



SECTION 42A REPORT

Transport Chapter

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List of Abbreviations

Table 1: List of Submitters and Abbreviations of Submitters’ Names

Submitter Number	Abbreviation	Full Name of Submitter
S331	MOE	Ministry of Education
S184	NTA	Far North District Council – Northern Transport Alliance
S368	FNDC	Far North District Council
S512	FENZ	Fire and Emergency New Zealand
S342	Waipapa Pine	Waipapa Pine Limited and Adrian Broughton Trust (now Fletcher Building Ltd)
S359	NRC	Northland Regional Council
S425	Twin Coast Cycle Trail	Pou Herenga Tai Twin Coast Cycle Trail Charitable Trust
S338	Our Kerikeri	Our Kerikeri Community Charitable Trust
S529	Carbon Neutral NZ	Carbon Neutral Trust New Zealand
S335	The Fuel Companies	BP Oil New Zealand Limited, Mobil Oil New Zealand Limited, Z Energy Limited.
S344	Paihia Properties	Paihia Properties Holdings Corporate Trustee Limited and UP Management Ltd
S356	NZTA	Waka Kotahi New Zealand Transport Agency



Table 2: Other abbreviations

Abbreviation	Full Term
NPS-UD	National Policy Statement on Urban Development
FNDC	Far North District Council
PDP	Proposed District Plan
RMA	Resource Management Act
RPS	Regional Policy Statement
ITA	Integrated Traffic Assessment
LAR	Limited Access Road
ONF	One Network Framework
ONRC	One Network Road Classification
Engineering Standards	Far North District Council Engineering Standards April 2022
GFA	Gross Floor Area
GBA	Gross Business Area



1 Executive summary

1. The Far North Proposed District Plan (“PDP”) was publicly notified in July 2022. The Transport (“TRAN”) chapter is located under the Energy, Infrastructure and Transport section, in Part 2 – District-wide Matters of the PDP.
2. There are 326 original submission points on the TRAN chapter, including 93 submissions in support, 119 supporting in part, two with a neutral position and 58 in opposition.¹
3. There are also 632 further submission points on those original submissions. The submissions cover a wide range of issues and viewpoints, with the majority of submissions requesting a range of amendments to specific TRAN provisions.
4. The submissions can largely be categorised into several key themes:
 - a. Requests to address inconsistencies and/or information gaps between the TRAN chapter and the Engineering Standards;
 - b. Requests to align the TRAN chapter with the direction relating to car parking in the National Policy Statement on Urban Development 2020 (NPS-UD);
 - c. Concerns relating to the trip generation provisions in principle and also how they are applied to various activities;
 - d. Submissions on the overview, objectives and policies of the TRAN requesting a range of outcomes specific to submitter concerns; and
 - e. Requests to amend TRAN rules and standards, including tables, to reflect various other outcomes sought by submitters.
5. This report has been prepared in accordance with section 42A of the Resource Management Act 1991 (RMA) and outlines recommendations in response to the issues raised in submissions. This report is intended to both assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP and also provide submitters with an opportunity to see how their submissions have been evaluated, and to see the recommendations made by officers prior to the hearing.
6. The key changes recommended in this report relate to:
 - a. Amendments to the overview, objectives, policies and rules of the TRAN chapter to give effect to the NPS-UD, specifically with respect to car parking minimums;

¹ 54 submissions were recorded as not stating a position.



- b. Remove all references to the Engineering Standards in the TRAN provisions where they were being used to determine activity status and/or whether a resource consent is required;
- c. Include content from the Engineering Standards where it is needed to manage adverse environmental effects related to traffic and transport issues to effectively 'decouple' the Engineering Standards from the PDP;
- d. Introduce new provisions relating to the management of level crossings over railway corridors;
- e. Clarify the relationship between TRAN provisions and provisions in Part 2 of the PDP, to be consistent with the Renewable Energy and Infrastructure chapters;
- f. Improve the consistency between provisions within the TRAN chapter, and also with provisions in other chapters such as the Subdivision chapter;
- g. Introduce a new Transport Network Hierarchy map to show the road classifications for all vested roads in the Far North district to assist with interpretation of the TRAN chapter provisions;
- h. Provide a permitted pathway for maintenance of the existing transport system and existing vehicle crossings with an existing road corridor, without the need to comply with standards relating to road or vehicle crossing design; and
- i. Other various amendments in response to submitter requests.

2 Introduction

2.1 Author and qualifications

7. My full name is Melissa Leanne Pearson, and I am a Principal Planning and Policy Consultant at SLR Consulting New Zealand Limited, based in Auckland.
8. I hold a Bachelor of Planning (Hons) at the University of Auckland and am a Full Member of the New Zealand Planning Institute.
9. I have 16 years' experience as a resource management practitioner in New Zealand, which has included working for both the private sector and for central and local government on a range of resource consent and policy projects. My private sector planning experience ranges from obtaining resource consents for small and large scale residential and subdivision developments in the Auckland Region, development of private plan changes in both Auckland and Waikato for residential and commercial developments and consenting and policy development experience for clients in the telecommunication, intensive farming, and community facility sectors.



10. My public sector planning experience involves a significant amount of central government policy research and development relating to telecommunications, forestry, climate change, highly productive land, and infrastructure. My local government policy experience involves drafting of district plan provisions in the Far North, Kaipara, Waikato, Hamilton, and Queenstown Lakes districts for local authorities.
11. These projects have given me significant experience with all parts of the Schedule 1 process from both the public and private sector perspectives, including provision research and development, provision drafting, the preparation of section 32 and 42A reports, preparation of submissions and further submissions, presentation of evidence at council hearings, preparation and resolution of appeals and Environment Court mediation.
12. I have been closely involved in the development and implementation of numerous national direction instruments under the RMA (national policy statements and national environmental standards), from the policy scoping stage through to policy decisions and drafting, the preparation of section 32 evaluation reports and implementation guidance. This includes close involvement in national direction instruments relating to various types of infrastructure (renewable energy, telecommunications) but also other instruments relating to highly productive land and climate change.
13. I have been working with the Far North District Council (FNDC) on the PDP since 2021. My involvement in the PDP initially involved refining certain chapters in response to submissions on the draft district plan and preparing the associated section 32 evaluation reports, specifically on rural topics. Since mid-2023, I have been working with the FNDC PDP team analysing submissions.
14. I had some limited involvement in the development of the Transport chapter prior to notification but was not the chapter author or final reviewer. I was engaged by FNDC to be the reporting officer for this topic in early 2024.

2.2 Code of Conduct

15. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Other than when I state that I am relying on the advice of another person, this evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.
16. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearings commissioners ("Hearings Panel").

2.3 Expert Advice

17. In preparing this report I rely on expert advice of transportation planner Mr Mat Collins from Abley, who has prepared a report on the provisions of the



TRAN chapter (the 'Abley Report'). The expert advice is provided as **Appendix 3** of this report.

3 Scope/Purpose of Report

18. This report has been prepared in accordance with Section 42A of the Resource Management Act to:
 - a. assist the Hearings Panel in making their decisions on the submissions and further submissions on the Proposed District Plan; and
 - b. provide submitters with an opportunity to see how their submissions have been evaluated and the recommendations being made by officers, prior to the hearing.
19. This report responds to submissions on general transportation issues and provisions of the TRAN, and I have provided recommendations to assist the Hearings Panel wherever possible.
20. Separate to the Section 42A report recommendations in response to submissions, Council has made a number of Clause 16(2) amendments to the PDP to achieve consistent formatting of rules and standards, including inserting semi colons between each standard, followed by "and" after the second to last standard (where all of the standards must be met to comply) or "or" after the second to last standard (when only one of the standards must be met to comply). These changes are neutral and do not alter the effect of the rules or standards, they simply clarify the intent. The Clause 16 corrections are reflected in **Appendix 1.1** to this Report (Officer's Recommended Provisions for the TRAN chapter in response to Submissions).

4 Statutory Requirements

4.1 Statutory documents

21. I note that the Transport Section 32 report provides detail of the relevant statutory considerations applicable to the TRAN chapter.
22. It is not necessary to repeat the detail of the relevant RMA sections and full suite of higher order documents here. Consequently, no further assessment of these documents has been undertaken for the purposes of this report.
23. However, it is important to highlight the higher order documents which have been subject to change or introduced since notification of the Proposed Plan which must be given effect to. Those that are relevant to the TRAN chapter are discussed in Section 4.1.2.1 below.

4.1.1 Resource Management Act

24. The Government elected in October 2023, has repealed both the Spatial Planning Act 2023 and Natural and Built Environment Act 2023 on the 22of December 2023 and has reinstated the RMA as Zealand's primary resource



management policy and plan making legislation. The Government has indicated that the RMA will ultimately be replaced, with work on replacement legislation to begin in 2024. The government has indicated that this replacement legislation will be introduced to parliament this term of government (i.e. before the next central government election in 2026). However, at the time of writing, details of the new legislation and exact timing are unknown. The RMA continues to be in effect until when and if this new replacement legislation is passed.

4.1.2 National Policy Statements

4.1.2.1 National Policy Statement on Urban Development

25. The PDP was prepared to give effect to the National Policy Statements that were in effect at the time of notification (27 July 2022). One of the policy statements considered was the National Policy Statement on Urban Development (“NPS-UD”). It was decided that, at the time of notification, the NPS-UD did not apply to the Far North District on the basis that the district did not contain an ‘urban environment’². However, Council acknowledges that once the Kerikeri-Waipapa Spatial Plan – Te Pātukurea (the Spatial Plan) is adopted (anticipated to be in June 2025), Kerikeri and Waipapa will meet the criteria for an area ‘intended to be’ an urban environment under the NPS-UD, which will define Council as a Tier 3 local authority.
26. The most significant implication of the Council being defined as a Tier 3 local authority is that the NPS-UD direction relating to car parking now applies. Policy 11 of the NPS-UD requires that district plans of Tier 3 local authorities do not set minimum car parking requirements (other than for accessible parking spaces). Policy 11 is implemented via clause 3.28, which requires the removal of objectives, policies, rules, or assessment criteria requiring a minimum number of car parking spaces to be provided. Council has sought legal advice as to whether the NPS-UD requires the removal of parking requirements across the entire Far North district or just in urban environments. The legal advice confirmed that the removal of parking requirements applies to the entire district, that the PDP as a whole must not set minimum parking requirements and that the NPS-UD provisions for car parking do not distinguish between urban and non-urban environments in this way.
27. Submissions on car parking provisions are assessed in Key Issue 2 below.

² As defined in the NPS-UD, an urban environment means “any area of land (regardless of size, and irrespective of local authority or statistical boundaries) that: (a) is, or is intended to be, predominantly urban in character; and (b) is, or is intended to be, part of a housing and labour market of at least 10,000 people”.



National Policy Statements – Announced Future Changes

- 28. In October 2023 there was a change in government and several announcements have been made regarding work being done to amend various national direction instruments. At the time of preparing this report, no announcements have been made that have implications for the TRAN chapter.

4.1.3 National Planning Standards

- 29. The National Planning Standards determine the sections that should be included in a District Plan, including the Strategic Direction chapters, and how the District Plan should be ordered. The TRAN provisions proposed and recommended in this report follow this guidance. Specifically:
 - a. The direction to include all transport related provisions (other than those related to a special purpose zone) in the Energy, Infrastructure and Transport part of the PDP.
 - b. Definitions as they relate to the TRAN chapter are discussed in Key Issue 4 of this report.
- 30. The following National Planning Standard transport related definition is relevant:

Road	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>“has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989 Section 315 of the Local Government Act 1974 road definition:</p> <p>road means the whole of any land which is within a district, and which—</p> <ul style="list-style-type: none"> a) immediately before the commencement of this Part was a road or street or public highway; or b) immediately before the inclusion of any area in the district was a public highway within that area; or c) is laid out by the council as a road or street after the commencement of this Part; or d) is vested in the council for the purpose of a road as shown on a deposited survey plan; or
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	<p>e) is vested in the council as a road or street pursuant to any other enactment;— and includes—</p> <p>f) except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:</p> <p>g) every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—</p> <p>but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roothing Powers Act 1989</p> <p>Section 2(1) of the Government Roothing Powers Act 1989 motorway definition</p> <p>motorway—</p> <p>a) means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</p> <p>b) includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</p> <p>c) does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level”</p>
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4.1.4 Treaty Settlements

31. There have been no further Deeds of Settlement signed to settle historic Treaty of Waitangi Claims against the Crown, in the Far North District, since the notification of the PDP.



4.1.5 Iwi Management Plans

32. Section 74 of the RMA requires that a local authority must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority.
33. When the PDP was notified in July 2022, Council had 14 hapū/iwi management planning documents which had been formally lodged with Council, as listed in the PDP section 32 overview report. Council took these management plans, including the broader outcomes sought, into account in developing the PDP. Of the 14 hapū/iwi management planning documents, only two have been revised since notification of the PDP –
 - a. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan
 - b. Ahipara Takiwā Environmental Management Plan
34. A summary of the key issues that are relevant to transport covered in these two hapū/iwi management planning documents is below.

Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine

35. Ngā Tikanga mo te Taiao o Ngāti Hine' the Ngāti Hine Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with the Council in 2022, after notification of the PDP in July 2022. In respect of transportation matters, particularly the TRAN chapter, the Ngāti Hine Environmental Management Plan provides the following direction:

2.7 Climate Change – Te Patanga o Ngā Āhua o Nga Rangī

Issues: Climate change has not been adequately addressed to date in central and regional government policy, the impact of human behaviour and actions that are detrimental to te taiao, and a lack of knowledge and understanding around the impacts of climate change.

- a. *Objective 2.7(1): That Ngāti Hine is as informed as possible on climate change and constructively debates how the iwi can best respond.*

3.8 Population Growth and Movement

Issue: This is our home.

- a. *Policy 3.8(3): Ngāti Hine supports planning initiatives which will ensure that development of urban centres is in a manner and at a rate which ensures adequate infrastructure is in place before development occurs. Ongoing meaningful discussion and*



consultation with Ngāti Hine from any groups, entities throughout any processes of development is a requirement Ngāti Hine has.

- b. Policy 3.8(5): Ngāti Hine believes that urban centres should be designed around people and taonga and not profits or for example cars.*

Ahipara Takiwā

36. The Ahipara Takiwā Environmental Management Plan was in draft form at the time of the notification of the PDP. This was updated, finalised and lodged with Council in 2023, after notification of the PDP in July 2022. In respect of transportation matters, particularly the TRAN chapter, the Environmental Management Plan identifies issues and provides direction in relation to the following:

3.2 Ngā Painga / Overall Objectives

- a. Ngā Marae o Ahipara effectively participate in all resource management activities within the takiwā.*

3.9.3 Whakamoaritia / Issues relating to Papatūānuku

PI26 The speed of vehicles travelling through Ahipara township is a hazard for local people.

3.12.1 Ngā Take Ngā Āhua o Nga Rangī - Issues relating to climate change

- a. Look at reducing fossil fuel and other Greenhouse gas (GHG) emissions.*

4.2 Ngā Take - Taupori Tāngata / Policies relating to Population Growth

- a. Ngā Hapū o Ahipara supports planning initiatives which will ensure that development of residential areas is in a manner and at a rate which ensures adequate infrastructure is in place before development occurs.*

37. These updated iwi management plans are considered through this report, to the extent relevant and within the scope of submissions on relevant provisions (which can vary depending on the provision).

4.2 Section 32AA evaluation

38. This report uses 'key issues' to group, consider and provide reasons for the recommended decisions on similar matters raised in submissions. Where changes to the provisions of the PDP are recommended, these have been evaluated in accordance with Section 32AA of the RMA.
39. The s32AA further evaluation for each key issue considers:



- a. Whether the amended objectives are the best way to achieve the purpose of the RMA.
 - b. The reasonably practicable options for achieving those objectives.
 - c. The environmental, social, economic and cultural benefits and costs of the amended provisions.
 - d. The efficiency and effectiveness of the provisions for achieving the objectives.
 - e. The risk of acting or not acting where there is uncertain or insufficient information about the provisions.
40. The section 32AA further evaluation for recommended amendments to the PDP also contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor and consequential changes that do not change the policy intent are not evaluated under section 32AA of the RMA in this report.

4.3 Procedural matters

4.3.1 Pre-hearing meetings

41. Due to the clarity of submissions, no correspondence or meetings with submitters needed to be undertaken.

4.3.2 Proposed Plan Variation 1

42. FNDC notified Proposed Plan Variation 1 (Minor Corrections and Other Matters) for public submissions on 14 October 2024. The submission period closes on 14 November 2023. Proposed Plan Variation 1 makes minor amendments to correct minor errors, amend provisions that are having unintended consequences, remove ambiguity and improve clarity and workability of provisions. This includes amendments to the zoning of some properties, and the Coastal flood hazard areas.
43. There are no amendments to the TRAN chapter resulting from Variation 1.

5 Consideration of submissions received

5.1 Overview of submissions received

44. There are 326 original submission points on the TRAN chapter, including 93 submissions in support, 119 supporting in part, two with a neutral position and 58 in opposition.³ There were also 632 further submission points received on those original submissions.

³ 54 submissions were recorded as not stating a position.



45. The main submissions on the TRAN chapter are from:
 - a. Central and local government, namely NZTA (S356), NTA (S184), MOE (S331) and Ngā Tai Ora (S516).
 - b. Non-governmental organisations, such as Kapiro Residents Association (S427) and Carbon Neutral NZ (S529).
 - c. Iwi groups, such as Te Hiku Iwi Development Trust (S399).
 - d. Infrastructure providers, such as KiwiRail (S416), Top Energy (S483) and Twin Coast Cycle Trail (S425).
 - e. Individual submitters, such as Lynley Newport (S121), Nicole Wooster (S259) and BR and R Davies (S400).
 - f. Commercial businesses, such as Foodstuffs (S363), Paihia Properties (S344) and Haigh Workman Limited (S215).

46. The key issues identified in this report are set out below:
 - a. Key Issue 1: References to Engineering Standards
 - b. Key Issue 2: Parking
 - c. Key Issue 3: Trip Generation
 - d. Key Issue 4: General Matters
 - e. Key Issue 5: TRAN Overview, Objectives and Policies
 - f. Key Issue 6: TRAN Rules – General Comments
 - g. Key Issue 7: TRAN-R2
 - h. Key Issue 8: TRAN-R3 and TRAN-R4
 - i. Key Issue 9: TRAN-R6, TRAN-R7, TRAN-R8 and TRAN-R9
 - j. Key Issue 10: Standards – General Comments
 - k. Key Issue 11: TRAN-S2, TRAN-S3 and TRAN-S5
 - l. Key Issue 12: TRAN-S4
 - m. Key Issue 13: TRAN-Tables 2-8, 10
 - n. Key Issue 14: TRAN-Table 9

47. Section 5.2 constitutes the main body of the report and considers and provides recommendations on the decisions requested in submissions. Due



to the large number of submissions received and the repetition of issues, as noted above, it is not efficient to respond to each individual submission point raised in the submissions. Instead, this part of the report groups similar submission points together under key issues. This thematic response assists in providing a concise response to, and recommended decision on, submission points.

5.2 Officer Recommendations

48. A copy of the recommended plan provisions for the Transport chapter is provided in **Appendix 1.1 – Recommended amendments to the Transport chapter**.
49. A copy of the amended definitions for the Definitions chapter is provided in **Appendix 1.2 – Recommended amendments to the Definitions chapter**
50. A full list of submissions and further submissions on the Transport Chapter is contained in **Appendix 2 – Recommended Decisions on Submissions to this report**.

5.2.1 Key Issue 1: References to Engineering Standards

Overview

Provision(s)	Officer Recommendation(s)
Note 2	Amend to decouple the TRAN chapter from the Engineering Standards
TRAN-R3 and TRAN-R8	Amend to make the formation or upgrade of an Arterial road a discretionary activity
New tables TRAN-Table X and TRAN-Table Y	Insert new tables to replace references to material in the Engineering Standards
TRAN-Figure 3	Amend to use more directive language and remove references to Engineering Standards appendix

Analysis of Submissions on Key Issue 1: References to Engineering Standards

Matters raised in submissions

51. Foodstuffs (S363.011) consider that the Engineering Standards are inconsistently applied throughout the TRAN Chapter and submit the Engineering Standards referenced do not provide for sustainable, safe or efficient roading infrastructure. Foodstuffs request the TRAN Chapter is amended to promote a relationship between the PDP and the Engineering Standards that ensures:



- a. the PDP requires the delivery of infrastructure in a manner that achieves sustainable, safe and efficient provision of infrastructure;
 - b. appropriate references to Engineering Standards in the PDP, resulting in clear and measurable rules; and
 - c. consistent cross-referencing to Engineering Standards across all PDP chapters.
52. Haigh Workman Limited has made several submission points relating to the relationship between the TRAN chapter and the engineering standards (e.g. S215.006 relating to TRAN-Table 5 and S215.013 relating to TRAN-S2). Haigh Workman Limited consider that objectives, policies and rules relating to transport should be in the TRAN chapter, but the technical standards for achieving those objectives should remain in the Engineering Standards and not be duplicated in the TRAN chapter. Haigh Workman Limited highlight a lack of consistency throughout the TRAN Chapter on whether standards are in the PDP, the Engineering Standards, or repeated in both. For example, Haigh Workman Limited point out that the standards for private access are in both the TRAN chapter and the Engineering Standards, but standards for public roads are only specified in the Engineering Standards. Haigh Workman Limited request that key standards for both private access and public roads are included in the TRAN chapter but more technical details like TRAN-Table 5 and Figures 1-8 are only contained in the Engineering Standards.
53. NTA (S184.010) acknowledge the difficulty with references to the 2022 version of the Engineering Standards in the TRAN chapter and requests that Note 2 is revised to refer to the "*most recently adopted Engineering Standards*" to avoid minor updates to the district plan if the Engineering Standards change or are updated.

Analysis

54. I agree with Foodstuffs, Haigh Workman Limited and NTA that the relationship between the TRAN chapter and the Engineering Standards is unclear and, at times, inconsistent. I also agree with NTA that it is problematic to refer specifically to the 2022 version of the Engineering Standards as these are likely to change over the life of the PDP.
55. The broader issue of the relationship between the Engineering Standards and the PDP was addressed in Hearing 8. The potential issues associated with incorporating the Engineering Standards by reference into the PDP was discussed in paragraph 48 of the Engineering Standards section 42A report and I concur with that assessment. The recommendation of the reporting officer for Hearing 8 is to decouple the Engineering Standards completely from the PDP. For the TRAN chapter, this requires redrafting all provisions that include a reference to the Engineering Standards so that:



- a. All standards that are necessary to avoid adverse environmental effects on the environment, people and Council assets are brought through from the Engineering Standards into the TRAN chapter; and
 - b. All technical information that is not required to be assessed through a resource consent process is removed from the TRAN chapter and retained in the Engineering Standards only.
56. The reporting officer for Hearing 8 highlighted that TRAN-S4 and TRAN-S5 will require amendment to decouple them from the Engineering Standards. I agree that this is required, but also agree with NTA that Note 2 requires amendment, as well as a general review of the level of technical supporting information that has been included in the TRAN chapter, e.g. TRAN-Table 5.
57. I recommend specific amendments to TRAN chapter provisions to decouple them from the Engineering Standards in the Key Issues below where they relate to specific submissions. Recommendations to amend other provisions that do not relate to any other submissions are as follows:
- a. Insert a new PER-3 and associated discretionary status into TRAN-R3 and TRAN-R8 for the formation or upgrade of Arterial roads. This is to recognise that, under the Engineering Standards, Arterial Roads require specific design that is not provided for under TRAN-S4 and associated tables in the TRAN chapter. A discretionary activity status will allow for the design of Arterial roads to be considered fully through the resource consent process.
 - b. Insert two new tables (TRAN-Table Y and TRAN-Table Z) to require minimum widths for roads and minimum intersection spacings respectively. Compliance with these tables will be a requirement of TRAN-S4 – Requirements for Road Design. The reasons for these new tables are set out in more detail in Table 1.1 of the Abley Report.
 - c. Amend the heading and note of TRAN-Figure 3 to remove the word 'preferred' as the information in the figure needs to be more directive if associated with permitted rules and standards. Also replace the reference at the bottom of the figure to the appendix of the Engineering Standards with a reference to TRAN-Figure 1 - Manoeuvring and parking space dimensions.

Recommendation

58. For the reasons set out above, I recommend that the submissions from Foodstuffs, Haigh Workman Limited and NTA are accepted, accepted in part and rejected as set out in **Appendix 2**. The wording amendments requested by Haigh Workman Limited to specific provisions are addressed in the relevant Key Issues below.
59. I recommend that Note 2 is amended to read as follows:



The ~~design and construction standards for~~ of access, new roads, footpaths, and car parking will also require approval under the most recently adopted ~~be in accordance with~~ Far North District Council Engineering Standards April 2022.

60. I recommend that the amendments listed in the Analysis section above are made to the TRAN chapter.

Section 32AA evaluation

61. The section 32AA evaluation for decoupling the Engineering Standards from the PDP has been undertaken as part of the section 42A report for Hearing 8 (refer to paragraphs 69-73). As such, no further evaluation is required.

