81)	Residential	Developments of 20 or more dwellings	1 per 20 dwellings	1 per dwelling without a dedicated garage
(T82)		Visitor accommodation and boarding	1 space plus 1 space per 20 rooms/beds	1 per 10 FTE employees

E27 Transport

Activity			Visitor (short-stay) Minimum rate		Secure (long-stay) Minimum rate
		houses			
(T83)		Retirement village and residential care	1 space plus 1 space per 30 units / apartments		1 per 10 FTE employees
(T84)	Offices		Up to 200m ²	Nil required	1 per 300m ² of office
(T85)			Greater than 200m ² up to 10,000m ²	1 space plus 1 space per 1,000m ² above 1,000m ²	
(T86)			Greater than 10,000m ²	10 spaces plus 1 space per 2000m ² above 10,000m ²	
(T87)	Retail	Food and beverage	Up to 350m ² GFA	Nil required	1 per 300m ² GFA
(T88)			Greater than 350m ² GFA	1 per 350m ² GFA	
(T89)		All other retail	Up to 500m ² GFA	Nil required	1 per 300m ² GFA of office
(T90)			Greater than 500m ² GFA up to 5000m ² GFA	1 per 500m ² GFA	
(T91)			Greater than 5000m ² GFA	1 per 750m ² GFA	1 per 300m ² GFA of office
(T92)	Industrial activities and storage and lockup facilities		1 space plus 1 space per 750m ² GFA of office space		1 per 300m ² GFA of office
(T93)	Care centres		1 space plus 1 space per 50 people to be accommodated		1 space per 10 FTE employees
(T94)	Educational facilities	Primary and intermediate schools	1 space plus 1 space per 400 students and FTE employees		1 per 30 students in Year 1 to 5 plus 1 per

E27 Transport

Activity			Visitor (short-stay) Minimum rate	Secure (long-stay) Minimum rate
				15 students in Year 6 to 8 plus 1 per 20 employees
(T95)		Secondary schools	1 space plus 1 space per 400 students and FTE employees	1 per 15 students in Year 9 to 13 plus 1 per 20 FTE employees
(T96)		Tertiary education facilities	1 per 800 m ² GFA office	1 per 20 EFT students and FTE employees on site at the peak times
(T97)	Medical facilities	Hospitals	1 per 30 beds	1 per 15 beds
(T98)		Healthcare services	1 space plus 1 space per 10 FTE practitioners	1 per 8 FTE practitioners
(T99)		Veterinary clinics	-	1 per 15 FTE employees
(T100)	Entertainment and community facilities	Entertainment facilities	Either: 1 per 50 seats Or: 2 spaces plus 1 space per 1500m ² GFA	Either: 1 per 15 FTE employees Or: 1 per 1500m ² GFA
(T101)		Major recreation facility	1 space plus 1 space per 1000m ² GFA of office and other accessory activities	1 per 300m ² GFA of office and other accessory uses
(T102)		Community facilities	1 per 200m ² GFA	1 per 500 m ² GFA
(T103)		Organised sport and recreational facility	3 per hectare distributed in groups of 3-5 racks	1 per hectare

(7) End-of-trip facilities:

- (a) the activities specified in Table E27.6.2.6 must provide end-of-trip facilities as listed below; and

- (a) the following end-of-trip facilities requirements apply to new buildings and developments.

Table E27.6.2.6 Required end-of-trip facilities (intended for staff use)

Land use		GFA	No. of showers and changing facilities required
(T104)	Offices, education facilities, hospitals	Up to 500m ²	No requirement
(T105)		Greater than 500m ² up to 2500m ²	One shower and changing area with space for storage of clothing
(T106)		Greater than 2500m ² up to 7500m ²	Two showers and changing area with space for storage of clothing
(T107)		Every additional 7500m ²	Two additional showers and changing area with space for storage of clothing

- (8) Number of loading spaces:

- (a) all activities must provide loading spaces as specified in Table E27.6.2.7.

Table E27.6.2.7 Minimum loading space requirements

Activity		GFA	Minimum rate
(T108)	Retail and industrial activities	Up to 300m ²	No loading required
(T109)		Greater than 300m ² up to 5000m ²	1
(T110)		Greater than 5000m ² up to 10,000m ²	2
(T111)		Greater than 10,000m ²	3 spaces plus 1 space for every additional 10,000m ²
(T112)	All other activities, except for activities within rural zones	Up to 5000m ²	No loading required
(T113)		Greater than 5000m ² up to 20,000m ²	1
(T114)		Greater than 20,000m ² up to 90,000m ²	2
(T115)		Greater than 90,000m ²	3 spaces plus space 1 for every additional 40,000m ²
(T116)	All other activities where located in rural Zones		No minimum rate

- (9) Fractional spaces:

- (a) where the calculation of the required or permitted parking results in a fractional space, any fraction that is less than one-half will be disregarded and any fraction of one-half or more will be counted as one space. If there are different activities within a development, the parking required or permitted for each activity must be added together prior to rounding.