5.2.2 Key Issue 2: Parking

Overview

Provision(s)	Officer Recommendation(s)
TRAN-P4	Amend/delete provisions to remove references to car parking minimums as per the NPS-UD but retain elements of provisions relating to accessible parking spaces, loading spaces, stacked parking, bicycle spaces, end of trip facilities and parking/manoeuvring dimensions. Insert new rule to manage pedestrian access to allotments where vehicle access is not provided.
TRAN-P6	
TRAN-R1	
TRAN-R4	
TRAN-S1	
TRAN-Table 1	
TRAN-Table 2	
New TRAN-RW	
New TRAN-Table W	

Analysis of Submissions on Key Issue 2:

Matters raised in submissions

Minimum Car Parking Requirements

62. Good Journey Limited (S82.013 – S82.027) oppose minimum car parking requirements in the Mixed Use Zone and request their deletion to encourage intensification and development of Mixed Use zoned land. Good Journey Limited consider that the removal of minimum car parking standards will have benefits for both land use outcomes and travel patterns.
63. Puketona Business Park Limited (S45.007) request that car parking minimums for non-residential activities are removed from the PDP. Puketona Business Park Limited suggest that instead of a minimum threshold, an activity should demonstrate that sufficient parking can be achieved to meet



demand without adversely affecting the network or surrounding amenity. To demonstrate its position, Puketona Business Park submit that a 2,500m² industrial activity would need approximately 10 staff car parks and two visitor parks to operate effectively. However, as currently drafted, the PDP would require at least 25 parks for the activity to achieve compliance with TRAN Rules. If parking minimums are not removed, Puketona Business Park request a substantial reduction in the car parking ratio for industrial activities.

64. Twin Coast Cycle Trail (S425.018) consider that parking provisions should align with the NPS-UD and only relate to accessible parking, dimensions and manoeuvring. The submitter acknowledges that FNDC did not classify themselves a Tier 1, 2 or 3 Council when the PDP was notified, but consider that the NPS-UD approach is worth adopting.

TRAN-R1: Parking

65. Haigh Workman Limited (S215.001) support TRAN-R1 and request it is retained as notified.
66. Puketona Business Park Limited (S45) have made two submissions on TRAN-R1:
 - a. The first (S45.012) supports the restricted discretionary activity status if TRAN-R1 is not complied with.
 - b. The second (S45.009) requests that PER-2 of TRAN-R1 is amended to permit stacked spaces for industrial activities, particularly where these are for staff use. Puketona Business Park consider the drafting of PER-2 to be an error as it currently requires resource consent for a discretionary activity when stacked parking spaces are used for anything other than residential activities.
67. Northland Planning and Development 2020 Limited (S502.093) and Waitangi Limited (S503.039) support TRAN-R1 in part but seek clarification on how to assess car parking requirements for activities not expressly listed within the rule. For activities not listed, Northland Planning and Development request that a Note is added to TRAN-R1 to clarify whether an applicant should apply the parking requirements for the closest listed activity or whether a traffic engineer needs to be engaged to determine the number of parking spaces. Waitangi Limited (S503.040) and Northland Planning and Development (S502.094) request the same clarification note for TRAN-Table 1.
68. Waiaua Bay Farm Limited (S463.021) oppose TRAN-R1 as they consider it contrary to Subpart 8 Clause 3.38(1) of the NPS-UD which requires Tier 1, 2 or 3 territorial authorities to remove minimum car parking provisions from their district plans. Waiaua Bay Farm Limited consider the NPS-UD has legal effect and requests the deletion of TRAN-R1 in its entirety.

TRAN-S1: Requirements for parking



69. Ngā Tai Ora (S516.040), Terra Group (S172.016) and Haigh Workman Limited (S215.002) all support TRAN-S1 and request it is retained.
70. NTA (S184.009) support TRAN-S1 in part but also consider that safe and secure bicycle parking should be required by TRAN-S1 and request the following additional clause:

7. Parking is safe and secure.

71. NTA (S184.018) request that the ODP provision that allows an applicant to provide for bicycle parking and green space in lieu of car parks be included in the TRAN chapter. This relief would also involve requiring an ITA to assess the impact of providing these alternative approaches to car parking.⁴ The same submission point from NTA raises the issue of car parking provisions more generally, noting that as Kerikeri and Waipapa are close to triggering the Council becoming a Tier 3 local authority, it may be more appropriate to adopt the NPS-UD approach to car parking.
72. FENZ (S512.017) support TRAN-S1 in part but request explicit reference to effects on emergency response access in the matters of discretion to mitigate any delays in response times. The amendment sought by FENZ to TRAN-S1 matter of discretion (b) is as follows:

b. the potential for adverse effects on the safety and efficiency of the transport network, including emergency response access and effects on vehicles, pedestrians and cyclists;

73. MOE (S331.027) supports TRAN-S1 in part but encourages Council to adopt the NPS-UD and remove minimum car parking requirements in respect of educational facilities including primary and secondary schools, kohanga reo and childcare centres. MOE request that TRAN-S1 requirements for car parking are amended as follows:

1. The minimum number of ~~on-site~~ car parking and bicycle spaces are provided for each activity in accordance with TRAN-Table 1 ~~Minimum number of parking spaces~~, except that:

- *for sites in the Mixed Use zone, no additional on-site parking spaces are required where the nature of a legally established activity changes, provided that:*
 - i. the gross business area of the site is not increased; and*
 - ii. it is not a residential activity or visitor accommodation activity;*

⁴ A review of Chapter 15 – Transportation of the ODP has confirmed that consideration of alternatives to car parking are provided for through Policy 15.1.4.8 and through assessment criteria for a discretionary activity under Rule 15.1.6B.5(j). Neither of these provisions specifically require an ITA to assess the implications of alternative proposals.



2. *Where on-site parking is provided in accordance with (1) above, additional accessible car parking spaces must be provided in accordance with TRAN-Table 2 - Minimum number of accessible parking spaces;*
 3. *Loading spaces for commercial activities, offices, industrial activities, commercial service activities, hospital activities, and educational facilities are provided on site in accordance with TRAN-Table 3 - Minimum on-site loading bay requirements;*
 4. *End-of-trip facilities for commercial activities, offices, industrial activities, commercial service activities, hospital activities and educational facilities are provided for staff use in accordance with TRAN-Table 4 - End of trip facility requirements; and*
 5. *All on-site car parking and manoeuvring areas are provided in accordance with TRAN-Table 5 - Parking and manoeuvring dimensions, ~~;~~ and*
 - ~~6. *If any activity is not represented within TRAN-Table 1 - Minimum number of parking spaces then the activity closest in nature to the proposed activity shall apply, provided that where there are two or more similar activities in the table, the activity with the higher parking rate shall apply.*~~
74. Northland Planning and Development 2020 Limited (S502.095) oppose the end of trip facility requirements under TRAN-S1 and request that Clause (4) is deleted from the Standard. Northland Planning and Development 2020 Limited consider it inappropriate for the PDP to include provision for end of trip facilities and note the lack of section 32 commentary available on the matter. Northland Planning and Development 2020 Limited point out that many areas of the Far North district are simply not suitable for alternative modes of transport requiring end of trip facilities.

TRAN-Table 1: Minimum Number of Parking Spaces

75. Haigh Workman Limited (S159.041) and Ngā Tai Ora (S516.041) support TRAN-Table 1 and request it is retained. Waipapa Pine (S342.017), LD Family Investments Limited (S384.009), Ti Toki Farms Limited (S262.009) and Marshall Investments Trustee Limited (S378.005) support the parking thresholds in TRAN-Table 1 for industrial activities.
76. NTA (S184.020) support TRAN-Table 1 in part and request that a new column is inserted for EV parking spaces. NTA also request that the 'required bicycle parking spaces' column is amended to provide alternative thresholds to those based on employee numbers (i.e. based on business size).
77. Kāinga Ora (S561.026) support TRAN-Table 1 in part but note that the Government has signalled the need to shift away from constraining the use of urban land for car parking. Kāinga Ora request that TRAN-Table 1 be



amended so that only one onsite parking space per residential unit is required.

78. MOE (S331.028) support TRAN-Table 1 in part but encourage Council to adopt the NPS-UD and remove minimum car parking requirements for educational facilities by deleting the 'required parking space' column for schools and childcare centres. MOE note that preparing a notice of requirement for an educational facility often requires the preparation of an Integrated Transport Assessment (ITA) that would determine the appropriate number of parking spaces. MOE support the bicycle parking requirements in TRAN-Table 1 and request these are retained.
79. Horticulture NZ (S159.041) supports TRAN-Table 1 in part but requests that cool stores associated with horticulture processing and distribution only be required to provide one parking space per 500m² GBA, as opposed to the one parking space per 100m² threshold that applies to horticulture processing and distribution facilities more generally (which is supported). Horticulture NZ argues that large coolstores do not have a significant number of workers and therefore have lesser parking requirements.
80. Jane Johnston (S560.001, S560.002) opposes the parking requirements in TRAN-Table 1 and considers them to be excessive and contrary to TRAN objectives and policies for sustainable transport networks. Jane Johnston requests that the parking requirements in TRAN-Table 1 are reduced downwards and made more equitable i.e. consistent parking requirements applied for all types of residential activity (multi-unit development, papakainga, retirement village etc) and businesses that people work at compared to those that attract visitors (hospitals, schools, event facilities etc). Jane Johnstone considers that this should be coupled with an approach of encouraging public transport use.
81. Good Journey Limited (S82.017, S82.027) oppose car parking minimums in the Mixed Use Zone and request that they are deleted. Good Journey Limited also do not support car parking thresholds being linked to gross business area as this perversely the discourages intensification, expansion and development of Mixed Use areas, when there are positive land use outcomes and travel patterns resulting from intensification of such areas.
82. Te Whatu Ora (S42.012, S42.013) oppose the proposed car parking requirements for hospitals and healthcare activities, arguing that the notified thresholds are too generous, particularly as the size of facilities will need to increase to meet Australasian Health Facility Guidelines. Te Whatu Ora requests that the car parking requirements are amended as follows:
 - a. One space per two beds, plus one space per two employees for hospitals (compared to 1 per 3 hospital-beds, plus 5 per operating theatre, plus 1 per remaining 25m² GFA); and
 - b. One parking space per two clinics, plus one space per two employees for healthcare activities (compared to 1 per 20 m² GFA as notified).



83. Waiaua Bay Farm Limited (S463.026) and Arvida Group Limited (S165.009) oppose TRAN-Table 1 as it is contrary to Subpart 8 of the NPS-UD and request it is deleted. Foodstuffs (S363.008) also request the deletion of TRAN-Table 1 insofar as it relates to supermarkets or convenience stores.

Analysis

NPS-UD

84. As discussed in Section 4.1.2.1 above, it is anticipated that once the Spatial Plan is adopted, the Far North District will reach a threshold where it will be considered to contain an 'urban environment' under the NPS-UD. Although the Spatial Plan has not yet been adopted, I am making my recommendations on carparking requirements in the TRAN chapter in anticipation of the Spatial Plan being adopted in June 2025⁵.
85. Based on the Council being classified as a Tier 3 local authority, I agree with the submissions from Twin Coast Cycle Trail, Waiaua Bay Farm Limited, Arvida Group Limited and others that the TRAN chapter requires amendment to remove the requirement for a minimum number of car parking spaces per land use activity. However, I do not agree that this requires deletion of TRAN-R1, TRAN-S1 and TRAN-Table 1 in their entirety as these provisions are still required to manage the provision of accessible parking spaces, loading spaces, end of trip facilities and bicycle parking spaces, as well as set minimum dimensions for parking and manoeuvring areas in situations where car parks are provided (as per TRAN-Table 5).
86. In my view, there is still a role for the TRAN chapter to play in terms of ensuring that car parks are correctly formed, sized and located to ensure that they are functional, even if the total number of car parks provided is at the discretion of the landowner/developer. There is no direction in Sub-part 8 of the NPS-UD to remove all references to car parking from a district plan. In fact, clause 3.38(3) of the NPS-UD expressly clarifies that a district plan is still able to include objectives, policies, rules, or assessment criteria:
- a. *"requiring a minimum number of accessible car parks to be provided for any activity; or*
 - b. *relating to parking dimensions or manoeuvring standards to apply if:*
 - i. a developer chooses to supply car parks; or*
 - ii. when accessible car parks are required."*
87. The Abley Report (attached as **Appendix 3**) makes recommendations for amending the TRAN chapter provisions to give effect to the NPS-UD. The Abley Report also makes recommendations about how to redraft these

⁵ If the Spatial Plan has not been formally adopted by the final PDP hearing in November 2025, I will make an alternative recommendation on TRAN-R1, TRAN-S1 and TRAN-Table 1 to assist the Hearing Panel as part of Hearing 17 – General/Miscellaneous/Sweep up.



provisions to retain the parts that do not relate to specifying car parking ratios. My recommended amendments to parking provisions based on the Abley Report are included in **Appendix 1.1**, but the key changes are:

- a. Amending TRAN-P4 to remove references to managing the 'supply' of car parking, instead refocusing the policy on the 'design and location' of car parking and only the 'supply' of bicycle parking, accessible parking and loading bays.
 - b. Deletion of TRAN-P6 as there is no longer a need for a policy that directs how a reduction in on-site parking should be assessed.
 - c. Amending TRAN-R4 to delete all references to a minimum number of parking spaces with respect to electric vehicle charging stations.
 - d. Amending TRAN-R5, matter of discretion (b) to confirm that an ITA for a high trip generating activity can consider the impact of parking demand on the transport network as part of assessing whether the use or development compromises the safety and efficiency of the transport network, despite parking minimums being removed from the TRAN chapter.
 - e. Amending TRAN-S1 to remove all references to a minimum number of on-site car parking spaces and instead reframe the standard to focus on bicycle parking spaces, accessible parking spaces and loading spaces, with specific permitted conditions relating to short and long stay bicycle parks.
 - f. Delete TRAN-Table 1 as notified and replace with a new TRAN-Table 1 to control the minimum number of bicycle parking spaces, including specifying if they are short or long stay bicycle parks.
 - g. Amend TRAN-Table 2 so that accessible car parking spaces are calculated based on theoretical parking demand as opposed to number of parking spaces.
 - h. Insert new TRAN-Table W to calculate theoretical parking demand for accessible parking spaces.
88. I consider that these amendments effectively address all submissions that requested alignment of the TRAN chapter with the NPS-UD and all submissions that requested amendments to the car parking ratios for a particular activity or activities, including the request from NTA to allow for consideration of providing bicycle parking or green space in lieu of car parks.
89. With respect to requests from submitters for altered car parking ratios, although these are recommended to be deleted from the TRAN chapter, the Abley Report does comment on these submissions in Section 1.2, under the heading 'Minimum parking rates'. I agree with the Abley Report position that insufficient evidence has been provided from Te Whatu Ora and Horticulture



NZ to justify amendments to the parking requirements for hospitals, healthcare activities and horticulture coolstores. I agree with the Kāinga Ora submission to reduce the number of parking spaces from 2 to 1 space per residential unit and this should be reflected in new TRAN-Table W with respect to theoretical parking demand for accessible parking spaces.

90. Submissions on TRAN-P4, TRAN-P6, TRAN-R1, TRAN-S1 or TRAN-Table 1 that relate to an aspect of these provisions not linked to removing the minimum car parking requirements are addressed below.

Pedestrian access for allotments where vehicle access is not provided

91. As part of analysing the necessary amendments required to the TRAN chapter resulting from the removal of parking minimums, the Abley Report identifies a potentially unintended outcome that requires a TRAN chapter response.
92. The removal of parking minimums in other districts has provided developers with the ability to design a development that has no on-site parking. One of the consequences observed in regions like Auckland is that some developments are being designed without any vehicle access to allotments at all, instead relying on pedestrian access only. While this is generally not an issue where all buildings (either residential or commercial) front a public street, it becomes problematic for buildings at the rear of sites where the shared pedestrian access is not being designed to accommodate:
 - a. Emergency responder access (e.g. pedestrian accessways not wide enough for a stretcher or other medical equipment or ladder access)
 - b. Maintenance works (e.g. not wide enough to lean a ladder against a building or bring small machinery onto site)
 - c. Practical day to day access (e.g. pedestrian accessways that are too narrow and/or contain steps that prevent movement of rubbish bins)
93. To respond to this issue, the Abley Report recommends the insertion of a new rule to manage the design of pedestrian accessways for allotments where no vehicle access is provided. The intention of the rule is to ensure that all pedestrian accessways are constructed with stable and slip-resistant surfaces and form a continuous access between the building they are serving and a public footpath (i.e. no gaps or landscaped areas breaking up the access). For pedestrian accessways that are shared, there are additional requirements for minimum formed with as well as minimum clear heights and widths to ensure they can be practically used by rear allotments for emergency access, maintenance and movement of things like rubbish bins.
94. I anticipate that this rule will be rarely used as it only applies where a development is not proposing to construct a vehicle access to an allotment (as a consequence of not providing parking spaces). However, I consider it to be a necessary inclusion to prevent unsafe or impractical pedestrian



accessways being constructed in the absence of a vehicle crossing. I have recommended the inclusion of this new rule as TRAN-RW in **Appendix 1.1**.

Stacked parking spaces

95. Although Puketona Business Park consider that the drafting of PER-2, TRAN-R1 may be an error, the Abley Report confirms that it was intentional to require a resource consent for stacked parking in any scenario other than for residential activities. I agree with the Abley Report that for visitor, customer and employee parking, stacked parking spaces can be problematic and that a resource consent process is appropriate to confirm whether or not the arrangement is suitable, as is common in most other district plans. Although I am recommending that the TRAN chapter does not control the supply of parking, I still consider it important for the TRAN chapter to manage how parking spaces are designed and where they are located when a proposal includes the provision of parking spaces. As such, I do not recommend any amendments to PER-2, TRAN-R1.

Bicycle parking

96. I disagree with NTA that an additional clause is required in TRAN-S1 requiring that (bicycle) parking is safe and secure – it is assumed that this is the requested relief although the specific wording for the new clause only refers to 'parking' generically. TRAN-S1 is a permitted standard that bicycle parks need to comply with. The requested requirement that bicycle parking be 'safe and secure' is not sufficiently clear or accurate to be a permitted standard. However, the Abley Report does recommend amendments to TRAN-S1 (and subsequently TRAN-Table 1) to distinguish between the requirements for short and long stay bicycle parking spaces, in response to NTA's submission S184.021, involving new permitted activity conditions relating to security, shelter and location of bicycle parking spaces relative to the activity they are serving. I agree with this recommendation and suggest the inclusion of new clauses 7 and 8 in TRAN-S1 as per **Appendix 1.1**.
97. I disagree with Northland Planning and Development 2020 Limited that reference to end of trip facility requirements are inappropriately included in TRAN-S1. Although I accept the point in principle that many areas of the Far North district may be difficult to access via by bicycle, failing to require end of trip facilities to make cycling more attractive simply ensures that this remains the status quo going forward. An applicant is able to apply for a resource consent for failing to provide end of trip facilities if there are location or site-specific reasons why they will never be used. However, I consider that an amendment to assessment criteria (c) in TRAN-S1 is appropriate to make it clear that site or activity specific factors can be considered when applying for a reduction in end of trip facilities, as well as a reduction in parking.
98. I disagree with NTA regarding their request that the 'required bicycle parking spaces' column in TRAN-Table 1 is amended to provide alternative



thresholds based on employee numbers. As discussed in Section 16 of the Abley Report, bicycle parking requirements calculated on employee numbers are both appropriate and consistent with other comparable district plans (e.g. Whangarei). There are already some types of activities that have a ratio based on GFA as part of the broader calculation in instances where the size of the activity has a bearing on the potential number of bicycle parking spaces required. As such, I do not agree with adding in an alternative bicycle parking calculation based on GFA in TRAN-Table 1.

EV parking spaces

99. The Abley Report discusses how the TRAN chapter approaches EV parking spaces in Section 1.2 under the heading 'Electric vehicles, bikes and scooters'. I consider that, although there are options in the TRAN chapter to mandate or incentivise EV charging opportunities as part of developments, there are other methods available outside of the PDP to achieve this. In my opinion, requiring a resource consent for failing to install an EV parking space is a heavy-handed way of approaching the issue and one that has not fully been explored through the Schedule 1 process, particularly if members of the public missed or did not understand the implications of the relief requested by NTA. As such I do not recommend any changes relating to requiring EV parking spaces in the TRAN chapter.

Emergency response access

100. Although I understand the issue that FENZ raises with respect to emergency response access and car parking, now TRAN-S1 has been revised to remove minimum parking requirements, the standard does not control activities that, in my view, could impact or mitigate any delays in response times. As such I do not recommend any amendment to matter of discretion (b) in TRAN-S1.

Recommendation

101. For the reasons set out above, I recommend that the submissions on the TRAN chapter provisions relating to car parking are accepted, accepted in part and rejected as set out in **Appendix 2**.
102. I recommend that the TRAN chapter provisions are amended as set out in the Analysis section above with respect to car parking.
103. I recommend the inclusion of new rule TRAN-RW to address the design and location of pedestrian access for allotments where vehicle access is not provided.

Section 32AA evaluation

104. Assuming the Spatial Plan is adopted in June 2025, the 'do nothing' option of retaining minimum parking standards in the TRAN chapter is not a viable option as it will not give effect to the higher order policy direction in the



NPS-UD. It is also more efficient and effective to undertake all necessary amendments to the TRAN chapter now as part of the PDP process as opposed to initiating a separate plan change, particularly as there is clear scope to do so within submissions. The NPS-UD also directs that removing objectives, policies, rules or assessment criteria that have the effect of requiring a minimum number of car parks should be undertaken without using RMA Schedule 1 plan change process, so most of my recommended amendments are required regardless of the outcome of the TRAN chapter hearing.

105. With that context, I consider that my recommended amendments to the policies, rules and standards of the TRAN chapter for parking are the most efficient and effective way to give effect to the NPS-UD direction to remove minimum parking standards. The recommendations ensure that no provisions in the TRAN chapter are interpreted as being parking minimums but also ensure that the TRAN chapter continues to control the location and design of parking spaces, as well as accessible parking spaces, bike parking, loading and access requirements.
106. Not having parking minimums in the TRAN chapter achieves some of the efficiency benefits sought by the NPS-UD, namely the more efficient use of land for use by activities other than parking. It will also be more effective than the notified version of the TRAN chapter in terms of enabling a more compact urban form in areas such as Kerikeri and encouraging the use of more sustainable transport options where parking is not required (e.g. walking and cycling). As such, I consider that my recommendations relating to parking are an appropriate, effective and efficient way to achieve the relevant objectives in terms of section 32AA of the RMA.

5.2.3 Key Issue 3: Trip Generation

Overview

Provision(s)	Officer Recommendation(s)
TRAN-R5	Minor amendments to improve interpretation
TRAN-Table 11	Minor amendments to improve interpretation and correct errors

Analysis of Submissions on Key Issue 3: Trip Generation

Matters raised in submissions

TRAN-R5 and TRAN-Table 11

107. Many submissions relating to trip generation address both TRAN-R5 and TRAN-Table 11 together as they are a linked pair of provisions. Where a submitter only requests amendment to either TRAN-R5 or TRAN-Table 11, this is noted in the summary below.



108. Z Energy Limited (S336.006) supports TRAN-R5 and request it is retained as notified. Z Energy Limited (S336.007) also supports the trip generation consent threshold for commercial activities identified in TRAN-Table 11 and request it is retained.
109. MOE (S331.031) supports TRAN-R5 and requests that it is retained as notified. MOE (S331.032) also supports TRAN-Table 11 in part and acknowledges the potential for high traffic volumes to be generated by primary and secondary schools. However, MOE consider the proposed thresholds are too low and request that the primary and secondary school threshold is increased from 60 to 100 students, especially due to student numbers not necessarily reflecting traffic volumes.
110. Puketona Business Park Limited (S45.033) supports the restricted discretionary activity status in TRAN-R5 where transport standards are infringed and request this is retained. However, Puketona Business Park Limited (S45.008) considers that the trip generation thresholds in TRAN-Table 11 are unnecessarily low for industrial activities. To resolve this, Puketona Business Park Limited requests that the Auckland Unitary Plan thresholds for trip generation for industrial activities are adopted into TRAN-Table 11. These thresholds are as follows:

Warehousing and storage 20,000m² GFA

Other industrial activities 10,000m² GFA
111. Northland Planning and Development 2020 Limited (S502.091, S502.092) and Waitangi Limited (S503.037, S503.038) support TRAN-R5 and TRAN-Table 11 in part but note there are other forms of transport available throughout the Far North such as buses, shuttles or ferries. When used effectively, these forms of transport carry many people and can reduce the number of trips required and parking spaces needed. The submitters use Waitangi as an example, noting many tourists gain access to the site via forms of transport other than a private car. For this reason, Northland Planning and Development and Waitangi Limited request that TRAN-R5 and TRAN-Table 11 are amended to recognise other forms of transport and ensure these are considered in corresponding assessments.
112. Kapiro Residents Association (S427.049, S427.050) support TRAN-R5 and TRAN-Table 11 in part but raise concerns regarding the increase in traffic volumes resulting from new subdivisions in and around Kerikeri. Examples of adverse effects associated with increased traffic volumes listed in this submission include increased noise levels, emissions, and adverse effects on amenity and character. To address these concerns, Kapiro Residents Association request that TRAN-R5 and TRAN-Table 11 are amended to require full consideration of cumulative traffic effects within townships and on roads, especially those leading to and from a CBD or service centre.
113. NTA (S184.016) support TRAN-R5 in part but request that a trigger is added to require an ITA. NTA consider that this is unfair for smaller developments



requiring minor upgrades. NTA suggest using a table similar to Table TRA 15 in the Whangarei District Plan to set specific thresholds as to when different scales of activities (either new activities or a change to an existing activity) require an ITA.

114. New Zealand Maritime Parks Ltd (S251.003, S251.004), McDonalds Restaurants (NZ) Limited (S385.008, S385.009) and Bunnings Limited (S371.009) support TRAN-R5 and TRAN-Table 11 in part but note that the trip generation thresholds have changed from zone-specific daily volumes in the ODP, to district-wide standards in the PDP set by a combination of daily volumes, gross business area, and occupancy-based thresholds. These submitters are concerned with the PDP approach for the following reasons:
 - a. The TRAN Chapter includes many undefined terms which make it difficult to determine which activities are captured by respective provisions. The requested relief is that TRAN-R5 and TRAN-Table 11 use more defined terms to provide clarity for plan users (New Zealand Maritime Parks Ltd, McDonalds).
 - b. There is little direction on how extensions and alterations to existing activities would be treated where an existing activity already exceeds the specified GFA. The requested relief is that TRAN-R5 and TRAN-Table 11 are amended so that they do not apply to existing activities where additions and alterations to an activity do not increase the GFA (McDonalds and Bunnings Limited).
 - c. McDonalds and Bunnings Limited request that thresholds in TRAN-Table 11 are increased to appropriately provide for drive through restaurants and cafes and trade suppliers respectively, particularly in zones where such activities are permitted.
115. Foodstuffs (S363.010) do not state a position on TRAN-R5 but note the Rule and corresponding thresholds for supermarkets in TRAN-Table 11 are inadequate, especially for extensions to existing supermarket activities. Like McDonalds and Bunnings Limited, Foodstuffs request that the thresholds in TRAN-R5 are increased to appropriately provide for supermarkets and extensions to existing activities, especially in zones where supermarkets are a permitted activity.
116. Paihia Properties (S344.007) support TRAN-R5 in part, particularly that the change in approach to use district-wide trip generation thresholds in the PDP is a more appropriate trigger for traffic-related considerations. However, Paihia Properties request more clarity on several aspects of TRAN-R5 as follows:
 - a. That TRAN-R5 is amended to provide a permitted activity standard for activities complying with the trip generation thresholds (assumed this request relates to TRAN-R5, PER-1).



- b. That the exemptions relating to first residential unit, farming and forestry are retained (assumed this is a reference to provisions in the ODP transport chapter and that the requested relief would result in an amendment to TRAN-Table 11)
 - c. That there is clarification around the expectations for EVCS's and upgrading standards for private accessways (assumed this relates to the first note in TRAN-R5 relating to the relationship between TRAN-R2 and TRAN-R5).
117. Woolworths NZ Limited (S458.005) support TRAN-Table 11 in part but consider that the 200m² GFA trip generation threshold for supermarkets is unnecessarily low. Woolworths notes that other district thresholds for supermarkets and commercial activities range from 1,000m² GFA to 2,000m² GFA. With this in mind, Woolworths request that the threshold for supermarket activities in TRAN-Table 11 is increased to 1,500m².
118. Haigh Workman Limited (S215.022, S215.023) opposes TRAN-R5 and TRAN-Table 11. Specifically, Haigh Workman Limited opposes the increase in allowed vehicle movements per day from any site, including residential sites, from 20 vehicle movements per day under the ODP to 200 movements per day under TRAN-R5 and TRAN-Table 11. Haigh Workman Limited note that while TRAN-S2 controls new vehicle crossings, increased use of existing crossings is not provided for in the PDP and that there is no mechanism in the PDP that requires private access to be widened or upgraded to mitigate adverse effects of increased traffic. Haigh Workman Limited are concerned that TRAN-R5 and TRAN-Table 11 essentially permit multiple instances of sites generating up to 200 movements per day onto the same public road, with no mechanism for assessing cumulative adverse effects. Haigh Workman requests deletion of TRAN-R5 and TRAN-Table 11 but proposes that they are replaced with the Traffic Intensity provisions in Section 15.1.6A of the ODP.
119. Similarly, Michael John Winch (S67.001, S67.020) opposes TRAN-R5 allowing vehicle movements of up to 200 per day and TRAN-Table 11 permitting traffic from up to 20 residential units per site. Michael Winch is concerned that, as currently drafted, TRAN-R5 and TRAN-Table 11 would permit a home business generating up to 200 vehicle movements per day without consideration of adverse effects on amenity values or the suitability of existing right of way access. Michael John Winch requests deletion of TRAN-R5 and TRAN-Table 11 but also proposes that they are replaced with the Traffic Intensity provisions in Section 15.1.6A of the ODP. Michael John Winch also requests that any residential or rural-residential site be limited to 20 vehicle movements per day.
120. BR and R Davies (S400.011) and Traverse Ltd (S328.010) oppose TRAN-Table 11 and consider the trip generation thresholds are too low. These submitters note that the section 32 report describes the new thresholds as "more enabling" but do not consider this to be accurate when comparing to



other district plans. BR and R Davies and Traverse Ltd request that trip generation thresholds are amended in accordance with best practice and to achieve the purpose of the RMA.

Analysis

121. The Abley Report addresses all submissions relating to trip generation under TRAN-R5 and TRAN-Table 11 in Section 1.6, as well as more specific responses to submissions under Sections 8 and 25. I have relied on these sections of the Abley Report in analysing the submissions relating to trip generation below.

Traffic Intensity Factors vs Trip Generation thresholds

122. One of the core issues raised in submissions for both TRAN-R5 and TRAN-Table 11 is a preference to return to the ODP approach of using traffic intensity factors (TIFs) (Section 15.1.6A of the ODP) as opposed to trip generation thresholds. It appears that the primary concern with a move away from the ODP approach is a perception that the TRAN chapter approach is more permissive, particularly for residential activities, and will result in increased cumulative effects (e.g. Haigh Workman Limited (S215.022) and Kapiro Residents Association (S427.049)).
123. To provide some context, the purpose of the trip generation thresholds is to manage potential adverse effects of vehicle movements on the functioning of the transport network, primarily the road corridor. It is to identify levels of increased traffic from an activity or development where that traffic would likely have a discernible impact on the functioning of the transport network, i.e. the ability of roads to move vehicles in a safe and efficient manner. The thresholds are also there to identify a point where an ITA is required to analyse the impact of traffic movements on the network, as requiring a full ITA for most activities that are permitted, controlled or restricted discretionary in zones is (in most cases) overly onerous.
124. I consider it important to recognise that trip generation thresholds are not for the purpose of managing adverse amenity effects associated with traffic. The level of traffic permitted by the trip generation thresholds from an activity or subdivision does not indicate that the levels of traffic from a noise, dust, emissions or amenity perspective are appropriate. It is the zone provisions that identify the types of activities (and by default the associated traffic movements) that are appropriate in terms of amenity effects. The use of controls such as limits on the GFA of buildings containing certain types of activities, residential intensity limits and minimum lot sizes also play a role in managing the scale of activities. It is generally accepted that if an activity or subdivision is permitted, controlled (and in some cases restricted discretionary) in a zone then it is anticipated and appropriate for that zone, with some limited control or discretion over some matters, which may include traffic. Discretionary or non-complying activities provide Council with the ability to consider all potential adverse effects associated with the proposed activity or subdivision, including traffic, and Council can require



traffic engineering input or an ITA if there are concerns about the volume of traffic generated from a proposal, even if the trip generation thresholds are complied with. The trip generation controls in TRAN-R5 and TRAN-Table 11 are in addition to the zone and subdivision controls and are simply a trigger point for where an ITA report is required given the likely adverse effects on the functioning of the transport network.

125. As a starting point, I would reiterate the key reasons in the Transport section 32 evaluation for why a change from TIFs to trip generation thresholds was proposed:
 - a. Consultation prior to notification of the PDP identified that TIFs are difficult to calculate and may not accurately reflect traffic impacts on the transport network⁶.
 - b. The numbers used to calculate the TIFs are 15-20 years old and the approach to estimating the impact of trips on the transport network is not aligned with current best practice⁷.
126. In addition, there are other issues with the TIF approach that I have identified through discussions with Mr Mat Collins, the author of the Abley Report:
 - a. Table 15.1.6A.1 in the ODP artificially distinguishes between trips made in different zones and has a clear bias towards activities in particular zones e.g. permitted movements are more permissive in Commercial and Industrial zones but very restrictive for residential type zones. From an effects perspective, trips made onto the transport network have the same impact on that network regardless of the zone where the activity is located or the activity where the trips originated from. There can be some variation for different zones in terms of the time of day that trips are generated, and the types of trips that are generated (e.g. light vehicles, heavy vehicles, walking, cycling etc), however Mr Collins considers that, at a District-wide level, it is appropriate to use consistent ECM per day and per hour thresholds across all zones.
 - b. In terms of the disparity between permitted thresholds in different zones, there is no clear effects-based rationale for why an activity in a Commercial Zone can have 200 Equivalent Car Movements (ECM) per day as a permitted activity but in an adjacent Residential Zone accessing the same road the permitted threshold is 20 ECM per day.
 - c. The 20 ECM per day for zones such as Residential, Rural Living, Coastal Living etc is very conservative compared to most other district plans nationally. This limit essentially requires some form of traffic engineering assessment and resource consent process for any

⁶ Section 4.2.2 of the section 32 evaluation report for Transport.

⁷ Section 8.3.1, Ibid.



residential development and/or subdivision resulting in more than three residential units. Although large scale developments have not been historically common in the Far North district, it is anticipated that requiring a transport assessment or ITA under the PDP for any residential activity more than three residential units will place an unwarranted consenting burden on modest scale developments during the life of the PDP going forward.

127. The solution proposed with respect to TRAN-R5 and TRAN-Table 11 is to simplify the approach to setting a trip generation threshold and make the rule agnostic when it comes to the type of activity that is generating the vehicle movements – the impact on the transport network is the same regardless of whether a vehicle moves to or from a residential activity, rural activity or a commercial activity, it is still just another vehicle using the network. This approach is more equitable and effects-based as it means the threshold for when a resource consent (and associated ITA) is required is the same for all activities, regardless of where they are in the district and the nature of the activity.
128. As explained in Section 1.6 of the Abley Report, the starting point for all thresholds in TRAN-Table 11 was 200 ECM trips per day and/or 40 ECM trips per hour. I rely on the advice in the Abley Report that this threshold is:
 - a. Set at an appropriate level for when effects on the transport network, beyond the immediate site access and road frontage, should be considered;
 - b. Comparable to other similar district plans that were reviewed; and
 - c. Fairly applied to all activities.
129. Submitters such as Haigh Workman Limited correctly point out that the biggest change between the ODP and PDP approach to managing trip generation is for residential activities. For activities in zones where the permitted threshold is already 200 ECM trips per day (e.g. Commercial, Industrial, Recreational Activities), there is essentially no change, other than a more explicit requirement to provide an ITA when that threshold is infringed (refer to my recommendation re ITAs in TRAN-R5 below). I appreciate that increasing the permitted number of residential units from three under the ODP (based on the first unit being exempt and then another 20 ECM being permitted, equating to two additional units at 10 ECM per day) to twenty under the PDP (based on each residential unit generating 10 vehicle movements per day, totalling 200 vehicle movements) may appear to be a significant jump. However, I rely on the advice from Abley that:
 - a. It is highly unlikely that there would be a discernible impact on the transport network from a residential development that would warrant the preparation of an ITA until that development exceeds 20 residential units; and



- b. There is no effects-based reason from a traffic perspective that a 20 residential unit development resulting in 200 vehicle movements per day should be treated any differently than a 200m² Gross Floor Area (GFA) commercial service activity that also generates 200 vehicle movements per day and uses the same part of the transport network.
130. While I understand the concern from submitters that raising the permitted trip generation threshold for residential activities will have a negative impact on the transport network, I consider that the primary mechanism in the PDP for managing the scale of land use is the activity rules in the zone chapters. For example, the scenario of a home business generating 200 vehicle movements per day and avoiding the need for a resource consent (as put forward by Michael Winch) is unlikely, as the land use rules for home businesses in rural and residential zones restrict the number of off-site staff to two and one staff members respectively in each zone and place a permitted Gross Floor Area (GFA) limit on the home business of 40m². To infringe these zone rules is a discretionary activity, which allows the Council to consider the full spectrum of effects associated with the intensity of the activity, including traffic effects. An infringement of TRAN-R5 is not necessary to allow consideration of traffic effects for land use or subdivision activities, this can occur through the resource consent process for infringements of zone provisions.
131. I view the purpose of TRAN-R5 and TRAN-Table 11 as establishing a clear, effects-based threshold where the potential risk of vehicle movements impacting the transport network, and the need to consider other transport modes (such as walking and cycling), justifies the investment of an applicant in the preparation of an ITA. Adverse effects on the transport network associated with residential developments that are more intensive than the zone and/or subdivision provisions but with less vehicle movements than 200 ECM trips per day and/or 40 ECM trips per hour can still be considered through the resource consent process, but the requirement for an ITA will not be mandatory. In my view this strikes a balance between ensuring that the traffic information requirements for supporting a resource consent application are proportionate to the potential for adverse effects on the transport network and full ITAs are only required for activities at the higher end of the trip generation scale.
132. With respect to the submissions from BR and R Davies and Transverse Ltd, I disagree that the trip generation thresholds are too low. As set out in Section 1.6 of the Abley Report, the thresholds adopted are in line with best practice information on trip generation provided by NZTA and are comparable with similar district plans e.g. Whangarei, Waimakariri and Selwyn.

Cumulative effects



133. Several submitters, such as Haigh Workman Limited and Kapiro Residents Association, have raised the issue of cumulative effects associated with making the trip generation provisions more permissive. I acknowledge the potential for cumulative effects associated with multiple developments being approved over time however this is a risk regardless of what rule framework is put in place in the TRAN chapter.
134. The requirement for an ITA in situations where an activity is likely to have an impact on the transport network will ensure that the baseline level of traffic in the area and the baseline performance of the network and nearby intersections etc is able to be considered, which will include traffic already using the network from previously approved and constructed developments. The difficulty is factoring in traffic from developments that have been approved (or are in the process of being approved) but not yet constructed, as these will not show up in baseline assessments of traffic in the area. There are inherent limitations with the way a Council can assess cumulative effects under a district plan as they are required to only assess the application in front of them and are unable to consider other parallel development proposals if those proposals have not yet been approved.
135. I concur with the comments in the Abley Report in Section 1.6 regarding cumulative effects and the fact that it is a complex issue that all local authorities struggle with nationally. I also agree with the Abley Report that there is limited opportunity to address the issue through district plan provisions when the mitigation solution for those cumulative effects often involves a mix of developer-funded and Council-funded improvements. However, I agree that the matters of discretion in TRAN-R5 allow Council to assess the need for, and timing of, infrastructure upgrades to address deficiencies in the transport network where these can be linked to a proposed development in an ITA. For these reasons, I have not recommended any additional matters of discretion relating to cumulative effects for TRAN-R5.
136. I have recommended amendments to TRAN-R2 in Key Issue 7 below to make it clear that a change in use of a vehicle crossing or a private accessway is considered to be an alteration of that crossing or accessway and is therefore caught by TRAN-R2. This will ensure that a change in use, e.g. the construction of more residential units or an intensification of an activity will need to ensure compliance with TRAN-R2 and the associated standards for vehicle crossings and private accessways. This is considered to partially address the submission from Haigh Workman that increased use of existing crossings is not provided for in the PDP and that there is no mechanism in the PDP that requires private access to be widened or upgraded to mitigate adverse effects of increased traffic.

TRAN-R5

137. There were four key submission themes on TRAN-R5:



- a. The need for a specific trigger for an ITA assessment (e.g. NTA (S184.016))
- b. Whether the use of alternative modes of transport (and the fact that use of these modes is likely to reduce the number of trips to and from a site) should be considered when assessing an infringement of the trip generation thresholds (e.g. Waitangi Limited (S503.037))
- c. How TRAN-R5 applies to extensions or alterations of activities, particularly when an existing activity already exceeds the GFA threshold (e.g. McDonalds (S385.008))
- d. Concerns with the notes in TRAN-R5 and interpretation of permitted activity status (e.g. Paihia Properties (S344.007)).

ITA assessment

138. I agree that TRAN-R5 should be more explicit that an ITA will be required when the trip generation thresholds in TRAN-Table 11 are exceeded. As such, I recommend amending matter of discretion (a) in TRAN-R5 to replace 'transport assessment' with 'Integrated Transport Assessment'.
139. Although I understand the suggestion in the Abley Report for a reference to the NZTA Research Report 422⁸ in terms of providing more specific guidance on the content of an ITA, I have not recommended a note to this effect due to the Panel direction to minimise the use of notes unless necessary and to avoid referring to third-party documents in the PDP. I do see value in the NZTA Research Report 422 but consider that a more appropriate approach would be for the Council resource consents team develop an internal practice note that refers to the guidance in the NZTA report when assessing the adequacy of an ITA, as opposed to including a direct reference in the TRAN chapter.

Alternative transport modes

140. I agree that the degree to which an activity will be accessed via alternative transport modes is a relevant consideration when assessing an infringement of TRAN-R5 – it may be that the scale of an activity and its potential impact on the transport network can be justified due to the likelihood that visitors/staff/residents etc will access the site without using a private vehicle. I note that assessment criteria (e) of TRAN-R5 already recognises this to some extent through the reference to maximising the layout and design of the site to accommodate alternative transport modes, but I consider that this could be taken further.

⁸ <https://www.nzta.govt.nz/resources/research/reports/422>



141. Although it is inherent that an ITA will allow for the impact of alternative transport modes on trip generation to be considered, an additional matter of discretion specifically on this point would make this clearer as follows:

- g. whether utilising alternative transport modes can reduce trip generation and mitigate potential impacts on the transport network.

Extensions of activities

142. I understand the position of submitters such as McDonalds and Bunnings regarding extensions to activities. The Abley Report confirms in Section 1.6 that it was not intended that TRAN-R5 would be applied retrospectively and provides the following example:

"...if an existing supermarket with a GFA of 800m² sought to expand to 1,000m² GFA, the resource consent application would only need to assess the effects of the 200m² expansion, not the existing 800m²."

143. While it is helpful to understand the intention of how TRAN-R5 is meant to be interpreted from an expert traffic perspective, I agree with submitters that there is nothing in TRAN-R5 (or in TRAN-Table 11) that clarifies this. As such, I recommend that an additional note is added into TRAN-R5 to assist with rule interpretation as follows:

Where there is an existing activity and an extension or alteration to that activity is proposed, the thresholds in TRAN-Table 11 should be applied to the GFA of the extension, or to the increase in the number of people or units compared to the existing activity.

Notes for TRAN-R5 and permitted activity status

144. I disagree with Paihia Properties that TRAN-R5 needs to be clearer that an activity that can comply with the trip generation thresholds is permitted. In my view, PER-1 of TRAN-R5 makes this very clear and is consistently formatted with other similar permitted activity rules. No changes are recommended.

145. As part of my recommendations for TRAN-R2 in Key Issue 7 below, I no longer consider that the first note under TRAN-R5 is necessary. This note was unclear and did not give a plan user any certainty as to how trip generation may factor into a decision as to whether a private accessway or public road to vest is required. My recommendations for TRAN-R2 below provide more certainty as to when the threshold for public road vesting is reached and, as such, the first note under TRAN-R5 is no longer required.

TRAN-Table 11

146. I agree with submitters that it is important that TRAN-Table 11 use defined terms where applicable to ensure alignment between the trip generation thresholds and the way activities are referred to in both the Interpretation



chapter and the zone chapters. I have reviewed TRAN-Table 11 and have identified the following opportunities for either an amended term to match an equivalent definition in the PDP and/or the opportunity to hyperlink to a PDP definition:

- a. Large-format retail – add hyperlink
 - b. Kohanga reo/childcare centre – replaced with, and hyperlinked to, the defined term 'child care service'
147. I do not consider that the remaining undefined activities in TRAN-Table 11 warrant a specific definition, or inclusion as part of a broader category that is defined, e.g. combining primary/secondary schools with tertiary facilities in the interests of using the defined term 'educational facility'.
148. I rely on the Abley Report for the following comments about the appropriateness of amending the trip generation thresholds in TRAN-Table 11 for specific activities:
- a. I disagree with increasing the thresholds for primary and secondary schools, as requested by MOE, as the 60 student threshold aligns with the trip generation rates calculated by NZTA;
 - b. I agree with increasing the threshold for industrial activities, as requested by Puketona Business Park, on the basis that the 200m² threshold was an error. However, the Abley Report recommends a threshold of 4,000m² as opposed to the 10,000-20,000m² thresholds requested by Puketona Business Park;
 - c. I disagree with increasing the thresholds for drive-thru, restaurants and cafes, as requested by McDonalds and Bunnings, as the 200m² threshold aligns with the trip generation rates calculated by NZTA;
 - d. I disagree with increasing the thresholds for supermarkets, as requested by Foodstuffs and Woolworths, as the 200m² threshold aligns with the trip generation rates calculated by NZTA. I consider that the threshold should apply for both new supermarkets and extensions to supermarkets to ensure that cumulative impacts of vehicle movements on the transport network can be assessed, but as discussed above, the TRAN-Table 11 thresholds would only apply to the new GFA being added to a supermarket, not the total GFA of the supermarket post-extension.
149. I disagree with requests to retain the exemptions from the ODP for the first residential unit, farming and forestry activities from the need to comply with TRAN-Table 11. Rather than provide exemptions, TRAN-Table 11 raises the thresholds before consent is required in residential and rural zones (from 20-30 ECM per day in residential and rural lifestyle type zones and 30-60 ECM per day in Rural Production to 200 ECM per day or 40 ECM per hour for all zones). This means that the need for the exemptions is now defunct as



most residential, farming and forestry activities anticipated in their respective zone chapters will be able to comply with the 200 ECM per day or 40 ECM per hour thresholds. I concur with the conclusion of the Abley Report in Section 1.6 that transport effects of farming and forestry activities should be addressed by TRAN-R5 if they generate more than 200 ECM trips per day or 40 ECM trips per hour and therefore infringe TRAN-Table 11.

150. I do recommend a clause 16 amendment to delete the words 'per day' from the end of the note under TRAN-Table 11. The ECM as an abbreviation is used in the context of TRAN-Table 11 to refer to both 'per day' vehicle movements and 'per hour' vehicle movements, so restricting ECM to only referring to 'per day' movements in the note is an error.
151. I also recommend a clause 16 amendment to change the measurement for the size of a commercial activity in TRAN-Table 11 from Gross Business Area (GBA) to GFA. The original Abley report⁹ that accompanied the Transport section 32 evaluation recommended that GFA be used for all area thresholds in TRAN-Table 11, so applying a GBA threshold to commercial activities was an error.

Recommendation

152. For the reasons set out above, I recommend that the submissions on TRAN-R5 and TRAN-Table 11 are accepted, accepted in part and rejected as set out in **Appendix 2**.
153. Recommendations are as follows:
 - a. Amend matter of discretion (a) in TRAN-R5 to refer to an 'Integrated Transport Assessment' rather than a 'transport assessment'
 - b. Insert new matter of discretion (f) relating to alternative transport modes as recommended in the Analysis section above
 - c. Delete the first note in TRAN-R5 relating to TRAN-R2
 - d. Insert new note into TRAN-R5 relating to extensions or alterations to existing activities as recommended in the Analysis section above
 - e. Create hyperlink to the Definitions section of the PDP for the term 'Large-format retail' in TRAN-Table 11
 - f. Delete the words 'Kohanga reo/childcare centre' and replaced with, and hyperlink to, the defined term 'child care service'
 - g. Increase the threshold for industrial activities in TRAN-Table 11 from 200m² to 4,000m²

⁹ www.fndc.govt.nz/_data/assets/pdf_file/0034/17998/appendix-3-abley-transport-technical-advice.pdf



- h. Delete the words 'per day' from the note under TRAN-Table 11
- i. Amend the threshold measurement for commercial activities in TRAN-Table 11 from GBA to GFA

Section 32AA evaluation

- 154. Most of my recommendations relating to TRAN-R5 and TRAN-Table 11 either relate to clarifying how the provisions work in conjunction with other provisions (i.e. clarifying the relationship between TRAN-R2 and TRAN-R5 or appropriately hyperlinking definitions) or are to fix errors (e.g. the industrial trip generation threshold or the incorrect reference to GBA). I do not consider that either of these types of recommendations require an assessment under section 32AA of the RMA.
- 155. The only other change is the new matter of discretion in TRAN-R5 relating to alternative transport modes. A new matter specifically relating to the impact that alternative transport modes can have on reducing trips to and from a site by private vehicle is an effective way to highlight this to a plan user and is a natural extension of matter (e) in my view. I consider this addition an appropriate, efficient and effective provision under section 32AA of the RMA.

5.2.4 Key Issue 4: General matters

Overview

Provision(s)	Officer Recommendation(s)
Definition of 'Limited Access Road'	Amend as per NZTA submission
New Transport Network Hierarchy map	Include in PDP maps
TRAN-Tables 6-8	Consequential amendments to reference new road classifications
TRAN-Table 10	Delete
References to 'bed' in TRAN tables	Delete hyperlink

Analysis of Submissions on Key Issue 4: General matters

Matters raised in submissions

General Plan Content / Overarching Submissions

- 156. Twin Coast Cycle Trail (S425.012, S425.013) considers that the TRAN chapter fails to recognise and provide for the Twin Coast Cycle Trail (the



Trail) as regionally significant transport infrastructure for the following reasons:

- a. Twin Coast Cycle Trail considers that the Trail should be provided for in the Infrastructure chapter rather than the TRAN chapter, given that the Trail is regionally significant infrastructure.
 - b. There are no provisions to protect the Trail (or any regionally significant infrastructure) from reverse sensitivity effects despite the direction in sections 5.1.3 and 5.3.1 of the RPS and TRAN-Overview suggesting the TRAN chapter regulates “the impacts of land use and subdivision on the transportation network”.
 - c. The TRAN chapter objectives and policies do not adequately recognise or provide for the Trail’s development, operation, maintenance or upgrades as regionally significant infrastructure within mapped sensitive areas such as SNA’s. Twin Coast Cycle Trail notes that the Infrastructure chapter recognises and provides for regionally significant infrastructure in this way.
157. For the TRAN chapter to adequately provide for the Trail, it is requested that:
- a. The PDP maps show the Trail as an overlay; and
 - b. The suite of provisions titled ‘Pou Herenga Tai Cycle Trail Overlay Chapter’ appended to the submission as Attachment 2 be incorporated into the PDP.
158. If this primary relief sought is not accepted, Twin Coast Cycle Trail request that the PDP is revised to provide clear and consistent direction on how chapters are intended to interact, and ensure objectives and policies recognise and provide for the Trail as regionally significant infrastructure.
159. Top Energy Limited (S483.103, S483.105) request that appropriate provision is made for infrastructure in the transport network, particularly electricity and telecommunications within the roading corridor. Top Energy request general changes to the objectives, policies and rules of the TRAN chapter to enable operation, maintenance, repair and upgrades of infrastructure within the transport network. More specifically, Top Energy Limited (S483.108) request a new TRAN rule to provide for the operation, maintenance, repair and upgrading of electricity and telecommunications infrastructure as a permitted activity.
160. Ngā Tai Ora (S516.036, S516.037, S516.038) notes that the objectives, policies and rules of the PDP are silent on the issue of health impacts stemming from the effects of dust-generation on sensitive activities adjacent to unsealed roads. Ngā Tai Ora express concerns over inappropriate setbacks from roads in rural zones and the potential adverse effects of dust-generation on water supplies, leading to respiratory health issues. Ngā Tai



Ora request that of the following objective, policy and rule are inserted into the TRAN chapter:

Objective: *Manage the risk from unsealed roads to public health.*

Policy: *To ensure sensitive activities are appropriately setback from unsealed roads to reduce the adverse effects to public health from the exposure to dust.*

XXX Sensitive Activity Rule:

Activity Status: Permitted

Where:

PER-1

The sensitive activity is setback at least 20m from any unsealed road.

Activity status where compliance is not achieved: Discretionary

161. John Andrew Riddell (S431.151-155) requests that all objectives, policies, rules and standards that provide for vehicles and roading should place more emphasis on provision for cycling and walking.
162. Transpower (S454.034) made a general submission on the Energy, Infrastructure and Transport section of the PDP, requesting a standalone set of provisions for critical infrastructure within the Infrastructure Chapter to avoid duplication and provide a coherent set of rules. Transpower request the TRAN chapter is retained, but that provisions relating to infrastructure are contained within the Infrastructure chapter and cross-referenced where applicable or have primacy over TRAN rules where necessary.
163. Carbon Neutral NZ (S529.074, S529.050), Our Kerikeri (S271.009), Kapiro Residents Association (S428.004), Vision Kerikeri (S521.004, S524.009) and Kapiro Conservation Trust (S443.004, S446.010) request that the TRAN chapter directs that development must have high levels of connectivity, integrate land use and transport planning and provide for future transport networks and multi-modal transport networks. These submitters and Twin Coast Cycle Trail (S425.014) also request that the TRAN chapter require FNDC and developers to consider the transportation effects of land use and development beyond the subject site and discourage cul-de-sacs where no provision has been made for future connectivity.
164. Our Kerikeri (S338.034), Vision Kerikeri (S522.044), Carbon Neutral (S529.036) and Kapiro Conservation Trust (S449.037) have requested that the TRAN provisions better address the traffic effects from subdivision occurring in Kerikeri and its rural surrounds.¹⁰ The submitters are concerned

¹⁰ The submission references in the paragraph refer to submissions on the TRAN rules. The same submitters have also submitted on the TRAN policies requesting the same relief - Vision Kerikeri (S522.023), Our Kerikeri (S338.033), Carbon Neutral NZ (S529.035), Kapiro Conservation Trust (S449.036) and Kapiro Residents Association (S427.051).



with increased traffic volumes in central shopping and service areas, as well as on roads leading to and from Kerikeri's centre, including Kerikeri Road, Waipapa Road, Landing Road, Kapiro Road and Purerua Road. The submitters request that TRAN provisions are amended to address adverse effects both within Kerikeri and in the wider Kerikeri community.

165. Kapiro Residents Association (S427.024) also raises concerns about the increase in traffic volumes resulting from new subdivisions in and around Kerikeri and consider that traffic effects are not effectively considered. Kapiro Residents Association request that the TRAN chapter provisions enable the rejection of developments on the grounds of significant adverse traffic effects.
166. Nicole Wooster (S259.014)¹¹ considers that the PDP should be linked to a climate response strategy to ensure communities have safe and usable road networks. Nicole Wooster requests the PDP is amended to ensure climate change and hazards are addressed in relation to roading and not just urban connectivity.

Planning Map Layers / Definitions

167. Lynley Newport (S121.002) supports the PDP's inclusion of a "Limited Access Road" as a defined term but requests that it is included as a map layer in the PDP. Lynley Newport also requests that the map layer shows all road hierarchy classifications referred to in the TRAN chapter so that this information is clear and readily available for applicants.
168. NZTA (S356.001) supports the definition of "Limited Access Road" in part but does not consider that it fully aligns with the Government Roding Powers Act 1989. NZTA notes that, although a large portion of the State Highway network is classified as a Limited Access Road, there are parts of the network that are not. As such, NZTA request that the definition of "Limited Access Road" is amended as follows:

LARS are not a road for the purposes of subdivision unless the Minister of Transport agrees in a particular instance upon a recommendation from Transit New Zealand that it can be used as such. a notice is issued under s93 of the Government Roding Powers Act 1989. LARS in the district also include most of the State Highway network, all Strategic Roads and urban portions of Arterial Roads (those parts within speed restriction signs).

169. Te Whatu Ora (S42.007) request that, in addition to the definition of "Bed" relating to watercourses, a definition is provided for "Bed" as it relates to carparking provisions in TRAN-Table 1.

¹¹ Nicole Wooster's submission is on the Quail Ridge Special Purpose Zone Objectives. However, as it relates to Transport Chapter issues it has been addressed in this report.



170. Our Kerikeri (S271.005), Kapiro Conservation Trust (S446.005), Carbon Neutral NZ (S529.070) and Vision Kerikeri (S524.005) request the insertion of a new definition for "Integrated Transport Network". The submitters support the principle of an integrated transport network and note that, despite being used throughout the PDP, the term is not defined. No wording for this definition is proposed by the submitters, however Kapiro Conservation Trust specifically request that the definition should reference the importance of connectivity and multi modal transport options.

Duplication of NZTA functions

171. Seven submitters have submitted that numerous provisions in the TRAN chapter duplicate functions of NZTA and that there are both inefficiencies and jurisdiction issues associated with requirements to obtain approvals from both NZTA and Council. These submissions include:
 - a. BR and R Davies (S400.010), Traverse Ltd (S328.009) and Haigh Workman Limited (S215.010), all requesting deletion of TRAN-R2, PER-3 relating to vehicle crossings from a state highway. Haigh Workman submits that TRAN Note 3 clearly states State Highways and vehicle crossings on State Highways are controlled by NZTA and that FNDC has no jurisdiction to require resource consent in addition to NZTA approval for access from a State Highway.
 - b. Marshall Investments Trustee (2012) Limited (S378.002, S378.003, S378.004), Ti Toki Farms Limited (S262.006, S262.007, S262.008), Waipapa Pine (S342.014, S342.015 and S342.016) and LD Family Investments Limited (S384.006, S384.007 and S384.008) also consider that the PDP seeks to manage effects and activities which are the jurisdiction of NZTA. The submitters request that TRAN-R5 (and associated TRAN-Table 11) and TRAN-R9 are amended to ensure the provisions do not apply to sites or activities with direct access to a State Highway or LAR where that access/vehicle crossing was previously approved by NZTA.

Analysis

Twin Coast Cycle Trail

172. I consider that the TRAN chapter makes sufficient provision for the Trail as regionally significant infrastructure to the point that it is appropriate to do so. I disagree that enabling regionally significant infrastructure means that any proposals to maintain, upgrade or extend that infrastructure should effectively be permitted. Other regionally significant infrastructure such as the National Grid, the State Highway Network and the telecommunication network are often exempt from certain land use rules in the zone chapters (i.e. Part 3 rules) but are still required to comply with rules for overlays and district wide chapters (i.e. Part 2 rules). This is the model that I have recommended for the Trail in the PDP chapter – some exemptions from Part 3 rules as appropriate but no exemptions from the Part 2 rules. How the



PDP addresses regionally significant infrastructure (and infrastructure more generally) is discussed in more detail in the Infrastructure section 42A report.

173. I disagree with including the Trail as a mapped overlay or information layer in the PDP, simply as the Trail is likely to extend or change over time and is not a fixed in place feature. As the Trail is not yet complete, there are also potential issues with mapping unformed parts of the Trail that may not be completed or may be completed in a different location from what is mapped. I consider that the provisions relating to the Trail in the TRAN chapter will apply to whichever parts of the Trail are formed at the time an application is made, and the proposed alignment and scale of new sections of the Trail will be assessed on a case-by-case basis as they are applied for (if consent is required).
174. I also disagree with including the suite of provisions requested by Twin Coast Cycle Trail, which essentially amount to a new overlay chapter for the PDP. I consider both the level of detail included in that chapter, plus the proposed permissiveness of the proposed provisions, to be disproportionate to the need to enable and protect the Trail. I consider that this can be achieved through the provisions in the TRAN chapter as notified. I will provide more comment on specific provisions related to the Trail in Key Issues 7 and 9 below.

Infrastructure chapter and the TRAN chapter

175. I disagree with Top Energy that the TRAN chapter is the appropriate location to enable infrastructure within the roading corridor – the Infrastructure chapter is the most appropriate place to enable infrastructure that is not transport infrastructure, as submitted by Transpower. The relationship between the Infrastructure chapter and other district wide chapters is discussed in more detail in the Infrastructure section 42A report. As such I do not recommend any amendments in response to the submissions from Top Energy or Transpower.

Unsealed roads

176. I consider that the most appropriate chapters of the PDP to address health impacts resulting from dust from unsealed roads are the zone chapters. Users of the road network are unable to control the level of dust arising from the use of an unsealed road – the only useful mitigation to reduce the impacts of road dust that a district plan can require is moving potentially sensitive activities further away from the road corridor. I was also the reporting officer for the rural chapters (being the zones in the district with the highest proportion of unsealed roads) and I recommended several changes to address the concerns of Ngā Tai Ora relating to dust. As such, no further amendments are required to the TRAN chapter.

Multi-modal and connected transport networks



177. I consider that the high-level submissions requesting that the TRAN chapter direct development to have high levels of connectivity, integrate land use and transport planning, support multi-modal networks, and discourage cul-de-sacs are largely already addressed by the TRAN chapter as notified. I consider that the recommendations I have made in **Appendix 1.1** have reinforced these messages through both policy direction and amendments to rules and standards. I would emphasise that, while the TRAN chapter can set policy direction around ideal outcomes and set minimum standards for development of the transport network, district plan chapters like the TRAN chapter are only able to be applied to the resource consent applications that are submitted to the Council. The TRAN chapter is not able to be proactive and initiate action to form connections or require development of new elements of the transport network that do not form part of applicant proposals. In this sense it not possible for the TRAN chapter to be amended to fully address the concerns of submitters such as Our Kerikeri and others. I have not recommended any specific amendments to the TRAN chapter as a result of these submissions.

Increased traffic around Kerikeri

178. I understand that traffic levels in Kerikeri are a key concern of submitters and that there is a desire for tighter controls on development that has the potential to generate traffic movements. I consider that there is a role to play for the TRAN chapter in ensuring that high trip generating activities are required to evaluate the potential impact of their development on the transport network, but that the land use rules in the zone chapters play a much more significant role in terms of signalling where future development is encouraged and what type of development is encouraged. As discussed in Key Issue 3 above, the purpose of the TRAN chapter is not to place a handbrake on development or impose a significant consenting burden on small scale developments that is disproportionate to the traffic effects the proposal will generate. Rather, the TRAN chapter (through TRAN-R5 and TRAN-Table 11) picks up the highest risk, highest traffic generating activities and requires that an ITA is prepared, while allowing the zone rules to manage the scale, location and adverse effects (including traffic effects) from development.
179. The Spatial Plan work being undertaken for the Kerikeri/Waipapa area is considering the best options for future growth in this area, including the associated transport network required to support that growth. I consider that this process is the most appropriate one to consider the impact that future development has on traffic in Kerikeri as opposed to the TRAN chapter provisions.

Climate change and natural hazards

180. I am unclear as to the relief that Nicole Wooster is requesting with respect to integrating climate change considerations into the TRAN chapter. If a new section of road is proposed in one of the Natural Hazard overlays then a



resource consent will be required under TRAN-R8, which will allow the natural hazard implications of the new road to be considered. Nicole Wooster may wish to elaborate on the specific amendments being sought to the TRAN chapter provisions in evidence.

Definition and map of Limited Access Roads (LAR)

181. I understand why Lynley Newport is requesting a map of Limited Access Roads across the Far North district as it would be helpful information for the average landowner. However, whether a section of road is a Limited Access Road is a matter under the control of NZTA and can change over time. NZTA holds the most up to date information about the extent of Limited Access Roads in a district and it is more appropriate for landowners to contact NZTA for information on Limited Access Roads than to have that information included in the PDP¹². Further, if land gains access from a Limited Access Road, this is typically recorded on the Certificate of Title by way of a crossing place notice, to further alert landowners that their access onto a State Highway is limited.
182. In terms of the definition of Limited Access Roads in the PDP, I agree with the amendments requested by NZTA as they more accurately reflect the sections of the Government Roading Powers Act 1989 that relate to Limited Access Roads. The references to the Minister of Transport's powers and Transit New Zealand are outdated, as are the references to strategic roads.

Road hierarchy classification map

183. I agree with Lynley Newport that it is difficult to interpret a range of TRAN chapter provisions without a clear idea of the roading hierarchy and which roads each classification apply to across the district. I do not consider that TRAN-Table 10 provides enough information to the average plan user to determine how to figure out the classification of a road. As such, I recommend inserting a map layer into the PDP called 'Transport Network Hierarchy'. This map uses the same categories as TRAN-Table 10 but applies them spatially to roads. The categories (and associated new map) are derived from the existing maps of the One Network Road Classification (ONRC) framework. From an implementation perspective it means that there is no change in practice from how the notified TRAN chapter would be interpreted as it is utilising the same maps that would have been used internally by Council to interpret the TRAN chapter.
184. I did consider whether it would be appropriate to simply include the ONRC map in the PDP, or alternatively include the more recently developed One Network Framework (ONF) maps. I decided against both options for the following reasons:

¹² NZTA has a Limited Access Road GIS tool that is publicly available - <https://spatial.nzta.govt.nz/portal/apps/experiencebuilder/experience/?id=ea5ced147b7c4ee8ab1ccacd9491c700>



- a. A stand-alone map showing the Transport Network Hierarchy is decoupled from both the ONRC and ONF frameworks and can remain part of the PDP without the need for subsequent plan changes if the ONRC/ONF frameworks change over time. I think this is an appropriate response for the same reasons as I recommend decoupling the TRAN chapter from the Engineering Standards (as discussed in Key Issue 1).
 - b. The ONF, while more recently adopted by the Council, was not the framework relied upon by the notified version of the TRAN chapter. As such, several provisions that reference the road categories would need to change significantly to align with the ONF e.g. TRAN-Table 6, TRAN-Table 7 and TRAN-Table 8, which specify the vehicle crossing requirements based on roading hierarchy.
185. Section 1.7 of the Abley Report more fully outlines the difficulties with translating the ONRC hierarchy to the ONF hierarchy without having to make changes to TRAN-Table 6, TRAN-Table 7 and TRAN-Table 8 that would likely be out of scope of submissions on those tables. I agree with the Abley recommendation for a stand-alone map layer for the reasons set out in their report. For the purposes of my recommendations, a Transport Network Hierarchy map has been prepared and can be viewed at this link¹³. If my recommendation for this map to be included in the PDP is accepted, it would be included under the PDP map category titled 'Energy Infrastructure and Transport overlays'. Note that this map currently has a classification known as 'pending', which covers a small number of roads that have recently been vested (or are soon to be vested) but have yet to be given a classification. FNDC are actively working on classifying these outstanding roads and the map will be completed as soon as possible. Over time this map will need to be periodically updated to include new roads that are created in the future via a plan change.
186. I have recommended consequential changes to refer to the Transport Network Hierarchy map where applicable in response to submissions on specific provisions below. Other consequential changes that are required are as follows:
- a. There are multiple references to national and regional routes throughout the TRAN chapter, which are ONRC road classifications. However, in the Far North district there are no national routes and only one regional route (the section of State Highway 1 between Whangarei and Kawakawa). As such, I consider that references to both of these categories can be deleted from the TRAN chapter and replaced with references to a State Highway. This means that the

¹³ <https://maps.fndc.govt.nz/portal/apps/instant/sidebar/index.html?appid=ca773a912e2c4bc6b943cfdede3ef4a5>



highest category of road mapped on the Transport Network Hierarchy map will be Arterial.

- b. I consider that the road classifications described in TRAN-Table 10 are no longer required now the classifications are mapped spatially. As such I recommend deletion of TRAN-Table 10.

Definition of 'bed'

187. I agree with Te Whatu Ora that the word 'bed' has been incorrectly hyperlinked in TRAN-Table 1 to an irrelevant watercourse definition. However, I disagree that a separate definition for 'bed' in the context of hospital beds is necessary as I consider the term to be clear enough on its own, provided the hyperlink is removed. As per my recommendations in Key Issue 2, I am recommending that TRAN-Table 1 is deleted and replaced with a new table specifically relating to bicycle parks, where the term 'bed' is not used. However, new TRAN-Table W does use the term 'bed' so I recommend that this word is not hyperlinked.

Definition of 'integrated transport network'

188. I disagree with requests for a definition of 'integrated transport network'. This actual term is not used anywhere in the TRAN chapter, rather TRAN-O3 and TRAN-P5 loosely refer to the concept e.g. TRAN-O3 refers to the integration between land use and all modes of transport, while TRAN-P5 refers to the need to achieve an integrated and diverse transport network. I consider that the way these provisions use the terms 'integrated' and 'transport network' make it clear what the policy intent is without the need for a separate definition.

Duplication of NZTA functions

189. The Abley Report addresses the perceived duplication of function with NZTA in Section 1.4, primarily in relation to TRAN-R9 but the discussion is equally applicable to submissions relating to duplication of functions under TRAN-R2 and TRAN-R5. The Abley Report argues that there is no duplication of NZTA functions for the following reasons (my summary, refer to the Abley Report for full discussion):
 - a. The TRAN chapter has been drafted in accordance with NZTA guidance on how district plan transport provisions should be prepared;
 - b. A district council needs to retain the ability to assess the potential impact that a new land use activity may have on the State Highway network.
190. I agree with the Abley Report that separating out the land use component under the PDP from the access onto a State Highway or Limited Access Road could result in a situation where the resource consent cannot be actioned



because NZTA will not grant access and/or NZTA feel compelled to approve a more intensive use of an existing access because a resource consent has already been granted. Neither of these outcomes are desirable for Council, NZTA or an applicant (in the case of access being refused by NZTA).

191. In response to more specific submission points about NZTA jurisdictional overlap:
- a. I agree with BR and R Davies and others that TRAN-R2, PER-3 appears to require a resource consent for any vehicle access using the State Highway and I consider that this duplicates TRAN-R9. I disagree with the submitters that this means TRAN-R2, PER-3 requires deletion, but I do agree that more clarification is required as to how TRAN-R2 and TRAN-R9 work together.
 - b. Note 3 above the TRAN rule table is very clear that NZTA approval is "*separate and additional to any land use or subdivision resource consent approval required*". The note does not indicate, as suggested by Haigh Workman Ltd, that the Council has no jurisdiction to manage land use or subdivision activities accessing a State Highway. However, I do recommend that Note 3 is reworded to be clearer with respect to the relationship between the role of NZTA under the Government Roding Powers Act and any land use or subdivision consents required under the TRAN chapter, focusing on the particular changes to an access that would result in NZTA's involvement.
 - c. I also disagree that TRAN-R5 and TRAN-R9 require amendments so that they do not apply to sites or activities with direct access to a State Highway or Limited Access Road where that access/vehicle crossing was previously approved by NZTA. A previous NZTA approval does not mean that future intensification or change of use at that site remains appropriate in perpetuity. I agree with the Abley Report that consideration of proposals involving access onto a State Highway are typically considered by both NZTA and Council together and that engagement with NZTA is often required by Council through the resource consent process due to the potential impacts on the State Highway Network.
192. Specific recommendations to clarify the relationship between TRAN-R2 and TRAN-R9 are covered in Key Issue 7 below.

Recommendation

193. For the reasons set out above, I recommend that the submissions relating to general transport matters, including definitions and requested maps are accepted, accepted in part and rejected as set out in **Appendix 2**.
194. Recommendations are as follows:



- a. Amend the definition of 'Limited Access Road' as per the wording proposed by NZTA
- b. Amend Note 3 to better clarify the relationship between NZTA's jurisdiction under the Government Rounding Powers Act and the role of the TRAN chapter
- c. Insert new Transport Network Hierarchy map into the PDP and refer to the map in all TRAN chapter provisions that relied on the road classification descriptions in TRAN-Table 10
- d. Delete references to regional and national routes from TRAN-Tables 6-8 and replace with a reference to State Highways
- e. Delete TRAN-Table 10
- f. Ensure that the word 'bed' is not hyperlinked in new TRAN-Table W

Section 32AA evaluation

195. I consider that including a new Transport Network Hierarchy map in place of written descriptions of road classifications is a more efficient and effective way of ensuring plan users can quickly and accurately identify the classification of a public road, compared to relying on the ambiguous wording in TRAN-Table 10. My other recommendations are consequential amendments to include references to the Transport Network Hierarchy map in the TRAN chapter where necessary or remove erroneous references to road classifications that are not used in the Far North district. I consider that these changes collectively are an appropriate, effective and efficient way to achieve the relevant objectives in terms of section 32AA of the RMA.
196. My other recommendations to amend the Limited Access Road definition and un-hyperlink the word 'bed' in TRAN-Table W are both minor changes to fix errors or align with higher order legislation, neither of which require further evaluation under section 32AA.



5.2.5 Key Issue 5: TRAN Overview, Objectives and Policies

Overview

Provision(s)	Officer Recommendation(s)
Overview	Changes to Overview to align with recommendations for Key Issues
TRAN-O1	Minor amendment to clarify intent
TRAN-O2	Delete
TRAN-O3, TRAN-O5	Minor amendments to clarify intent
TRAN-O6	Minor amendment to insert references to alternative modes of transport
TRAN-P2, TRAN-P3	Amendments to address a range of issues raised by submitters
TRAN-P4	Minor amendment to insert new clause
TRAN-P5	Minor amendment to clarify intent and use consistent wording
TRAN-P8	Consequential amendments to align with other recommendations

Analysis of Submissions on Key Issue 5: TRAN Overview, Objectives and Policies

Matters raised in submissions

Overview

197. There were no specific submissions on the TRAN chapter overview, however consequential changes resulting from recommendations on the Key Issues in this report are required.

Objectives

198. TRAN-O1 has three submissions in support, made by NZTA (S356.034), KiwiRail (S416.024) and Kāinga Ora (S561.022). There are no submissions on TRAN-O4.
199. Waiaua Bay Farm (S463.018) requests that TRAN-O2 is retained as notified. Haititaimarangai Marae Kaitiaki Trust (S394.018) also support TRAN-O2 but suggests that sustainable management can require avoidance of adverse effects in some instances and requests TRAN-O2 is amended to "*avoid or minimise adverse effects*".
200. Te Hiku Iwi Development Trust (S399.036) raises concern over TRAN-O2 being the only objective that recognises the long-term and permanent effects that roading can have on the natural environment and biodiversity. The Te Hiku Iwi Development Trust lists effects associated with roading that it considers are underestimated, including; lighting, fatalities, noise and



vibration, habitat fragmentation and modification, air emissions and run-off. Te Hiku Iwi Development Trust request that a new TRAN objective is inserted to ensure adverse effects on biodiversity are addressed:

The maintenance and expansion of the transport network is managed so as to recognise adverse effects on indigenous biodiversity and address these effects to the extent practicable.

201. KiwiRail (S416.025) and MOE (S331.020) support the intent and drafting of TRAN-O3 and request it is retained as notified.
202. Our Kerikeri (S271.010), Twin Coast Cycle Trail (S425.015), Kapiro Conservation Trust (S446.011), Carbon Neutral NZ (S529.075) and Vision Kerikeri (S524.010) consider that the wording of TRAN-O3 could be clearer and better aligned with the direction in TRAN-P1 and TRAN-P2 to encourage integrated transport planning concurrently with development. The submitters support TRAN-O3 in part but request it is amended as follows:

Land use and development planning, and transport planning all-modes of transport are integrated so that the to ensure an efficient pattern of land use and transport networks that are transport network is, safe, efficient and well-connected.

203. If the proposed amendment to TRAN-O3 is not accepted, Our Kerikeri and others request that a new objective is inserted that specifically addresses integrated land use and transport planning.
204. Our Kerikeri (S271.011), Kapiro Conservation Trust (S446.012), Carbon Neutral NZ (S529.076) and Vision Kerikeri (S524.011) support TRAN-O5 in part but request a minor amendment for clarity as follows:

The transport network provides for the safe and efficient movement of vehicular, cycle and pedestrian traffic, and that also meets the needs of persons with a disability or limited mobility.

205. NTA (S184.001) support TRAN-O6 in part but request it is rephrased to include active and public transport given the objective is focused on climate change and reducing greenhouse gas emissions. NTA request that the words "by encouraging development of active mode and public transport networks" are added to the end of TRAN-O6, or a new objective is inserted to give effect to relief sought.
206. Borders Real Estate Northland (S211.001) support TRAN-O6 in part but request that TRAN-O6 is reworded to expressly provide for the development of safe walkway and cycleway networks and to actively promote alternative modes of transport.

TRAN-P1, TRAN-P6 and TRAN-P8



207. The only submission on TRAN-P1 is from KiwiRail (S416.026) who request that it is retained as notified.
208. NZTA (S356.037) has a neutral position on TRAN-P6 but consider that providing electric vehicle charging stations could be added as an additional reason to justify a reduction of on-site parking. There are no other submissions on TRAN-P6.
209. MOE (S331.026) supports TRAN-P8 and requests that it is retained as notified as it promotes the safe and efficient operation of the transport network.

TRAN-P2

210. MOE (S331.021) supports TRAN-P2 and requests it is retained as notified in order to maintain a transport network that provides safe and efficient connections as well as existing and future pedestrian and cycle pathways.
211. A group of submitters including Our Kerikeri (S338.014), Vision Kerikeri (S522.036), Carbon Neutral NZ (S529.014) and Kapiro Conservation Trust (S449.015) support TRAN-P2 in part. With respect to the Twin Coast Cycle Trail, Our Kerikeri (S271.012), Kapiro Conservation Trust (S446.013), Carbon Neutral NZ (S529.077) and Vision Kerikeri (S524.012) support the acknowledgement of the Twin Coast Trail and future cycling pathways provided in TRAN-P2, particularly where these pathways might contribute to connectivity, which are the same reasons why the Twin Coast Cycle Trail (S425.016) supports TRAN-P2 in part. However, these submitters request that TRAN-P2 also refer to multi modal transport options to ensure the social and economic wellbeing of communities and respond to climate change, through amendments to clauses (d) and (f) as follows:
 - d. supports reductions of greenhouse gases from vehicle movements including through implementation or multi modal transport options;*
 - f. provides for existing and future pedestrian and cycling pathways that are well connected, including the Pou Herenga Tai Twin Coast Cycle Trail.*
212. NTA (S184.002, S184.003) supports TRAN-P2 in part but requests two amendments to clauses (a) and (c) relating to referring to the National 'Road to Zero' policy and both ONF and ONRC road classification systems as follows:
 - a. provides safe and efficient linkages and connections for all users using Safe System Principles.*
 - c. recognises the different movement and place functions and the design requirements for each road classification under the most current National Transport Network classification, which*



may include both the One Network Framework (ONF) or One Network Road Classification (ONRC) system.

213. Te Hiku Iwi Development Trust (S399.035) consider that TRAN-P2 is too ambiguous and that it is impossible to simultaneously avoid and mitigate adverse effects. To resolve this ambiguity, Te Hiku Iwi Development Trust request clause (b) is amended as follows:

b. avoids significant and remedies and/or mitigates other adverse effects on historical, cultural and natural environment values to the extent practicable;

214. Waiaua Bay Farm (S463.019) opposes TRAN-P2 and considers that the requirement to avoid and mitigate effects is unfeasible and does not align with TRAN-O2, which uses the term "minimise" effects. Waiaua Bay Farm request that clauses (b) and (f) are amended:

b. ~~avoids and mitigates~~ manages adverse effects on historical, cultural and natural environment values to the extent practicable

f. provides for existing and future pedestrian and cycling pathways, including the Pou Herenga Tai Twin Coast Cycle Trail where appropriate.

TRAN-P3

215. MOE (S331.022) support the safe, efficient and well-connected operation of the transport network as provided for by TRAN-P3 and request that it is retained as notified.
216. A group of submitters including Our Kerikeri (S338.015), Vision Kerikeri (S522.037), Carbon Neutral NZ (S529.015) and Kapiro Conservation Trust (S449.016) support TRAN-P3 as notified.
217. NTA (S184.004) support TRAN-P3 in part but request that the policy is amended to address connectivity and discourage the design and construction of 'no exit' roads, particularly in commercial and industrial areas, similar to the Whangarei District Plan Policy TRAN-P1, Item 5.
218. Borders Real Estate Northland (S211.002) support TRAN-P3 in part but request that it is amended to expressly include the development of a safe network of walkways and cycleways to actively promote alternative modes of transport across the District.
219. KiwiRail (S416.027) support TRAN-P3 in part, especially clauses (f) and (g), but consider that amendments are required to provide for level crossing accessway setbacks and sightline controls. KiwiRail request that "*and railway lines*" is added to the end of TRAN-P3 clause (a).



220. FENZ (S512.015) support TRAN-P3 in part but consider it is important that the transport network be designed, constructed and operated in a way that enables emergency services to respond. FENZ request the following amendments to TRAN-P3 plus an explanatory note:

b. the design of access (including emergency response access) and parking;

c. vehicular access to and from sites, including emergency appliances;

Note: For further guidance on providing for emergency response access please see Fire and Emergency New Zealand F5-02 GD Designers' Guide to Firefighting Operations: Emergency Vehicle Access

TRAN-P4

221. MOE (S331.023) support TRAN-P4 as it manages parking in a way that supports the operational and functional requirements of activities. MOE request TRAN-P4 is retained as notified.

222. NTA (S184.005) support TRAN-P4 in part but note that, if it is Council's intention to shift toward the NPS-UD approach to parking, an additional clause to "recognise NPS-UD car parking" should be added.

TRAN-P5

223. Kāinga Ora (S561.023) and MOE (S331.024) support the integration of land use and transport networks and request that TRAN-P5 is retained as notified. NZTA (S356.035) also support TRAN-P5 and request it is retained.

224. The Fuel Companies (S335.027) and Z Energy Limited (S336.004¹⁴) support TRAN-P5 and request it is retained as notified, subject to confirmation the TRAN-P5 is also applicable to existing land uses. For example, whether the policy would anticipate the installation of electric vehicle charging stations at existing service stations. These submitters consider that encouraging land use activities to provide electric vehicle charging stations aligns with the PDP's strategic direction to create resilient transport networks and reduce greenhouse gas emissions.

225. NTA (S184) support TRAN-P5 in part but requests several amendments to the policy:

a. That clause (a) is amended to refer to public transport as no other policies mention this explicitly (S184.006).

b. That clause (b) is amended as follows (S184.007):

¹⁴ Note that this submission point was incorrectly allocated to TRAN-P4 in the summary of submissions when it clearly relates to TRAN-P5.



the provision of safe and secure parking facilities for bicycles and associated changing or showering facilities for staff provision of active transport end of trip facilities

- c. Although safe and secure parking facilities for bicycles is supported, that a new clause (e) is inserted that reads "safe and secure parking" so parking generally is subject to the policy, and not just bicycle parking (S184.007, S184.008).
226. Waiaua Bay Farm (S463.020) support TRAN-P5 in part, specifically the use of the term "encourage" as the use of the word "require" would be inappropriate and, at times, impossible to meet when applied to some special purpose zones. Waiaua Bay Farm request an additional clause is added to TRAN-P5 to reflect this or that the scope of TRAN-P5 is amended to only apply to certain zones. Waiaua Bay Farm also request an additional clause (e) as follows:
- e. Recognising that in Special Purpose Zones, a bespoke response to transport network design may be appropriate.
227. Ngā Tai Ora (S516.035) consider that TRAN objectives and policies require strengthening in order to direct the use of active and public transport methods to benefit public health and the environment. Ngā Tai Ora note the weak language used in TRAN-P5 and request the following amendments to clearly direct the provision and use of alternative transport modes:
- Ensure subdivision and development achieve Encourage new land uses to support an integrated and diverse transport network by:
- a. promoting alternative transport modes providing multi-modal forms of transport that provides for the needs of all users, as appropriate for the surrounding environment and the function of the road within the transport network hierarchy;
228. Our Kerikeri (S271.023), Kapiro Conservation Trust (S446.014), Carbon Neutral NZ (S529.088), Vision Kerikeri (S524.023) and Twin Coast Cycle Trail (S425.017) support the intent of TRAN-P5 but request amendments to strengthen the policy, particularly with respect to active and public transport, and to move the Far North district away from having a car-centric transport network. The submitters request the following amendments to TRAN-P5:

Encourage new land uses and development to support an integrated and well connected and diverse multi modal transport network by:

- a. Requiring consideration of promoting alternative transport modes at the time of land use and development;
- b. Ensuring that the construction of new transportation infrastructure aligns with relevant spatial or strategic document



- c. *Encouraging the provision of safe and secure parking facilities for bicycles and associated changing or showering facilities for staff;*
- d. *Requiring allocation of parking facilities for motorcycles, mobility scooters, car share vehicles, pick up/drop off areas for ride share services and charging stations for electric vehicles; and*
- e. *supporting the establishment and operation of accommodation and tourism related activities in close proximity to the Pou Herenga Tai Twin Coast Cycle Trail, provided reverse sensitivity effects can be avoided.*

TRAN-P7

- 229. NZTA (S356.036) and MOE (S331.025) support TRAN-P7 and the requirement to provide an ITA if trip generation thresholds are exceeded. The submitters request TRAN-P7 is retained as notified.
- 230. Te Whatu Ora (S42.014) oppose TRAN-P7 insofar as it applies to the Hospital Zone and request amendments so that development within the Hospital Zone is not required to prepare an ITA.

Analysis

Overview

- 231. Although no specific amendments were requested to the Overview in submissions, I consider that consequential changes are required to align with my recommendations for TRAN chapter provisions in this report. My recommended changes to the Overview are:
 - a. Clarify that the TRAN chapter policy direction provides scope to consider factors in the wider environment that can impact the transport network but that the TRAN chapter provisions do not actually manage reverse sensitivity effects. Reverse sensitivity effects such as complaints about noise or dust from roads and rail are managed through the NOISE chapter and zone chapters using setbacks from unsealed roads. This will be further clarified in my recommendations on TRAN objectives and policies below.
 - b. Update language to reflect the terms used in the TRAN chapter provisions e.g. accessway instead of driveway or right of way.
 - c. Remove reference to controlling on-site car parking needs as the minimum parking requirements are recommended to be removed, instead refocusing on the design and location of on-site car parking.



- d. Clarify that the key impacts of land-use and subdivision on the transport network that are managed by the TRAN chapter relate to trip generation and number of allotments using an accessway, as per the recommendations for TRAN-R5 (trip generation) above and TRAN-R2 (private accessways/public roads) below.

Objectives

232. Although there are no submissions requesting changes to TRAN-O1, I recommend a slight rewording as a clause 16 amendment to clarify that State Highways and cycleways of strategic significance form part of the transport network, as opposed to being separate components. I consider this important as the remainder of the TRAN objectives and policies often only refer to the transport network and it should be clear that this incorporates State Highways and cycleways as well. This amendment is also more consistent with the wording used in TRAN-P1.
233. Although there is general support for retaining (and potentially strengthening) TRAN-O2, I have followed the recommendations for the Infrastructure and Renewable Energy chapters that resulted from pre-hearing engagement with infrastructure providers. As per Key Issue 1 in the Infrastructure section 42A report, there is a need to clarify the relationship between the TRAN chapter and the Part 2 provisions of the PDP e.g. overlays such as the Coastal Environment, Outstanding Natural Landscapes, Historic Heritage etc. I agree with the analysis of the section 42A officer for the Infrastructure chapter that the objectives and policies of chapters such as Infrastructure and Transport should not duplicate or conflict with key effects management policies in Part 2 as this can lead to confusion and/or potential weakening of Part 2 policy direction. As such, I recommend deleting TRAN-O2 as I consider that the potential impacts of the transport network on historical, cultural and natural values are adequately managed by the Part 2 PDP provisions.
234. I agree with Our Kerikeri and others that the wording of TRAN-O3 could be more explicit that it is seeking integrated land use and transport planning, which I consider to be the original intention of the objective. I recommend largely adopting the wording proposed by Our Kerikeri and others, with minor amendments to improve readability and avoid repeating concepts.
235. As there are no submissions on TRAN-O4, I do not recommend any amendments to this objective.
236. I also agree with Our Kerikeri and others that their proposed rewording of TRAN-O5 improves understanding of the objective outcome without changing the intent of the objective. I recommend accepting this wording.
237. Finally, I agree with NTA and Borders Real Estate Northland that the addition of a reference in TRAN-O6 to alternative modes of transport, including public transport networks and active modes of transport, is useful in explaining



how an urban environment can be designed to reduce greenhouse gas emissions. I have recommended an amendment to TRAN-O6 to this effect.

TRAN-P1, TRAN-P6 and TRAN-P8

238. As the only submission on TRAN-P1 is in support, I do not recommend any changes to this policy.
239. As TRAN-P6 is recommended to be deleted (as per Key Issue 2 above) and there is no longer an opportunity to incentivise electric vehicle charging stations by offering a reduction in on-site parking requirements, I recommend rejecting NZTA's submission on TRAN-P6.
240. Although there are no submissions requesting amendments to TRAN-P8, there are several consequential amendments required, either to be consistent with recommendations in previous section 42A reports, or recommendations made elsewhere in this report. I recommend the following amendments to TRAN-P8:
 - a. The chapeau is amended to match the format that has been recommended for all 'consideration' policies in the section 42A reports published to date.
 - b. The reference to the 'National Transport Network Classification System' is replaced with a reference to the new Transport Network Hierarchy map, for the reasons set out in Key Issue 4 above.

TRAN-P2

241. I agree in principle with Our Keriikeri and others that the drafting of clauses (d) and (f) of TRAN-P2 can be improved to better reflect the outcomes sought by the TRAN objectives. My recommended addition to clause (d) reflects my recommended wording for TRAN-O6 for consistency, however I recommend inserting the words '*that are well connected*' into clause (f) as suggested by Our Keriikeri and others.
242. I disagree with NTA that clause (a) of TRAN-P2 should be amended to reference the Safe System Principles in the 'Road to Zero' policy for the same reasons as the PDP is generally being decoupled from external documents or policies that could be subject to change over the life of the PDP. However, I do agree that the word '*and*' should be inserted to improve readability of clause (a).
243. I do agree with NTA that clause (c) of TRAN-P2 requires updating, however I consider that it now needs to refer to the Transport Network Hierarchy map, as opposed to either the ONF and/or ONRC frameworks, for the reasons set out in Key Issue 4 above.
244. With respect to submissions on clause (b) of TRAN-P2, I have recommended deleting this clause for the same reasons as I recommend deleting TRAN-



O2 above. I consider that this resolves the concerns about clause (b) being ambiguous and undermining either TRAN-O2 or the policy direction in Part 2 of the PDP.

245. I disagree with Waiaua Bay Farm that the words 'where appropriate' should be added to clause (f) as I consider that the words weaken the intent of the policy, which should be to provide these types of connections. Whether or not connections are appropriate will be determined through the resource consent process but clause (f) should reflect the intent of the TRAN chapter that the desired outcome is pedestrian and cycling connections.

TRAN-P3

246. I agree with the suggestion of NTA that TRAN-P3 references the need for well connected roads and the need to discourage cul-de-sacs (equivalent term to no exit roads that is used in the TRAN chapter), as the design of roads is not explicitly mentioned in TRAN-P3. I recommend a change to this effect in **Appendix 1.1**.
247. I consider that clause (f) of TRAN-P3 already acknowledges the needs of pedestrians and cyclists and that an additional clause referring to a network of walkways and cycleways is not needed in TRAN-P3, as per the suggestion of Borders Real Estate Northland.
248. I agree with KiwiRail that clause (a) of TRAN-P3 should also refer to the rail corridor (which is my preferred wording to railway lines for chapter consistency) as this will provide policy level support for new provisions relating to sightlines around level crossings, as discussed in Key Issue 6.
249. I agree with FENZ's requested wording for TRAN-P3 in part. I agree that considering how a site can be accessed in an emergency is important, but I do not agree that two separate references to emergency response access/emergency appliances plus an explanatory note are required. As per my previous recommendations, I do not recommend the inclusion of notes unless necessary to assist with interpreting a provision and I do not consider that referencing the FENZ Designer's Guide is critical to interpreting this policy. As such, I support FENZ's requested wording for TRAN-P3(b)¹⁵ but not the amendment to TRAN-P3(c) or the explanatory note.

TRAN-P4

250. I have already recommended amendments to TRAN-P4 in Key Issue 2 above with respect to parking. As it is now clear that the TRAN chapter has been aligned with the direction of the NPS-UD with respect to minimum parking requirements, I do not consider that a specific reference to the NPS-UD is needed in TRAN-P4, as per the suggestion of NTA.

¹⁵ Note that this numbering has changed in Appendix 1.1, TRAN-P3(b) is now TRAN-P3(c)



TRAN-P5

251. I can confirm that (as stated with respect to TRAN-R4 in Key Issue 8 below) the intent of the TRAN chapter is not to act as a barrier to the installation of electric vehicle charging stations and to enable them as a permitted activity. TRAN-R4 (being the implementing rule relating to electric vehicle charging stations) does not differentiate between a charging station being a 'new' activity or associated with the redevelopment of an existing land use, such as a petrol station. As the intent of TRAN-P5, in my view, is to encourage the listed activities to be constructed/included in designs for either new projects or redeveloped sites, I consider that the reference to 'new' land uses in the chapeau is not required.
252. I do not consider that clause (a) of TRAN-P5 needs to refer to public transport networks, as per the suggestion from NTA, as I have recommended that these are specifically referred to in TRAN-P2. However, I do agree with NTA that clause (b) should be amended to refer to end of trip facilities as this is the language used consistently elsewhere in the TRAN chapter. Finally, I disagree with NTA that a new clause is required to cover safe and secure parking in general i.e. car parks. I view the purpose of TRAN-P5 as providing direction on how to encourage all other parts of the transport network not related specifically to individuals driving their own private vehicles. A more appropriate location for a policy clause relating to safe and secure parking would be as part of TRAN-P4, and I have recommended a new clause to this effect.
253. I disagree with a specific clause in TRAN-R5 relating to special purpose zones, as per the request of Waiaua Bay Farm. I have addressed the issue of the most appropriate place for special purpose zone transport provisions in Key Issue 6 of this report.
254. I understand the position of Ngā Tai Ora with respect to the use of the word 'encourage' rather than stronger policy words such as 'ensure' or 'require'. While some of the listed activities in TRAN-P5 are required as part of subsequent TRAN rules (e.g. end-of-trip facilities in TRAN-Table 4), others provide a supportive policy for enabling permitted activity rules e.g. TRAN-R4 for electric vehicle charging stations and TRAN-R6 and TRAN-R7 with respect to the Twin Coast Cycle Trail. Although these are enabling provisions, the activities they enable are not 'required' to be constructed and the TRAN chapter can not 'ensure' that applicants include them in proposals. As such I consider that 'encourage' is a more appropriate term in the context of TRAN-P5.
255. I also consider that the redrafting of clause (a) of TRAN-P5, as suggested by Ngā Tai Ora, is not required as all of these concepts are addressed by other policies. For the same reasons as discussed for Ngā Tai Ora's submission, I do not agree that TRAN-P5 should be amended as requested by Our Kerikeri and others.



TRAN-P7

256. I disagree with Te Whatu Ora that the requirement for an ITA should not apply to the Hospital Zone under TRAN-P7 when a proposal exceeds the trip generation thresholds in TRAN-Table 11. I agree with the Abley Report that Te Whatu Ora has not provided evidence to demonstrate why a hospital development should be exempt from the requirement for an ITA if the vehicle movements exceed 200 vehicle movements per day or 40 vehicle movements per hour. I recommend rejecting this relief.

Recommendation

257. For the reasons set out above, I recommend that submissions on the overview, objectives and policies of the TRAN chapter are accepted, accepted in part and rejected as set out in **Appendix 2**.
258. Recommendations are as follows:
- a. Amend the Overview to align with other recommendations made in this report, as set out in **Appendix 1.1**.
 - b. Reword TRAN-O1 to clarify the intent that State Highways and cycleways of strategic significance form part of the transport network, as opposed to being separate components.
 - c. Delete TRAN-O2.
 - d. Reword TRAN-O3 and TRAN-O5, as set out in **Appendix 1.1**, to improve the understanding of the objective outcome without changing the intent of the objectives.
 - e. Insert a reference to alternative modes of transport, including public transport networks and active modes of transport, into TRAN-O6.
 - f. Amend TRAN-P2 and TRAN-P3 as set out in **Appendix 1.1**.
 - g. Insert new clause into TRAN-P4 relating to safe and secure parking.
 - h. Amend TRAN-P5 to remove the word 'new' from the chapeau and use the term 'end-of-trip' facilities in clause (b) for consistency with the rest of the TRAN chapter.
 - i. Make consequential amendments to TRAN-P8 to align with the chapeau wording of other 'consideration' policies and to replace the reference to the 'National Transport Network Classification System' with a reference to the new Transport Network Hierarchy map.



Section 32AA evaluation

259. The rationale for the deletion of TRAN-O2 and TRAN-P2(b) with respect to section 32AA has been addressed in the Infrastructure section 42A report. I rely on this evaluation for these recommendations and do not repeat it here.
260. I consider that the inclusion of a reference to alternative modes of transport TRAN-O6 (and subsequent changes to TRAN-P2(d)) are more effective in directing practical action to reduce greenhouse gas emissions compared to the objective and policy as originally drafted and are therefore more appropriate in terms of section 32AA in achieving well-formed urban environments.
261. I consider that the various amendments to TRAN-P3 improve the effectiveness of the policy in supporting subsequent rules and standards e.g. references to the design and construction of roads support road design rules and standards and references to the rail corridor support the new provisions relating to sightlines around level crossings. I also consider that the reference to emergency response access at a policy level provides high level direction that this issue should be considered when designing an accessway, and it provides policy level support for new rule TRAN-RW.
262. I consider that the new clause in TRAN-P4 relating to safe and secure parking provides more effective policy direction for rules and standards relating to vehicle and bike parking design, both for parking spaces and end of trip facilities, compared to the notified drafting of the policy.
263. I do not consider that the recommended amendments to the following provisions require any further evaluation under section 32AA of the RMA:
 - a. TRAN-O1, TRAN-O3, TRAN-O5 – minor rewording to clarify intent, no amendment to the intended outcome of the objectives
 - b. TRAN-P5 – amendments achieve consistent wording with other provisions in the TRAN chapter
 - c. TRAN-P2(c) and TRAN-P8 – amendments to the chapeau wording of TRAN-P8 are for consistency with other 'consideration' policies and the updated reference to the Transport Network Hierarchy map in TRAN-P2(c) and TRAN-P8 are consequential amendments from the recommendation in Key Issue 4 above.
264. The recommended amendments to the Overview are not amendments to TRAN chapter provisions and do not require evaluation under section 32AA of the RMA.
265. Overall, I consider that the package of recommended amendments to the TRAN chapter objectives and policies will achieve the purpose of the TRAN chapter and give effect to the relevant objectives in a more effective and



efficient manner than the notified wording in terms of section 32AA of the RMA.

5.2.6 Key Issue 6: TRAN Rules – General Comments

Overview

Provision(s)	Officer Recommendation(s)
TRAN-RX – Vehicle crossings near railway level crossings	Insert new rule to manage the location of vehicle crossings relative to railway level crossings
TRAN-RY – Structures and trees around railway level crossings TRAN-SX – Railway level crossing sight triangles TRAN-Figure X – Restart Sightlines TRAN-Figure Y – Approach Sightlines	Insert new rule, standard and associated figures to manage the location of structures and trees relative to railway level crossings
TRAN-R5, new PER-2	Insert new permitted standard relating to trips generated from a subdivision proposal
TRAN-Table 10	Delete

Analysis of Submissions on Key Issue 6: TRAN Rules – General Comments

Matters raised in submissions

266. Terra Group (S172.019, S172.020) generally support the TRAN rules and standards insofar as they achieve positive outcomes for the Quail Ridge Special Purpose Zone.

Requests for new rules or standards

267. KiwiRail (S416.028) request a new rule in the TRAN chapter (or alternatively in the Infrastructure chapter) to manage the location of accessways in relation to level crossings as follows:

All zones

Activity status: Permitted

All new vehicle access points, on roads that cross a railway crossing shall be located a minimum of 30m from a railway level crossing. The 30m shall be measured from the edge of the closest rail track to the edge of seal on the proposed vehicle access point

Activity status where compliance not achieved: Restricted discretionary



Matters of discretion are restricted to:

1. The extent to which the safety and efficiency of railway and road operations will be adversely affected.
2. The outcome of any consultation with KiwiRail.
3. Any characteristics of the proposed use that will make compliance unnecessary.

Notification: Application for resource consent under this rule will be decided without public notification. KiwiRail is likely to be the only affected person determined in accordance with section 95B of the Resource Management Act 1991.

268. KiwiRail (S416.029) also request an additional rule/standard to protect sightlines around railway level crossings for public safety reasons. KiwiRail request that compliance with the new level crossing standard is a permitted activity and non-compliance requires restricted discretionary consent. The matters of discretion proposed by KiwiRail mirror the matters listed in TRAN-P3. The new TRAN rule for 'Sight lines at railway level crossings' and corresponding TRAN standard as requested by KiwiRail is below: ¹⁶

Activity status where compliance is achieved with railway level crossing sight line standard 'YY': Permitted

All zones

Activity status where compliance is not achieved with standard 'YY': Restricted Discretionary

Matters of discretion are restricted to:

- a. The extent to which the safety and efficiency of railway and road operations will be adversely affected.
- b. Any characteristics of the proposed use that will make compliance unnecessary
- c. Any implications arising from advice from KiwiRail

TRAN STANDARD YY: Level Crossing Sight Triangles

Approach sight triangles at level crossings with Stop or Give Way signs

¹⁶ KiwiRail note this standard could equally be inserted in the PDP Infrastructure Chapter. However, as the TRAN chapter contains most vehicle safety provisions, KiwiRail consider adding its proposed provisions to the TRAN chapter will be most effective.



Buildings, structures, planting or other visual obstructions must not be located within the restart or approach sightline areas of railway level crossings as shown in the shaded areas of Figure 1: Restart Sightlines and Figure 2 : Approach Sightlines (refer to submission for figures).

269. Reuben Wright (S178.008) supports the TRAN Rules in part but considers that it is unclear which TRAN rules require consideration as part of a subdivision application. Reuben Wright requests a separate section for TRAN rules that are relevant for subdivision and appropriate cross-referencing between the TRAN and SUB chapters.
270. Haigh Workman Limited (S215.016) request a new TRAN rule that specifies which public roads must be sealed and which can remain unsealed. Haigh Workman Limited note that Table 3-4 in the Engineering Standards implies that all urban roads should be sealed and some rural roads can be unsealed based on FNDC asset engineers' determination of road classifications under the ONRC system. Haigh Workman Limited does not consider this is clear enough and requests the insertion of a rule to the following effect: *"urban roads and rural roads off an existing sealed public road; other rural roads may be unsealed."*
271. Carrington Estate and Farms (S351.008) have identified that ODP Rule 18.6.6.1.7 'Access, Parking and Loading within the Carrington Estate Zone' has not been included in the PDP. Carrington Estate request that the Carrington Estate Development Plan and Schedule is included as per the ODP Rule 18.6.6.1.7, either in the Carrington Estate Special Purpose Zone chapter or as an exemption within the TRAN chapter.
272. Te Kawariki me Te Wānanga o Te Rangi Aniwaniwa (S573.002) have not stated a position but criticise FNDC for breaching statutory consultation obligations under Schedule 1, clause 3(d) of the RMA by not properly consulting with iwi on the development of the annual plan. With respect to the TRAN chapter, Te Kawariki me Te Wānanga o Te Rangi Aniwaniwa request a rule requiring all marae, as public event centres, to have 500m tar sealed either side.
273. Twin Coast Cycle Trail (S425.022) and Kapiro Conservation Trust (S446.017), Our Kerikeri (S271.018), Carbon Neutral (S529.083) and Vision Kerikeri (S524.018) request the inclusion of an information requirement that details what information must be included in an ITA. These submitters also request that TRAN-S4 is amended to require the preparation of an ITA in accordance with this new information requirement. The submitters consider that, without more detail as to what an ITA must contain, there is a risk that ITAs become high-level documents with limited use, resulting in marginal transport network design outcomes. The suggested list of information to be included in an ITA includes:



- a. How future connections might be made to transportation networks identified in any spatial or strategic planning documents;
- b. How the proposal is consistent with documents such as the Transport Strategy;
- c. How the development will encourage walking and cycling and an assessment of the suitability and connectivity for pedestrians and cyclists; and
- d. An effects assessment of the development on surrounding transport networks, including any conflicts likely to occur between modes of transport.

TRAN Notes

274. Haigh Workman Limited (S215.009) considers that the combination of references to the ONRC system and the description of those road classes in TRAN-Table 10 does not provide sufficient clarity as to how to access the ONRC system and use it to determine the class of a road e.g. an Arterial road. Haigh Workman Limited request that a note is added explaining how to access the ONRC system and how that applies to TRAN-Table 10.

Analysis

Railway crossings

275. I agree with KiwiRail that the TRAN chapter should have a rule managing the location of accessways in relation to railway level crossings. I also agree that managing obstructions near railway level crossings that could impede sightlines is important. Both of these types of rules/standards are common in other district plans nationally and address public safety concerns around the intersection between the public realm and the railway corridor.
276. The Abley Report has considered KiwiRail's suggested rule in Section 1.8 and generally agrees with the wording with some minor amendments. I agree that the provision wording as suggested by the Abley Report should be included in the TRAN chapter as new rules TRAN-RX and TRAN-RY, new standard TRAN-SX and new figures TRAN-Figure X and TRAN-Figure Y, for the reasons set out in the Abley Report.
277. I have also recommended inserting an explanatory note for TRAN-RY to clarify for plan users that this rule applies in addition to other rules in Parts 2 and 3 of the PDP, specifically because the rule applies to buildings, structures and trees which are controlled in other PDP chapters.

TRAN chapter and SUB chapter

278. I agree with Reuben Wright that the interaction between the TRAN chapter and the SUB chapter with respect to which transport rules apply to



subdivision applications is not always clear. As both chapters are district wide chapters, in principle each chapter should only control either transport or subdivision matters and they should be relatively separate. However, as subdivisions often involve the creation of either private accessways or roads, I consider it important for the TRAN chapter to be consistent with the SUB chapter and for the two to cross reference to each other where applicable.

279. I disagree that an entire separate section related to subdivision provisions is required in the TRAN chapter, as suggested by Reuben Wright. However, I agree with the Abley Report that the two provisions that require clarification as to how they apply to subdivisions are TRAN-R2 relating to private accessways and TRAN-R5 relating to trip generation.
280. With respect to TRAN-R2, I recommend amendments in Key Issue 7 below to align the threshold for where a public road is required vs a private accessway to align with SUB-R4, which has a clearer threshold. The rationale for this change is discussed in more detail in Key Issue 7.
281. With respect to TRAN-R5, I agree with the Abley Report that it is important that the trip generation thresholds are applied consistently, regardless of whether a land use proposal or a subdivision proposal will generate the trips. I recommend a new PER-2 for TRAN-R5 to this effect. I also consider it important that the new PER-2 specifies that subdivisions creating balance lots (which in some cases are 'super lots' that are the precursor to more intensive forms of development) should also be assessed against TRAN-Table 11, so that future land uses enabled by the subdivision can also be assessed in terms of their future impact on the transport network.

Carrington Estate

282. I have discussed the issue of Carrington Estate Special Purpose Zone with the reporting officer for that chapter. Firstly, the National Planning Standards specify in Section 7: District Wide Standard under the Energy, Infrastructure and Transport heading, that transport provisions "*that are not specific to the Special Purpose Zones chapter*" should be located in the transport chapter. I interpret this direction to mean that transport provisions relating to special purpose zones should be contained in the special purpose zone chapters.
283. The reporting officer for Carrington Estate will consider whether a particular rule is required to manage access and loading in the Carrington Estate Special Purpose Zone. However, I do not agree with rolling over ODP Rule 18.6.6.1.7 as it relates to parking. For the same reasons as I recommend removing the parking minimums from the TRAN chapter (as discussed in Key Issue 2 above) I do not consider that any of the special purpose zones, including Carrington Estate, are able to retain parking minimums and still give effect to the NPS-UD.

References to ONRC and TRAN-Table 10



284. I agree with Haigh Workman Limited that TRAN-Table 10 does not provide sufficient clarity as to how to interpret the TRAN chapter provisions. I recommended in Key Issue 4 above that TRAN-Table 10 is deleted, so no further explanatory note is required.

All other general submissions

285. With respect to the request for a rule relating to sealing of public roads, I rely on the advice in the Abley Report that whether a public road is sealed or unsealed is a matter for the Engineering Standards and a TRAN chapter rule is not required. In my view the Engineering Standards is the correct forum for determining whether a road should be sealed or unsealed as it appears it is not as clear cut as indicated by Haigh Workman Limited to the point that it could be a permitted activity rule.
286. With respect to the submission from Te Kawariki me Te Wānanga o Te Rangi Aniwaniwa, it appears that the submission may have erroneously been submitted as part of the PDP process, when in fact the intention was for the submission to apply to the Annual Plan. The request that all marae, as public event centres, have 500m tar sealed either side (presumed to mean either side of the marae) may have been a request for funding for this type of work as opposed to a request for a new rule requiring tar sealing around a marae. I consider that each marae has autonomy to decide on the design and layout of that marae and that this is not a matter for the PDP to address. I do not recommend any change to the TRAN chapter as a result of this submission.
287. With respect to the request from submitters for a specific ITA information requirement, I disagree that it is appropriate to specify this level of detail in the TRAN chapter. As discussed in relation to TRAN-Table 5 in Key Issue 3 above, although there is NZTA guidance about appropriate content and scope of an ITA (NZTA Research Report 422) I do not consider it appropriate to reference a third-party guidance note in the PDP, particularly if this guidance changes over the life of the PDP. I also consider that much of the suggested content from submitters is already typically included in an ITA, particularly with respect to assessing alternative transport modes, walking and cycling connectivity, development of surrounding transport networks and the potential for future connections. As a further safeguard, TRAN-P7 requires that all ITAs are required to be prepared by a suitably qualified and experienced transport professional, which ensures that they will be comprehensive and consider all relevant transport matters. ITAs need to be able to be tailored to the specific transport issues associated with a proposal, so a mandatory list is not necessarily helpful. I do not recommend any information requirements for ITAs in the TRAN chapter.

Recommendation

288. For the reasons set out above, I recommend that general submissions requesting new rules, standards and notes are accepted, accepted in part and rejected as set out in **Appendix 2**.



289. Recommendations are as follows:
- a. New rules, standards and figures are inserted to manage both vehicle crossings and other structures/trees around railway level crossings, as per the recommended wording in the Abley Report.
 - b. Insert a new PER-2 into TRAN-R5 to ensure the rule is applied consistently to both land use and subdivision applications.

Section 32AA evaluation

290. I consider that inserting specific rules, standards and associated figures to manage accessways and potential obstructions around railway level crossings is an effective way of addressing safety issues that can occur around crossings. I consider that there was a gap in the TRAN chapter as notified and these new provisions are an appropriate response to this gap with respect to section 32AA of the RMA.
291. I also consider that the TRAN chapter is not well aligned with the Subdivision chapter with respect to proposals that generate vehicle movements to and from sites. Inserting a new PER-2 into TRAN-R5 is both an efficient and effective way to ensure vehicle movements from both land use and subdivision activities are required to comply with TRAN-Table 11 to manage potential adverse effects on the transport network. This is an appropriate response, in my view, under section 32AA of the RMA.

5.2.7 Key Issue 7: TRAN-R2

Overview

Provision(s)	Officer Recommendation(s)
TRAN-R2	Amendments to respond to submissions, improve interpretation and align with other provisions in the PDP
New TRAN-Table X	Insert new table to set out the sealing requirements for vehicle crossings and private accessways

Analysis of Submissions on Key Issue 7: TRAN-R2

Matters raised in submissions

292. NZTA (S356.038) support TRAN-R2 and request it is retained as notified.
293. Our Kerikeri (S271.013), Vision Kerikeri (S524.013), Kapiro Conservation Trust (S446.015) and Carbon Neutral NZ (S529.078) support TRAN-R2 in part but consider that TRAN-R2 needs a trigger point for when a private access needs to be vested as a public road. Our Kerikeri and others note that there is no link between TRAN-R2 and TRAN-S4 (the standard relating



to road design) or TRAN-R8 (the rule applying to the formation of new roads) so it is unclear whether an access serving more than 8 household equivalents should be assessed as a discretionary activity under TRAN-R2 (for being a non-compliant private access) or a permitted new road under TRAN-R8 where TRAN-S4 is complied with. Finally, Our Kerikeri and others note that there is no cross reference to SUB-R4, which specifies that a subdivision involving a private accessway can serve a maximum of 8 sites, but 9 or more sites shall be accessed by a public road. To achieve the relief sought, Our Kerikeri and others request TRAN-R2 is amended to have an identifiable trigger for when a public road must be vested in Council and comply with TRAN-S4.

294. Waiaua Bay Farm Limited (S463.022) oppose the 'Note' to TRAN-R2 PER-1 as it fails to specify a time period for vehicle movement. Waiaua Bay Farm Limited request the PER-1 'Note' is amended as follows:

Note: 1 household equivalent is represented by 10 vehicle movements per day. One vehicle movement is a single movement to or from a property.

295. Haigh Workman Limited (S215.007) supports PER-1 of TRAN-R2 but has concerns with the double up of needing to obtain a resource consent for a new vehicle crossing that fails to meet the requirements of TRAN-Table 8 but also needing to obtain a permit for a new vehicle crossing under FNDC's bylaw (S215.011). Haigh Workman Limited suggest that where a vehicle crossing permit has been obtained, no resource consent should be required and requests that "*or a vehicle crossing permit has been obtained under Council's Vehicle Crossing Bylaw*" is added to TRAN-R2 PER-6. Closely linked to this submission point Haigh Workman Limited's request for an additional permitted activity standard to be inserted into TRAN-R8 requiring nine or more households to be served by a public road (S215.008), i.e. as the other partnering rule to TRAN-R2 for private accessways.
296. FENZ (S512.016) support TRAN-R2, particularly PER-2 which requires vehicle crossings and access across all zones to comply with SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice.
297. Conversely, Reuben Wright (S178.009) supports TRAN-R2 in part but does not consider it appropriate for any PDP rule to require compliance with SNZ PAS 4509:2008. Rather, it should be a reference document only. The submitter suggests that, if the intention is to require fire-fighting water supply and vehicle access, then this should be stated by way of a minimum volume and/or access per dwelling. Reuben Wright requests PER-2 is amended to remove the reference for compliance with SNZ PAS NZ PAS 4509:2008.
298. Lynley Newport (S107.001) opposes non-compliance with TRAN-R2, PER-2 automatically defaulting to a discretionary activity status. The submitter considers that, as the vehicle crossing is being assessed against a third-party



code of practice, Council should consider a restricted discretionary activity status for non-compliance if FENZ provide approval.

299. Puketona Business Park Limited (S45.010, S45.011) note an alignment issue between TRAN-R2, PER-3 and TRAN-R9. The wording of PER-3 requires all vehicle crossings from State Highways to obtain a discretionary activity consent, however TRAN-R9 provides for new or altered vehicle crossings from State Highways as a restricted discretionary activity. Puketona Business Park Limited request amendments to achieve consistency between TRAN-2, PER-3 and TRAN-R9.
300. Lynley Newport (S107.002) opposes PER-3 of TRAN-R2 requiring discretionary activity consent for any new vehicle crossing from a State Highway or any road classified as Arterial or higher. Like Puketona Business Park, Lynley Newport also considers that PER-3 is inconsistent with TRAN-R9 and requests that non-compliance with PER-3 of TRAN-R2 requires a restricted discretionary activity consent (where TRAN-S2 is complied with).
301. NTA (S184.011) support TRAN-R2 in part but consider that PER-3 should be amended to include ONF street categories for limited crossings.
302. NTA (S184.012¹⁷) also request an addition to TRAN-R2 (or TRAN-Table 9 as an alternative) requiring permanent all-weather surfaces in residential areas and for some smaller rural sites. Specifically, NTA request that TRAN-R2 is amended to include a PER-7 as follows:

"PER-7

Permanent all-weather surfaces are provided in the following instances:

Residential Zone

Rural and Rural Production sites with an area of less than 2,000m²

Any accessway serving more than 5 residential units

Where the gradient exceeds 12.5% (to confirm this gradient, check against new Engineering Standards)"

303. Foodstuffs (S363.009), Bunnings Limited (S371.008) and McDonalds Restaurants Limited (S371.008) consider it inappropriate that PER-3 of TRAN-R2 requires discretionary consent for the upgrade of existing vehicle crossings from a State Highway. Foodstuffs and Paihia Properties (S344.008) request that PER-3 is amended to provide for upgrades of existing vehicle crossings onto a State Highway as a permitted activity. Bunnings and McDonalds Restaurants Limited argue that, as all works within the State Highway corridor require NZTA approval as the requiring authority pursuant to s176 of the RMA, requiring discretionary consent under TRAN-R2 is overly

¹⁷ See also submission point S184.013 for TRAN-Table 9 in Key Issue 11 below.



onerous. Bunnings and McDonalds Restaurants Limited request PER-3 of TRAN-R2 is amended as follows:

Where ~~T~~ the vehicle crossing is a new vehicle crossing it, is not off a State Highway, or off a road classified arterial or higher under the One Network Road Classification.

304. Northland Planning and Development 2020 Limited (S502.090) support TRAN-R2 in part but consider that the reference to vehicle crossings onto State Highways in PER-3 should be removed as these are managed by NZTA and requiring resource consent is not appropriate. In addition to deleting the words "not off a State Highway" from PER-3, Northland Planning and Development 2020 Limited request the One Network Road Classification is included as a reference (have presumed this means a map or similar). Finally, Northland Planning and Development 2020 Limited request guidance on what is considered to be an 'unused' vehicle crossing under TRAN-R2, PER-4.

Analysis

305. There are five key issues raised by submitters on TRAN-R2:
- a. The lack of a clear trigger for when a private accessway is required vs the vesting of a public road (and the lack of alignment with the Subdivision chapter on this matter)
 - b. The reference to an external code of practice with respect to vehicle crossing and access for fire appliances
 - c. The duplication of vehicle crossing approval processes (both with NZTA's process for crossings onto State Highways but also the FNDC bylaw requirements)
 - d. Whether discretionary activity status for the upgrade of an existing access onto a State Highway is overly onerous
 - e. Other general alignment or clarification matters e.g. inconsistent activity statuses between rules, requests to reference the ONF or ONRC, requests to align with the Engineering Standards regarding permanent, all-weather surfaces for accessways and requests for guidance on what is meant by 'unused' vehicle crossings.

Private accessway vs public road

306. I agree with submitters that there is no clear threshold in TRAN-R2 for where a development should be served via a private accessway or whether the provision of a public road is needed. I also agree with the lack of clarity on how TRAN-R2 interacts with both TRAN-R8 (relating to the formation of new roads) or SUB-S4, which is clear that the trigger point (from a subdivision perspective) is eight sites. I consider that using vehicle movements as a



trigger for vehicle crossing and accessway upgrades is difficult to calculate, hard to confirm compliance with and unnecessarily involves the trip generation provisions in what should otherwise be a simple rule to administer.

307. The Abley Report covers this issue in Section 1.3 and recommends amending TRAN-R2 as follows:
- a. *PER-1 should reference total allotments rather than household equivalents* – I agree as total allotments is an easier threshold for plan users to measure and council officers to determine compliance with, otherwise a detailed analysis of the types of activities (and their associated vehicle trips) is required to determine compliance. It will also align with SUB-R4 as I understand from discussions with the Subdivision topic reporting officer that they are likely to recommend a change in term from 'sites' to 'allotments'.
 - b. *PER-1 should permit up to 8 allotments for a private accessway* – I agree as this aligns with SUB-R4 and ensures the same threshold applies regardless of whether a subdivision application is made or not.
 - c. *Insert TRAN-R2 PER-X that requires a public road for 9 or more allotments* – I agree that a new PER condition is required to make it clear that 9 or more allotments are required to be accessed via a public road. An applicant can then either apply for an infringement of TRAN-R2, PER-X as a discretionary activity if they wish to construct a private accessway or apply for a new road under TRAN-R8 as a permitted activity but with the requirement to comply with TRAN-S4 (the standard relating to road design).
308. I also consider that the heading of TRAN-R2 should be amended to match the heading of TRAN-R9, as both rules are intended to manage access onto roads and State Highways in the same manner. I consider it appropriate to use the words 'New or altered' from the TRAN-R9 heading, including the note explaining what 'altered' means in this context, which also includes change of use. The rationale for including 'change of use' as a trigger for compliance with the rules/standards relating to vehicle crossings and accessways is covered in Key Issue 7 and Key Issue 9.

Reference to external code of practice for fire appliances

309. There were two views put forward in submissions on whether TRAN-R2, PER-2 should refer to a third-party code of practice, i.e. SNZ PAS 4509:2008 New Zealand Fire Fighting Water Supplies Code of Practice. Although I agree that a site being able to be accessed by an emergency vehicle is important, I understand from the Abley Report that the most relevant statutory document pertaining to this issue is the emergency responder access requirements in the Building Code, as opposed to the Code of Practice referenced in TRAN-R2, PER-2 as notified. For consistency with my other



recommendations on both the Transport topic and other PDP topics that I am the reporting officer for, I do not consider that reference to a third-party code of practice is appropriate in the PDP, and certainly not as part of a permitted activity standard. As such I agree with Reuben Wright and Lynley Newport on this matter.

310. I do consider that, in place of TRAN-R2, PER-2, a note referring to the Building Code with respect to emergency responder access would be helpful for plan users as it clarifies that this is the relevant statutory tool for regulating emergency access to sites, as opposed to the PDP.

Duplication of approval processes for vehicle crossings

311. With respect to the perceived duplication of process between requiring a resource consent for a vehicle crossing as well as a vehicle crossing permit under the Vehicle Crossing bylaw, I rely on the advice in the Abley Report, which confirms that Council only issues vehicle crossing permits if the crossing complies with the TRAN chapter provisions (making it a permitted activity) or has resource consent. Based on this information I do not consider the resource consent process and the vehicle crossing permit to be a duplication, rather I consider that the process works similarly to the relationship between the resource consent and the building consent process. The resource consent process is there to ensure compliance with key requirements relating to safety and functionality of both the vehicle crossing and the road network, while the vehicle crossing permit focuses on the design detail of the crossing and is used to record the location and form of the crossing from an asset management perspective. As such, I do not recommend any exemption from TRAN-R2 for a vehicle crossing that has already obtained a vehicle crossing permit – the way to avoid needing consent under TRAN-R2 is to comply with the permitted activity requirements, which means a vehicle crossing permit will be the only approval required for that crossing.

Activity status for upgrading vehicle crossings on State Highways

312. I disagree with deleting or amending PER-3 on the basis that vehicle crossings onto State Highways are solely controlled by NZTA and/or the s176 process is sufficient to address any potential issues. Potential duplication between the TRAN chapter and NZTA's functions is discussed in principle in Key Issue 4 above and I do not repeat that discussion here.
313. However, I do agree with Puketona Business Park that the relationship between TRAN-R2 and TRAN-R9 is not clear or consistent. Rather than reference State Highways in PER-3 of TRAN-R2, I recommend amending the title of TRAN-R2 to make it clear that the rule does not apply to crossings off State Highways or Limited Access Roads. This makes it clear to plan users that if their vehicle crossing or access is off a State Highway or Limited Access Road then TRAN-R9 applies, not TRAN-R2. This also resolves



submissions about the inconsistent activity status between TRAN-R2 and TRAN-R9.

Other matters

314. The request from Waiaua Bay Farm Limited to clarify that 1 household equivalent is represented by 10 vehicle movements per day is no longer required as the recommended drafting of PER-1 has amended the trigger for compliance with TRAN-R2 from vehicle movements to a 'per allotment' basis, for the reasons discussed above.
315. Reference to the ONRC classifications has been addressed in Key Issue 4 above and I recommend an amendment to PER-3 of TRAN-R2 to reference the Transport Network Hierarchy map accordingly.
316. I agree with the submission from NTA that the TRAN chapter should require all-weather surfaces for accessways in residential areas (and for some rural sites). The Abley Report recommends that a new TRAN-Table X is inserted into the TRAN chapter, which sets out the sealing requirements for vehicle crossings and private accessways. TRAN-Table X is recommended to be included in the TRAN chapter as part of the decoupling of the Engineering Standards from the PDP, for the reasons set out in Key Issue 1 above. I recommend that TRAN-Table X is inserted into the TRAN chapter and that compliance with TRAN-Table X is required under a new PER-Y condition in TRAN-R2.
317. Finally, I agree with Northland Planning and Development 2020 Limited that it is unclear what is meant by 'unused' vehicle crossings in the context of TRAN-R2, PER-4. My understanding is that, in the scenario that a vehicle crossing is no longer required (i.e. it is being moved or closed because there is alternative access to the site), the crossing is replaced with either footpath/kerbing or shoulder and berm, depending on what already exists either side of the crossing. Rather than the Council determining whether a crossing is 'unused' or not, it would be the applicant outlining whether or not a vehicle crossing is still required as part of developing a site. I recommend changes to clarify this further in **Appendix 1.1**.

Recommendation

318. For the reasons set out above, I recommend that submissions on TRAN-R2 are accepted, accepted in part and rejected as set out in **Appendix 2**.
319. I recommend that a new TRAN-Table X is inserted as per the Abley Report.
320. Complete drafting of TRAN-R2 is shown in **Appendix 1.1**, however the key recommendations are as follows:
 - a. Amend PER 1 to provide a clear threshold for when a development should be served by a private accessway or a public road and use



number of allotments as the threshold rather than vehicle movements.

- b. Delete the Note under PER-1.
- c. Align the headings (and associated interpretation notes) of TRAN-R2 and TRAN-R9 to ensure that both rules manage vehicle crossings in the same manner.
- d. Delete PER-2 and replace with a note referring plan users to the emergency responder access requirements in the Building Code.
- e. Remove the reference to State Highways from PER-3 and instead exclude State Highways and Limited Access Roads from the scope of TRAN-R2 in the heading.
- f. Insert new PER-Y to require vehicle crossings and private accessways to comply with new TRAN-Table X.
- g. Replace the reference to the ONRC classification in PER-3 with reference to the Transport Network Hierarchy map.
- h. Clarify the intent of PER-4 as it applies to 'unused' vehicle crossings.

Section 32AA evaluation

- 321. I consider that the package of amendments to TRAN-R2 are a more appropriate, efficient and effective way to manage vehicle crossings onto roads that are not State Highways or Limited Access Roads compared to the notified version of the rule. The amendments are clearer for plan users to interpret, better aligned with the Subdivision chapter, provide stronger direction on when a public road is required for access and clarify the relationship between TRAN-R2 and TRAN-R9. I consider that the use of a note to refer to the requirements for emergency responder access in the Building Code is more efficient and avoids overlap with the building consent process. Overall, I consider that the revised version of TRAN-R2 in **Appendix 1.1** will achieve the relevant objectives in a more effective and efficient manner than the notified wording in terms of section 32AA of the RMA.
- 322. Replacing the ONRC reference with a reference to the Transport Network Hierarchy Map in PER-3 is a consequential amendment from the recommendation in Key Issue 4 above and in my view does not require any further evaluation under section 32AA of the RMA. Similarly, including a reference in TRAN-R2 to new TRAN-Table X is part of decoupling the TRAN chapter from the Engineering Standards, which has been considered with respect to section 32AA in Key Issue 1 above.



5.2.8 Key Issue 8: TRAN-R3 and TRAN-R4

Overview

Provision(s)	Officer Recommendation(s)
TRAN-R3 and new TRAN-RZ	Split TRAN-R3 into two separate rules, one managing maintenance and the other upgrading of transport infrastructure in an existing road corridor
TRAN-R4	No further changes other than those recommended in Key Issue 1

Analysis of Submissions on Key Issue 8: TRAN-R3 and TRAN-R4

Matters raised in submissions

TRAN-R3

323. Twin Coast Cycle Trail (S425.019), Our Kerikeri (S271.014), Kapiro Conservation Trust (S446.020), Carbon Neutral NZ (S529.079) and Vision Kerikeri (S524.014) support TRAN-R3 and request it is retained as notified.
324. NTA (S184.014) support TRAN-R3 in part but are concerned over the discretionary activity status where compliance is not achieved with TRAN-S4, which includes reference to the Engineering Standards. NTA request direction on:
- a. Whether the upgrading or maintenance of FNDC roads that do not comply with Engineering Standards in TRAN-S4 would also require discretionary consent; and
 - b. Whether this would trigger the FNDC renewals program as needing resource consent for routine upgrades or renewals.
325. Nicole Wooster (S259.021) supports TRAN-R3 in part but notes her property is accessed via part of a public road that is not maintained by Council, meaning landowners undertake maintenance and repairs. The subject property is at the end of a public road and Nicole Wooster asserts the final part of the road has been treated as a private accessway since its construction in the 1930s. Nicole Wooster requests that TRAN-R3 be amended to provide for situations where public roads are maintained by landowners instead of Council and that a lesser standard of works is required i.e. no requirement to comply with TRAN-S4 and TRAN-S5.

TRAN-R4

326. The Fuel Companies (S335.028), Z Energy Limited (S336.005) and Puketona Business Park Limited (S45.032) support TRAN-R4 and request it is retained as notified.



327. NTA (S184.015) support TRAN-R4 in part, however support is conditional on understanding the intent of the rule. If the intent of TRAN-R4 is to allow the installation of electric vehicle charging stations as a permitted activity, then NTA have no further comment. However, if the intent of TRAN-R4 is to require electric vehicle charging stations for developments of a certain size or character, then NTA request a clear trigger for when this would be required.
328. NZTA (S356.039) support TRAN-R4 but consider that the rule could provide more incentives for charging stations to be provided, e.g. requiring a percentage threshold of parking to be associated with charging stations, or providing a reduction in parking required if charging stations are provided.
329. Ngā Tai Ora (S516.039) support TRAN-R4 in part but consider the scope of TRAN-R4 should be expanded to provide for safe and secure electric bicycle and scooter charging stations, as well as vehicles. Ngā Tai Ora consider the use of electric bicycles and scooters is increasing by both elderly and leisure users within the Far North.

Analysis

TRAN-R3

330. I agree with the NTA that TRAN-R3 is likely to be overly onerous for maintenance of the existing transport system and existing vehicle crossings within an existing road corridor. I also agree that the requirement for maintenance should not trigger the need to comply with standards associated with road design – while this is relevant for upgrades to the roading corridor, I consider that it would result in unnecessary consents being required for maintenance work.
331. I agree with the assessment of this issue in Section 1.5 of the Abley Report, which states that

"Maintenance and renewal activities within legal roads generally do not create transport safety or efficiency issues that require management under the District Plan. We recommend adding a rule to permit road maintenance activities within existing road corridors, including maintenance of existing vehicle crossings and private accessways within paper roads."
332. As such, I recommend that TRAN-R3 is split into two rules – a new TRAN-RZ that permits maintenance of the existing transport system and existing vehicle crossings within an existing road corridor, and a refined TRAN-R3 that only addresses upgrades to the same transport infrastructure. I also agree with the NTA that a discretionary activity status for upgrades is too onerous and that a restricted discretionary activity status is more appropriate for TRAN-R3 (except in situations where the upgrades are to an arterial road).



333. I consider that this change may assist Nicole Wooster and the unusual situation regarding the public road accessing her property. By making it clear under TRAN-RZ that maintenance of an existing public road is permitted and is not required to comply with specific road design standards, this should exempt her as a landowner from needing a resource consent to undertake maintenance works.

TRAN-R4

334. With respect to the submission from NTA, I can confirm that the intent of TRAN-R4 is to allow for the installation of electric vehicle charging stations as a permitted activity, provided the car parks associated with that charging station are formed and designed in accordance with TRAN-S1 – Requirements for Parking. Now TRAN-S1 has been amended to remove car parking minimums I consider that the query from NTA as to whether there was a threshold to trigger the installation of electric vehicle charging stations has likely been resolved. As such, I do not consider that NTA requires any further changes to TRAN-R4.
335. With respect to NZTA's request for incentives for charging stations, I understand that this is not a matter that the Council is looking to pursue at this time, particularly as my recommendation is to remove the minimum parking standards and a reduction in required parking spaces would have been the most obvious incentive to include in the TRAN chapter.
336. Finally, I consider that the wording of TRAN-R4 is focused on 'electric vehicles' rather than just electric cars. As such, I consider that TRAN-R4 would equally provide a permitted pathway for the installation of electric bicycle and scooter charging stations and that no further change is needed to address the submission of Ngā Tai Ora.

Recommendation

337. For the reasons set out above, I recommend that submissions on TRAN-R3 and TRAN-R4 are accepted, accepted in part and rejected as set out in **Appendix 2**.
338. Recommendations are as follows:
- a. Split TRAN-R3 into two rules – a new TRAN-RZ that permits maintenance of the existing transport system and existing vehicle crossings within an existing road corridor, and a refined TRAN-R3 that only addresses upgrades to the same transport infrastructure, as per the drafting in **Appendix 1.1**.

Section 32AA evaluation

339. I consider that splitting TRAN-R3 into two rules is appropriate as it will allow for maintenance activities to be undertaken without the need to comply with all permitted conditions and standards relating to road design and avoid the



need for unnecessary resource consents. This will reduce time and costs associated with maintenance projects while still ensuring that road upgrading projects are required to improve existing roads so that they comply with road design standards. As such, I consider that this approach will achieve the relevant objectives in a more effective and efficient manner compared to TRAN-R3 as notified, in terms of section 32AA of the RMA.

5.2.9 Key Issue 9: TRAN-R6, TRAN-R7, TRAN-R8, and TRAN-R9

Overview

Provision(s)	Officer Recommendation(s)
TRAN-R6	Minor amendments to clarify interpretation
TRAN-R7, TRAN-R8	Remove reference to SNAs and more accurately refer to natural hazard overlays
TRAN-R9	Insert words 'change in use' into the note

Analysis of Submissions on Key Issue 9: TRAN-R6, TRAN-R7, TRAN-R8, and TRAN-R9

Matters raised in submissions

TRAN-R6 and TRAN-R7

340. Vision Kerikeri (S524.015, S524.016), Carbon Neutral NZ (S529.080, S529.081), Kapiro Conservation Trust (S446.021, S446.022), Our Kerikeri (S271.015, S271.016) and Puketona Business Park Limited (S45.034, S45.035) support TRAN-R6 and TRAN-R7 and request they are retained as notified.
341. Twin Coast Cycle Trail (S425.020) support the recognition of the Trail in TRAN-R6 but note the rules for buildings and structures in Part 3 of the PDP will still apply to the Trail. Twin Coast Cycle Trail considers that TRAN-R6 is not truly enabling and does not give effect to the direction for regionally significant infrastructure in the RPS. Twin Coast Cycle Trail requests that TRAN-R6 should be amended to specify that TRAN-R6:
 - a. Applies to buildings as well as structures;
 - b. Take precedence over rules within underlying zones; and
 - c. Should include vegetation and earthworks permitted thresholds to supersede those in other district wide chapters.
342. Twin Coast Cycle Trail (S425.021) support new sections of the trail being enabled outside of sensitive areas and request that TRAN-R7 is retained.



343. NTA (S184.017) support TRAN-R6 in part but request that amendments are made to permit signage but include road crossings, bridges, boardwalks and retaining walls as discretionary activities rather than permitted activities.

TRAN-R8 and TRAN-R9

344. Waiaua Bay Farm Limited (S463.023) and Puketona Business Park Limited (S45.036) support TRAN-R8 and request that it is retained as notified.
345. Haigh Workman Limited (S215.012) support TRAN-R8 in part however they note that there are instances where unformed paper roads are constructed and maintained as private accessways for one or several households. Haigh Workman Limited does not consider that these roads require resource consent, provided Council approval is obtained, and the accessway is constructed to appropriate standards. Haigh Workman Limited request an additional TRAN-R8 permitted activity standard to provide for the formation, use and maintenance of paper access roads for up to eight households where Council approval is obtained and private access standards are adhered to.
346. NZTA (S356.040) oppose PER-2 of TRAN-R8 (with respect to requiring restricted discretionary activity consent for new roads within specified overlays) on the basis that it undermines the strategic direction of the PDP. NZTA argues that if overlays are excluded from new roads, this exemption should also apply to existing roads and State Highways. NZTA request that either PER-2 is deleted, or that the scope of TRAN-R8 is widened to include existing roads and State Highways.
347. Kapiro Residents Association (S427.053, S427.054) request that TRAN-R8 and TRAN-R9 are amended to require full consideration of cumulative traffic effects, including emissions, congestion, noise and amenity.
348. NZTA (S356.041) support TRAN-R9 in part but request that the Note for RDIS-1 is amended to provide for change in use as follows:

Note: Altered includes, but is not limited to, any widening, narrowing, gradient changing, redesigning, change in use and relocating of a vehicle crossing, but excludes resurfacing.

Analysis

TRAN-R6 and TRAN-R7

349. I agree with Twin Coast Cycle Trail that PER 1 of TRAN-R6 should refer to 'buildings or structures' rather than just structures, as some of the items on the list such as shelters and toilets would be considered buildings. I also agree with the addition of a note to clarify that TRAN-R6 should be applied as opposed to the underlying zone rules for buildings and structures (i.e. the R1 rules of each zone) as this was the intent of providing an enabling rule in the TRAN chapter. However, I disagree with introducing more lenient



provisions for earthworks and vegetation removal as I consider that works on the Trail should comply with the provisions in the Natural Environment and General District Wide Matters sections of the PDP, the same as any other maintenance or upgrade activity. The direction in the RPS relating to regionally significant infrastructure needs to be read alongside other direction in the RPS relating to environmental protection and I consider that TRAN-R6 has achieved the correct balance in this respect.

350. I disagree with NTA that road crossings, bridges, boardwalks and retaining walls should require consent as a discretionary activity. The intent of TRAN-R6 is to permit the 'activity' in principle, however the fact that these activities still have to comply with other rules relating to earthworks and vegetation removal is the check and balance to ensure the scale of these types of works does not generate adverse environmental effects.
351. I do recommend some consequential changes to the list of overlays in TRAN-R7 resulting from recommendations made in Hearing 4 with respect to indigenous biodiversity. As Significant Natural Areas (SNAs) are no longer being referred to in the PDP, this overlay needs to be deleted from TRAN-R7 (i.e. delete Item 1). I also recommend that Item 5 – Natural Hazards is amended as there is no overlay in the PDP called 'Natural Hazards'. Instead I propose, as a clause 16 amendment, that Item 5 specifically reference the three types of natural hazard overlays, being Coastal Erosion, Coastal Flood and River Flood Hazard overlays.

TRAN-R8 and TRAN-R9

352. With respect to the Haigh Workman Limited submission on TRAN-R8, I consider that the issue regarding maintaining an existing private access within an unformed paper road has been addressed through the recommended permitted activity pathway for maintenance of existing roads without the need to comply with the standards for road design (new rule TRAN-RZ), this being the same situation as raised by Nicole Wooster with respect to TRAN-R3.
353. I am unclear about the concern raised by NZTA about PER-2 of TRAN-R8 and how this clause undermines the strategic direction of the PDP with respect to overlays. The intention of TRAN-R8 is to provide a permitted pathway for the construction of new roads if they are outside the listed overlays, or a restricted discretionary pathway if the new road is proposed within an overlay. There is no exemption for new roads in overlays – resource consent is still required and the road cannot be constructed as a permitted activity. The maintenance of an existing road is covered by new TRAN-RZ and the upgrading of an existing road is covered by TRAN-R3. Neither of these rules have any PER conditions relating to overlays as the roads already exist and maintenance/upgrade work is unlikely to have a significant impact on the values of those overlays. I consider this is wholly consistent with the PDP approach to overlays with respect to infrastructure and aligns with recommendations made for other types of infrastructure in



the Infrastructure chapter. New sections of State Highway have not been given a specific rule as typically this work is undertaken through the designation process. NZTA is welcome to explain their concern further at the hearing if required.

354. For the same reasons as I recommended amendments to listed overlays in TRAN-R7, I also recommend that the references to SNAs is deleted and the term 'natural hazards' is replaced with the correct mapped references to the three types of natural hazard overlay in the PDP in TRAN-R8.
355. I have addressed cumulative effects at a high level in Key Issue 3 above. With respect to TRAN-R8, only lower classification roads than an arterial road (new PER-3) have an option for a permitted activity pathway – larger scale arterial roads require consent as a discretionary activity and cumulative effects can be considered as part of the resource consent process. I consider that the matters of discretion in TRAN-R9 are able to consider the potential cumulative effects of vehicle crossings onto a State Highway or Limited Access Road from the perspective of the safe, efficient, and effective operation of the state highway, public safety and ability to use the crossing in a safe manner by users, which is the purpose of the rule. It would be overly onerous to require an applicant to consider adverse effects such as emissions, congestion, noise and amenity when their application only relates to a new or altered vehicle crossing.
356. I agree with the suggestion by NZTA that the note should clarify that 'altering' a vehicle crossing can also be triggered by a change in use of that crossing, even if the physical crossing is not being altered. A potential change in how that crossing is used, particularly if the change in use requires an intensification of traffic using the crossing, justifies a consent process to determine potential impacts on the State Highway. I also recommend that the same note should be added to TRAN-R2 for consistency to clarify the meaning of 'altered' in the context of vehicle crossings and private accessways.

Recommendation

357. For the reasons set out above, I recommend that submissions on TRAN-R6, TRAN-R7, TRAN-R8 and TRAN-R9 are accepted, accepted in part and rejected as set out in **Appendix 2**.
358. Recommendations are as follows:
 - a. Insert the words 'buildings or' before the word 'structures' in PER-1 of TRAN-R6
 - b. Insert the following note into TRAN-R6:

Note: TRAN-R6 prevails over rules controlling buildings or structures in Part 3 – Area Specific Matters for the activities



listed in PER-1. Any relevant rules in Part 2 – District Wide Matters apply in addition to TRAN-R6.

- c. Amend the listed overlays in TRAN-R7 and TRAN-R8 to delete the reference to SNAs and correctly refer to the different types of natural hazard overlays
- d. Insertion of the words 'change in use' into the Note in TRAN-R9

Section 32AA evaluation

- 359. I do not consider that the amendments to TRAN-R6 (or the insertion of the note) require assessment in terms of section 32AA of the RMA as they are minor changes to improve interpretation of the rule, rather than any changes to intent. Similarly, deleting the reference to SNAs and correctly referring to the different types of natural hazard overlays in TRAN-R7 and TRAN-R8 are minor changes to ensure consistency with other parts of the PDP and do not require further evaluation.
- 360. I consider that clarifying that a 'change in use' is part of 'altering' a vehicle crossing for TRAN-R2 and TRAN-R9 is an effective way to ensure that vehicle crossings are constructed to a standard appropriate for their intended use. It is not overly onerous in terms of consenting requirements as an applicant can still be a permitted activity (under TRAN-R2), provided that the vehicle crossing is constructed in accordance with the relevant standards for vehicle crossings as set out in that rule. In the case of TRAN-R9, I consider it appropriate for a change in use to trigger a resource consent given the potential impacts on a State Highway of intensifying a land use activity or subdividing a property – this is the core mechanism to ensure NZTA and Council are able to consider a proposal concurrently and avoid situations where Council approves a land use or subdivision consent in advance of NZTA being consulted on the proposal. As such, I consider that this approach will achieve the relevant objectives in a more effective and efficient manner compared to TRAN-R2 and TRAN-R9 as notified, in terms of section 32AA of the RMA.

5.2.10 Key Issue 10: Standards – General Comments

Overview

Provision(s)	Officer Recommendation(s)
TRAN standards	No changes as a result of general submissions

Analysis of Submissions on Key Issue 10: Standards – General Comments

Matters raised in submissions



361. Haigh Workman Limited (S215.017) request that a new standard is inserted requiring public roads with a gradient exceeding 12.5% to be sealed.
362. Reuben Wright (S178.010) supports the TRAN standards in part but notes that the standards do not confirm the activity status, either for when an application complies with the standards, or for when it infringes. Reuben Wright requests that the TRAN standards specify that compliance with a standard is either a permitted or controlled activity and non-compliance is a restricted discretionary activity.

Analysis

Sealing of public roads

363. I disagree that a new standard relating to the sealing of public roads is necessary. The Abley Report notes that Council cannot vest roads exceeding 12.5% unless otherwise specified by the PDP or a bylaw, as per section 329(1) of the Local Government Act 1974. Council's Engineering Standards also specify a maximum gradient of 12.5% for vested roads. As such, I consider that the risk of a road being vested that has a steeper gradient than 12.5% that is also unsealed is very low and does not justify a specific TRAN standard.

Activity status of standards

364. The structure of the TRAN standards is the same structure as for all standards throughout the PDP. The standards are not rules on their own, rather they are particular standards that have to be met in order to comply with a rule. As such, the TRAN standards only list matters of discretion for when a rule is not met, and those matters are taken into account when assessing the proposal against the particular rule that referenced that standard. For example, if an activity involved the construction of a vehicle crossing and that crossing did not comply with TRAN-S2, then consent would be required under TRAN-R2 or TRAN-R9, depending on whether the vehicle crossing was onto a road, State Highway or Limited Access Road – the rule specifies the activity status of the infringement, not the standard itself. I do not recommend the insertion of activity statuses into the TRAN standards.

Recommendation

365. For the reasons set out above, I recommend that the general submissions on TRAN standards are rejected as set out in **Appendix 2**.

Section 32AA evaluation

366. As no changes are recommended, no further evaluation under section 32AA of the RMA is required.



5.2.11 Key Issue 11: TRAN-S2, TRAN-S3 and TRAN-S5

Overview

Provision(s)	Officer Recommendation(s)
TRAN-S2	Make non-compliance with TRAN-S2 a discretionary activity and clarify that it applies per frontage rather than per site
TRAN-S3	Amend to clarify requirements for passing bays
TRAN-S5	Delete

Analysis of Submissions on Key Issue 11: TRAN-S2, TRAN-S3 and TRAN-S5

Matters raised in submissions

Standard TRAN-S2

367. NZTA (S356.042) and Terra Group (S172.017) both support TRAN-S2 and request it is retained as notified.
368. Kāinga Ora (S561.024) support the intent of TRAN-S2 but note that there are no matters of discretion and therefore no ability to make an application if TRAN-S2 requirements are not met as the activity status is 'not applicable'. Kāinga Ora request the following amendments to the third column of TRAN-S2:

Not applicable.

Where the standard is not met, matters of discretion are restricted to:

- a. the potential for adverse effects on the safety and efficiency of the transport network, including effects on vehicles, pedestrians and cyclists;
 - b. the scale, management and operation of the activity as it relates to its demand for access;
 - c. the ability for persons with a disability or limited mobility, enter and exit a vehicle and manoeuvre.
369. Northland Planning and Development 2020 Limited (S502.097) and Waitangi Limited (S503.041) support TRAN-S2 in part but request amendments to clarify the approach where sites have more than one frontage. The submitters consider that clarification is necessary to cater for larger land holdings across the district, such as Waitangi Estate, where the landholding is made up of multiple titles and requires multiple vehicle crossings onto



roads with different classifications. The submitters request clarification as to whether:

- a. The allocated number of crossings in TRAN-Table 6 apply per frontage or per site; and
 - b. If the allocated crossings apply per site, what happens if the site fronts onto roads with different classifications?
370. Haigh Workman Limited (S215.013) supports TRAN-S2 in part, provided that their requested changes to TRAN-Table 8 are accepted, and a rule/standard relating to vehicle crossing construction (similar to ODP Rule 15.1.6C.1.5(b)) is included. Haigh Workman Limited request that two new clauses are added to TRAN-S2 that require:
1. *new vehicle crossings to be designed and constructed in accordance with Engineering Standards.*
 2. *vehicle crossings off sealed roads to be sealed or concreted for at least 5m from the road edge.*

TRAN-S3

371. Haigh Workman Limited (S215.014) support TRAN-S3 in part but request more clarity on when and where passing bays are required. The issues raised by Haigh Workman Limited are:
- a. There are specifications for passing bays in RPROZ and RLZ zones but passing bays may also be needed for longer accessways in Residential Zones.
 - b. The term "blind corner" used in TRAN-S3(2)(ii) is not appropriate as the term does not capture all the factors stopping distances should take into account, such as; speed, reaction time, surface type, and longitudinal gradient. Haigh Workman Limited prefer "safe intervisibility" instead of "blind corner".
372. Haigh Workman Limited requests that technical details for intervisibility stopping distances are included in the Engineering Standards and are cross referenced in the PDP, and the clauses in TRAN-S3 are replaced as follows:
1. *Passing bays are required on single lane accessways exceeding 100m at spacings not exceeding 100m;*
 2. *Where required, passing bays on private accessways are to be at least 15m long and provide a minimum usable access width of 5.5m.*
 3. *On all single lane accessways serving two or more sites, safe intervisibility shall be provided as specified in Council's*



Engineering Standards. Sections of accessway without safe intervisibility shall be widened to two-lane.

4. All accesses serving two or more sites shall provide vehicle queuing space at the vehicle crossing to the legal road.

373. Kāinga Ora (S561.025) oppose the requirements for passing bays serving two or more sites and consider them too restrictive. Kāinga Ora requests that TRAN-S3 is amended to either only relate to a large number of sites, or only require passing bays where site conditions pose safety concerns. Kāinga Ora suggest that the number of sites using an access in TRAN-S3(3) is increased from two to eight in order to reflect the number of sites permitted off an accessway under Engineering Standards.

TRAN-S5

374. Haigh Workman Limited (S215.019) support TRAN-S5 in part, specifically matter of discretion (a) that addresses the submitter's safety concerns regarding the overuse of streetlighting in rural areas, which can result in light wells capable of rendering adjoining dark areas unsafe for motorists and pedestrians. However, Haigh Workman Limited request an additional matter of discretion (c) to manage the amenity and ecological values of dark sky areas:

- c. the effect of light spill beyond the road carriageway and footpath on amenity and ecological values.

375. Reuben Wright (S178.011) supports provision for streetlighting but does not agree with it being a requirement for new land use or subdivision. Instead, he considers that streetlighting should be a matter that either control is reserved over, or discretion is restricted to in relation to any land use or subdivision activity. Reuben Wright requests an amendment to TRAN-S5 so streetlighting becomes a matter of control or discretion, and not a standard.

376. Waiaua Bay Farm Limited (S463.025) oppose TRAN-S5 as streetlighting design for a special purpose zone may not be able to comply with performance standards and, in some circumstances, compliance would conflict with the purpose or objectives of that special purpose zone. To address this, Waiaua Bay Farm Limited request an additional matter of discretion is inserted to direct a decision-maker to consider whether compliance with the streetlighting standard is appropriate in the context of a special purpose zone as follows:

- c. whether an alternative to compliance with the standard would better achieve the purpose and objectives of a Special Purpose Zone.

Analysis

TRAN-S2



377. I agree with Kāinga Ora that the 'not applicable' status for TRAN-S2 makes it unclear how a consent would be applied for if the conditions of TRAN-S2 are not met. However, TRAN-R2 makes it clear that the activity status for failing to comply with TRAN-S2 is discretionary. To make these provisions consistent I recommend deleting the words 'not applicable' and replacing them with '*where the standard is not met: Discretionary*'.
378. I agree with Northland Planning and Development 2020 Limited and Waitangi Limited that it is not clear how to interpret TRAN-S2 and associated TRAN-Table 6 as to whether the maximum number of vehicle crossings should be calculated per site or per frontage. I also agree that it is unclear how to apply TRAN-Table 6 when a site has multiple frontages and these frontages have different road classifications. My understanding of the intent of TRAN-S2 and TRAN-Table 6 is for the maximum number of crossings to be calculated per frontage, so that all frontages are treated equally, regardless of whether a site only has one frontage or multiple frontages. I also consider that clarifying that TRAN-S2 and TRAN-Table 6 are to be applied 'per frontage' will make these provisions easier to interpret for plan users.
379. In the case of sites with multiple frontages where all frontages have the same road hierarchy classification, there is no difference in the number of permitted vehicle crossings whether you apply the provisions on a per site or per frontage basis i.e. two 15m access roads could have one vehicle crossing each, which is the same if the 'per site' approach was taken as a site with a 30m frontage to an access road could have two vehicle crossings under TRAN-Table 6. However, I agree with the Abley Report this approach is not appropriate where the road frontages have different classifications as having a permitted number of crossings for each classification could perversely allow for crossings onto both frontages where it is only appropriate to allow crossings on the lower order road classification.
380. I note that TRAN-S2(3) attempts to address this by stating that "*Where a site has frontage to more than one road, the vehicle crossing shall be prioritised to be provided onto the road that has the lower road classification*". I consider that the words "shall be prioritised to be" are not sufficiently clear to be a permitted activity condition. In my view, the intent of TRAN-S2(3) was to ensure that, where there is a choice to put a crossing (or crossings) onto one or more frontages, that the only permitted option is for the crossing (or crossings) to be constructed on the frontage with the lower road classification. If an application proposes a crossing on a frontage with a higher road classification, then I consider it appropriate for a discretionary activity consent to be required to demonstrate why a crossing onto the higher road classification is necessary. I have recommended changes to this effect in **Appendix 1.1**.
381. With respect to the submission from Haigh Workman Limited, I consider that the inclusion of new TRAN-Table X relating to sealing requirements for vehicle crossings (as referenced in TRAN-R2) addresses the requested relief



and further changes to TRAN-S2 are unnecessary. I rely on the advice provided in the Abley Report that amendments to TRAN-Table 8 are unnecessary (as discussed further in Key Issue 13 below) and I disagree that any further amendments are required to TRAN-S2 as a result.

TRAN-S3

382. I rely on the advice in the Abley Report that some of the requested amendments from Haigh Workman Limited have merit and that the following changes are recommended to TRAN-S3 to require passing bays:
- a. When accessways are less than 5.5m wide; and
 - b. Where accessways are more than 100m long in Rural Production, Rural Lifestyle and Māori Purpose Rural zones; or
 - c. Where accessways are more than 50m long in all other zones.
383. With respect to the terms 'blind corner' and the preferred replacement of 'safe intervisibility', I do not consider that the term 'safe intervisibility' is sufficiently clear or well understood by a plan reader to be included in TRAN-S3. However, the recommended redrafting of TRAN-S3 has removed the term 'blind corner' and made it clearer that the key factor is the visibility from bay to bay along an accessway, coupled with a maximum spacing requirement. I rely on the advice from the Abley Report that this revised drafting addresses the issue raised by Haigh Workman Limited.
384. The Abley Report agrees with Kāinga Ora that requiring passing bays for all accessways serving two or more sites is overly restrictive, however rather than increasing the number of sites in TRAN-S3(3) two to eight, the Abley Report recommends deleting TRAN-S3(3) entirely. I agree with the rationale as the reworded TRAN-S3(3) is now clearer on what length of accessway requires passing bays (as opposed to the number of sites served) and any accessway serving more than eight sites already requires a discretionary activity consent (TRAN-R2, PER-1) unless served by a public road.

TRAN-S5

385. Although the majority of submissions on TRAN-S5 supported its retention, I agree that TRAN-S5 should be deleted as part of the process of decoupling the TRAN chapter from the Engineering Standards, for the reasons set out in Key Issue 1 above. I rely on the Abley Report, which clarifies that the most important factor for being able to provide sufficient streetlighting is ensuring that the roads are a sufficient width, which is addressed through my recommended changes to TRAN-S4 (and new tables TRAN-Table Y and TRAN-Table Z) in Key Issue 12 below. I agree that it is the role of the PDP to ensure sufficient space is set aside for all aspects of road design (including streetlighting) and that the Engineering Approval process is the appropriate forum for determining streetlight design. As such, I recommend that TRAN-S5 is deleted.



Recommendation

386. For the reasons set out above, I recommend that the submissions on TRAN-S2, TRAN-S3 and TRAN-S5 are accepted, accepted in part and rejected as set out in **Appendix 2**.
387. Recommendations are as follows:
- a. Clarify that failing to comply with TRAN-S2 is a discretionary activity.
 - b. Clarify that TRAN-S2 (and associated TRAN-Table 6) are to be applied 'per frontage' rather than 'per site' and amend TRAN-S2(3) to remove the ambiguous wording 'prioritised to be'.
 - c. Amend TRAN-S3 to make the requirements for passing bays clearer, as set out in my analysis above.
 - d. Delete TRAN-S5.

Section 32AA evaluation

388. I consider that failing to specify the activity status of TRAN-S2 was an error and that, for consistency with TRAN-R2, it is appropriate to clarify the activity status as discretionary. As this was the original intent of the provision, I do not consider that further analysis is required under section 32AA of the RMA.
389. Similarly, I consider that the amendments to TRAN-S2 and TRAN-Table 6 in relation to applying the standard to road frontages are for clarification purposes and do not change the intent of the provisions as notified. As such, I do not consider that further analysis is required under section 32AA of the RMA.
390. I consider that the drafting amendments to TRAN-S3 are more efficient and effective from an interpretation perspective. The standard is now clearer as to when passing bays are required and what the appropriate spacing for passing bays is depending on the zone. Parts of the standard that were subjective (and therefore not appropriate to be included in a permitted standard) have been removed and the overly onerous requirement for passing bays serving two or more sites has also been removed, both of which will be more efficient in terms of the number of consents likely required by the standard. As such, I consider that the proposed amendments to TRAN-S3 are appropriate in terms of section 32AA of the RMA.
391. As the deletion of TRAN-S5 is a result of decoupling the TRAN chapter from the PDP, this has been addressed under Key Issue 1 with respect to section 32AA of the RMA and I do not repeat the analysis here.



5.2.12 Key Issue 12: TRAN-S4

Overview

Provision(s)	Officer Recommendation(s)
TRAN-S4	Amend to decouple standard from the Engineering Standards

Analysis of Submissions on Key Issue 12: TRAN-S4

Matters raised in submissions

392. Terra Group (S172.018) support TRAN-S4 and request it is retained as notified.
393. FNDC (S368.018) support TRAN-S4 in part, but request the following amendment to correctly reference the Engineering Standards:

Where the standard is not met, matters of discretion are restricted to:

- a. *safety implications of the non-compliance with Far North Council Engineering Standards April 2022 engineering standards; and*
394. NTA (S184.019) support TRAN-S4 in part but do not agree that all upgrades to existing roads should require an ITA. As an alternative, NTA request that TRAN-S4(1) is amended to provide a trip generation trigger for requiring an ITA, rather than a mandatory requirement for all new roads and upgrades.
395. Borders Real Estate Northland (S211.003) support TRAN-S4 in part but request amendments to ensure that subdivisions in urban areas resulting in two or more lots are required to provide footpaths suitable for disability scooters. Borders Real Estate Northland also request that safe cycleways capable of connecting to a future network are required where a subdivision is within cycling distance of a township or public facility.
396. Haigh Workman Limited (S215.015) support TRAN-S4 in principle but suggest a wide range of amendments to ensure that necessary information for road design is included in the TRAN chapter but that more technical detail is not included on the basis that it is excessive for a district plan requirement. Suggested amendments for TRAN-S4(1) include:
- a. Removing the reference to Tables 3-2 Urban and 3-3 Rural in the Engineering Standards as they are excessive and inconsistent with low impact design principles. Haigh Workman Limited consider that these should be replaced with ODP Appendix 3B-2 Standards (similar to NZS4404:2010).



- b. Including road width standards and requirements for footpaths and lighting for public roads in the TRAN chapter rather than cross referencing to the Engineering Standards.
397. Haigh Workman Limited (S215.018) request that subclauses (i)-(iii) of TRAN-S4(2) are deleted in relation to cul-de-sacs for the following reasons:
- a. Many no-exit roads exceed 150m in length;
 - b. Pedestrian linkages may not be possible; and
 - c. When properly designed, cul-de-sac heads can accommodate multiple private accessways branching off.
398. Waiaua Bay Farm Limited (S463.024) oppose TRAN-S4 as some road design requirements are not appropriate for a special purpose zone and, in some circumstances, compliance would conflict with the purpose or objectives of that special purpose zone. To address this, Waiaua Bay Farm Limited request an additional matter of discretion is inserted to direct a decision-maker to consider whether compliance with the road design standard is appropriate in the context of a special purpose zone as follows:
- c. Whether an alternative to compliance with the standard would better achieve the purpose and objectives of a Special Purpose Zone.
399. A group of submitters including Our Kerikeri (S338.016, S271.017), Vision Kerikeri (S522.038, S524.017), Carbon Neutral NZ (S529.016, S529.082) and Kapiro Conservation Trust (S449.017, S446.016) have made a variety of submissions on TRAN-S4, which they support in part, particularly the TRAN-S4(1) requirement for an ITA. However, they request specific amendments to TRAN-S4 as follows:
- a. TRAN-S4 needs to require new subdivisions and developments to provide connected cycle and walkways. Provision should be made for the construction of roads exceeding Engineering Standards to accommodate cycle paths or similar, particularly where required by a spatial or strategic document.
 - b. TRAN-S4 should disincentivise cul-de-sacs as they result in poor urban design outcomes and are favoured by developers as they are lower cost. To disincentivise cul-de-sacs, the submitters request the following additional requirements are added to TRAN-S4(2):
 - v. an ITA with targeted information requirements
 - vi. cul-de-sac legal width must extend to the site boundary to facilitate future connection.



Analysis

400. The majority of amendments to TRAN-S4 relate to decoupling the TRAN chapter from the Engineering Standards. Section 1.1 of the Abley Report makes recommendations on how much detail needs to be introduced into the TRAN chapter from the Engineering Standards to effectively decouple both documents and I have relied on this advice for my recommended drafting. The main changes recommended in the Abley Report (in addition to removing all references to the Engineering Standards) are:
- a. For roads to comply with TRAN-S4, they must be designed in accordance with two new tables (TRAN-Table Y – Road Formation Criteria and TRAN-Table Z – Minimum Intersection Spacing)
 - b. Requirements for cul-de-sacs are streamlined, with the removal of specific reference to the dimensions of turning heads.
 - c. Matter of discretion (a) is redrafted to refer to "the extent that the design provides for a safe, efficient and connected transport network" as opposed to referring to the safety implications of not complying with the Engineering Standards.
401. Refer to Section 1.1 of the Abley Report for more detail on the rationale for redrafting TRAN-S4 and the inclusion of TRAN-Tables Y and Z.
402. The Abley Report also recommends the addition of a note to inform plan users that the Engineering Standards specify appropriate design vehicles to use when designing turning heads. I have not included this recommendation as, firstly, I am trying to minimise the use of notes in the TRAN chapter where possible and, secondly, I consider that this comment is equally applicable to a number of provisions where the TRAN chapter includes some but not all of the detail included in the Engineering Standards.
403. With respect to cul-de-sacs, there are two groups of submitters requesting different outcomes from TRAN-S4 – Haigh Workman Limited requesting that TRAN-S4 be more permissive of alternative cul-de-sac designs and Our Kerikeri (and others) requesting more prescriptive provisions relating to cul-de-sacs. I agree with the Abley Report that cul-de-sacs should generally be discouraged as they reduce the connectivity and resilience of the transport network. An applicant can apply for a restricted discretionary activity if they wish to create longer cul-de-sacs without pedestrian linkages or with multiple private accessways but these types of designs should not be supported by the TRAN chapter. As such I recommend rejecting the request from Haigh Workman Limited for more flexible cul-de-sac conditions.
404. I also consider that TRAN-S4(2) already provides much of what Our Kerikeri and others are seeking with respect to requiring walking and cycleway connections and discouraging cul-de-sacs in general. I disagree with using an ITA as a punitive requirement to disincentivise cul-de-sacs, this is not the purpose of an ITA. I consider that deleting the specific requirement for an



ITA resolves the issue of all roads being designed under TRAN-S4 being required to provide an ITA as I agree with NTA that this requirement is overly onerous for roading upgrades and maintenance. I consider that the ITA requirement tied to trip generation in TRAN-R5 is a more appropriate trigger point for when a full ITA is required.

405. With respect to the other submissions on TRAN-S4, I make the following comments:
- a. As per my recommendations for TRAN-S5 in Key Issue 11 above, I consider that the key role of the TRAN chapter is to ensure roads are sufficiently wide enough to accommodate all of the necessary design details, such as sufficiently wide footpaths, cycleways if appropriate and streetlighting. The Engineering Standards set the design requirements for footpaths and cycleways and these have not been included in the TRAN chapter for the same reasons as streetlight requirements have been removed – not all detailed engineering information can be included in the TRAN chapter as part of the decoupling process. As such, I recommend rejecting the submission point from Borders Real Estate Northland.
 - b. As discussed in Key Issue 6 above, the most appropriate place for special zone-specific transport provisions is in a special purpose zone chapter. As such I do not recommend any amendments to TRAN-S4 to account for the needs of special purpose zones, as requested by Waiaua Bay Farm Limited.

Recommendation

406. For the reasons set out above, I recommend that the submissions on TRAN-S4 are accepted, accepted in part and rejected as set out in **Appendix 2**.
407. Recommendations are as follows:
- a. Include the requirement to comply with new tables TRAN-Table Y and TRAN-Table Z in TRAN-S4(1).
 - b. Delete references to the Engineering Standards and the requirement for an ITA from both the conditions and matters of discretion for TRAN-S4 where applicable.
 - c. Remove dimension requirements for turning heads from TRAN-S4(2).

Section 32AA evaluation

408. The majority of amendments to TRAN-S4 are to decouple the TRAN chapter from the Engineering Standards, which has been addressed in Key Issue 1 above with respect to section 32AA of the RMA. I rely on the recommendations in the Abley report that the drafting suggestions for



TRAN-S4 are more efficient and effective in achieving the relevant objectives in terms of section 32AA of the RMA compared to the notified drafting.

5.2.13 Key Issue 13: TRAN-Tables 2-8, 10

Overview

Provision(s)	Officer Recommendation(s)
TRAN-Table 2	Retain (except for changes recommended in Key Issue 2)
TRAN-Table 3	Retain as notified
TRAN-Table 4	Minor amendment to replace GFA threshold for educational facilities with an employee threshold
TRAN-Table 5	Amendment to include dimensions for accessible parking spaces and more clearly define which parts of the table are directive and which are explanatory
TRAN-Table 6	Retain (except for changes recommended in Key Issue 11)
TRAN-Table 7	Clause 16 amendment to clarify interpretation and change of title as recommended in Key Issue 4
TRAN-Table 8	Retain (except for changes recommended in Key Issue 4)
TRAN-Table 10	Delete

Analysis of Submissions on Key Issue 13: TRAN-Tables 2-8, 10

Matters raised in submissions

TRAN-Table 2

409. Haigh Workman Limited (S215.004) support TRAN-Table 2 and request it is retained as notified.
410. Kāinga Ora (S561.027) support TRAN-Table 2 in part but do not consider it is clear how accessible parking is applied to residential development. Kāinga Ora request that TRAN-Table 2 is amended to provide for accessible parking spaces in residential developments as follows:

Number of parking spaces required

20 or less (except for residential developments as specified below) = 1-accessible parking space.



Residential developments of 10 or more dwellings on a site = 1 accessible parking space (per 10 dwellings)

411. Jane E Johnston (S560.003) opposes TRAN-Table 2 on the basis that the accessible parking requirements are insufficient and are contradictory to TRAN objectives and policies requiring sufficient access for those with disabilities in an aging population. Jane E Johnston also considers that commercial areas and worksites should provide for accessible parking given many retirement age people remain in the workforce.

TRAN-Table 3

412. Haigh Workman Limited (S215.005) support TRAN-Table 3 and request it is retained as notified.
413. MOE (S331.029) oppose TRAN-Table 3 and recommend that all onsite loading requirements for primary and secondary schools, kohanga reo and childcare centres are removed from TRAN-Table 3. MOE consider that the Notice of Requirement process is the most appropriate process for determining loading requirements for educational facilities as this process often requires an ITA, which determines how many bus bays or loading areas are appropriate based on an educational facility's location, type, and mode of transport used by staff and students.

TRAN-Table 4

414. NTA (S184.021) support TRAN-Table 4 in part but request the inclusion of a requirement for covered, secured bike parking.
415. MOE (S331.030) support end of trip facility requirements for educational facilities to encourage active modes of transport for students and staff. MOE note that many educational facilities will supply showering and changing facilities for students regardless of PDP provisions, as these are required for sporting activities. MOE do not, however, support the use of GFA thresholds for educational facilities and instead request thresholds based on the number of full-time employees as follows:

Activity	GFA Threshold	Number of showers and changing area required
Educational facilities	Up to 500m ² < 10 full time employees	No requirement
	Greater than 500m ² up to 2500m ² 10-30 full time employees	One shower and changing area with space for storage of clothing



	Greater than 2500m ² up to 7500m ² 30-50 full time employees	Two showers and changing area with space for storage of clothing
	Every additional 7500m ² >50 full time employees	Two additional showers and changing area with space for storage of clothing.

416. Northland Planning and Development 2020 Limited (S502.096) oppose TRAN-Table 4 and any associated PDP provision requiring end of trip facilities. Northland Planning and Development 2020 Limited notes the lack of section 32 evaluation to support TRAN-Table 4 and points out that many areas of the Far North district are simply not suitable for alternative modes of transport requiring end of trip facilities. On this basis, Northland Planning and Development 2020 Limited request that TRAN-Table 4 is deleted.
417. LD Family investments Limited (S384.010), Marshall Investments Trustee (2012) Limited (S378.006), Ti Toki Farms Limited (S262.010) and Waipapa Pine Limited and Adrian Broughton Trust (S342.018) oppose TRAN-Table 4 and request its deletion on the basis that end of trip facilities are effectively managed through other legislation.

TRAN-Table 5

418. Terra Group (S172.021-23) support TRAN-Table 5 and associated Figures 1, 2 and 3 and request these are retained.
419. NTA (S184.022) support TRAN-Table 5 in part but request that either the layout and dimensions for accessible parking are included or NZS 4121 Code of Practice for accessible parking is referenced.

TRAN-Table 6

420. Terra Group (S172.024) support TRAN-Table 6 and request it is retained.
421. Northland Planning and Development 2020 Limited (S502.098) and Waitangi Limited (S503.042) support TRAN-Table 6 in part but request amendments are made to clarify the number of crossings required where a site has multiple frontages.¹⁸
422. NTA (S184.023) support TRAN-Table 6 in part but consider the number of vehicle crossings allowed for 61-100m of frontage is excessive. To reinforce TRAN-R2, NTA suggest that language be added to direct vehicle crossings numbers are taken from the lower classification of roadways.

¹⁸ These submissions correspond to Northland Planning and Development 2020 Limited (S502.097) and Waitangi Limited (S503.041) submissions on TRAN-S2.



TRAN-Table 7

423. No specific submissions were received on TRAN-Table 7. A generic submission on all tables was received from Good Journey Limited (S82.023) but only to the extent that the tables were relevant to car parking minimums, bike parking or end of trip facilities (not vehicle crossing separation distances from intersections, which is the purpose of TRAN-Table 7). As such, there are no relevant submissions in either support or opposition to TRAN-Table 7.

TRAN-Table 8

424. Haigh Workman Limited (S215.020) oppose the minimum sight distances specified in TRAN-Table 8 as they have increased considerably from existing standards on Collector, Arterial and Regional roads and do not reflect good roading design practice. Haigh Workman Limited does not support the proposed approach being based on speed limits and safe intersection sight distances as neither approach is suited to, or attainable on, Northland's roads. Haigh Workman Limited is also opposed to unsealed roads not being provided for in TRAN-Table 8 and requests a new column to require increased stopping distances on unsealed roads. Haigh Workman Limited request that TRAN-Table 8 is amended so that sight distances are based on 85th percentile operating speed and sight distances that are appropriate for sealed and unsealed roads in the Far North District (refer to the submission for more technical detail related to the requested changes).

TRAN-Table 10

425. NTA (S184.025) support TRAN-Table 10 in part but request that either both the ONRC and ONF are described in the table, or that the ONRC road classification descriptions are replaced by the equivalent ONF classifications.

Analysis

TRAN-Table 2

426. I have already recommended that TRAN-Table 2 be redrafted to refer to theoretical parking demand as calculated using TRAN-Table W, for the reasons set out in Key Issue 2 above.
427. With respect to the submissions from Jane E Johnstone and Kāinga Ora, I rely on the advice in the Abley Report that the accessible parking rates in TRAN-Table 2 are consistent with NZS4121 Design for access and mobility and therefore are appropriate. The Abley Report also points out that there is no barrier in TRAN-Table 2 to an applicant providing additional accessible parking as a permitted activity. As such I do not recommend any further amendments to TRAN-Table 2.

TRAN-Table 3



428. I agree with the Abley Report that there is no clear justification for exempting educational facilities from the loading bay requirements in TRAN-Table 3. I also agree that not all educational facilities will be able to use the Notice of Requirement process and that preparing a full ITA could be provided to support a non-compliance with TRAN-Table 3, but it is not in of itself a reason to exempt educational facilities from loading bay requirements. I do not recommend any changes to TRAN-Table 3.

TRAN-Table 4

429. I disagree with requests to delete TRAN-Table 4 entirely on the basis that it is either not necessary, overly onerous or managed through other legislation. I have responded to similar submissions in Key Issue 2 above relating to the reference in TRAN-S1 to the requirement for end of trip facilities, where I concluded that failing to require end of trip facilities to make cycling more attractive simply ensures that this remains the status quo going forward. I do not repeat this analysis here.
430. I rely on the advice in the Abley Report with respect to amending the threshold for end of trip facilities from a GFA threshold to an employee threshold for educational facilities. The Abley Report concludes that the rates proposed by MOE are appropriate for educational facilities, with slight amendments to make the distinctions between the threshold tiers clear. I recommend amending TRAN-Table 4 as per the Abley Report.

TRAN-Table 5

431. I agree with NTA and the Abley Report that amending TRAN-Table 5 to require dimensions for accessible parking spaces that are consistent with the NZS 4121 Code of Practice is appropriate. However, as I do not support cross referencing of third-party documents I recommend that the dimensions are included but not the specific reference to the Code of Practice. I have recommended amendments to TRAN-Table 5 to this effect.
432. As part of the decoupling from the Engineering Standards process, the Abley Report has recommended reworking the clauses and notes in TRAN-Table 5 to make it clear which parts of the table are directive (and are provisions to be complied with) and which parts are explanatory information to help interpret the table and associated clauses. I agree that revising the parts of TRAN-Table 5 beneath TRAN-Figure 1 will assist with TRAN-Table 5 being able to be interpreted independently, without assistance from the Engineering Standards and also be easier to interpret for plan users. I do not recommend amending the content of these clauses and notes, rather I recommend that these are rearranged to make it clear which are directive and which are explanatory. The only exception is Note vii which is no longer required as TRAN-Table 5 now contains dimensions for accessible parking spaces.

TRAN-Table 6



433. I have recommended amendments to TRAN-Table 6 as part of my recommendations on TRAN-S2 in Key Issue 11 above. I consider that these changes address the submissions from Northland Planning and Development 2020 Limited and Waitangi Limited with respect to sites with multiple frontages.
434. Similarly, I consider that my recommended amendments to TRAN-S2(3) in Key Issue 11 (that vehicle crossings are provided onto the road that has the lower road classification where a site has multiple frontages) addresses the submission from NTA. I do not consider any subsequent changes are required to TRAN-Table 6.

TRAN-Table 7

435. Although there were no specific submissions on TRAN-Table 7, I agree with the Abley Report that a minor amendment is required to the table to clarify that the part of the table referring to "50km/hr" should be amended to refer to "50km/hr or less". I consider this is a minor change to clarify intent and can be undertaken as a clause 16 amendment.

TRAN-Table 8

436. The Abley Report responds to the submission from Haigh Workman Limited on TRAN-Table 8 in Section 22 of that report. I rely on the Abley Report advice that the sight distances in TRAN-Table 8 are appropriate, suit the Far North context and are consistent with other similar district plans (e.g. Whangarei). As such, I do not recommend any amendments to TRAN-Table 8.

TRAN-Table 10

437. For the reasons set out in Key Issue 4 above, I recommend that TRAN-Table 10 is deleted.

Recommendation

438. For the reasons set out above, I recommend that the submissions on TRAN-Tables 2-8 and 10 are accepted, accepted in part and rejected as set out in **Appendix 2**.
439. Recommendations are as follows:
- a. Amend TRAN-Table 3 so that the thresholds for educational facilities are calculated on a per employee basis rather than a GFA basis
 - b. Amend TRAN-Table 4 as per the Abley Report recommendation
 - c. Insert dimension requirements for accessible parking spaces into TRAN-Table 5



- d. Amend the notes and clauses in TRAN-Table 5 as set out in **Appendix 1.1**
- e. Insert the words "or less" after the words "50km/hr" in the third row of TRAN-Table 7

Section 32AA evaluation

- 440. The majority of amendments to these standards are either required to decouple the TRAN chapter from the Engineering Standards (as considered in Key Issue 1), are consequential as a result of other recommendations (e.g. the deletion of TRAN-Table 10) or are required to clarify drafting intent without changing the intent from the notified version of the standards. As such, I do not consider that these changes require further evaluation in terms of section 32AA of the RMA.
- 441. The exception is the amended threshold for end of trip facilities for educational facilities in TRAN-Table 4. I rely on the advice in the Abley report that an employee threshold is more efficient and effective than a GFA threshold for educational facilities and that it better achieves the objectives of the TRAN chapter in terms of encouraging the provision of active modes of transport. As such, I consider this change appropriate in terms of section 32AA of the RMA.

5.2.14 Key Issue 14: TRAN-Table 9

Overview

Provision(s)	Officer Recommendation(s)
TRAN-Table 9	Amend as per the Abley Report

Analysis of Submissions on Key Issue 14: TRAN-Table 9

Matters raised in submissions

TRAN-Table 9

- 442. NTA (S184.013¹⁹) support TRAN-Table 9 (and associated TRAN-R2) in part but request an addition to either TRAN-R2 or TRAN-Table 9 requiring permanent all-weather surfaces for private accessways in both the Residential Zone and for specified rural sites in the following instances:

Residential Zone

Rural and Rural Production sites with an area of less than 2,000m²

¹⁹ See also submission point S184.012 for TRAN-R2 in Key Issue 5 above.



Any accessway serving more than 5 residential units

Where the gradient exceeds 12.5% (to confirm this gradient, check against new Engineering Standards)

443. NTA (S184.024) support TRAN-Table 9 in part but request that it is amended to align with Engineering Standards and that a requirement to seal private accessways over a certain gradient threshold is considered. This submission point specifically requests that the 0.95m footpath width is checked against Engineering Standards.
444. Haigh Workman Limited (S215.021) support standards for private accessways being specified in the PDP, but oppose the following parts of TRAN-Table 9 for the reasons outlined below:
- a. Oppose the additional 0.95m in footpath width for urban accessways serving 5-8 residential units as it is likely to be used by traffic instead.
 - b. The standard for rural accessways serving 3-5 residential units does not match Engineering Standards Table 3.16, which prescribes the surfacing width as 4m for 2-5 residential units and 2 x 2.75m for 6-8 residential units.
 - c. While the carriageway widths proposed are appropriate, they are the bare minimum. Extra width should be provided on single and two-lane accessways to ensure cars and trucks can pass each other through horizontal curves. Width should be increased on horizontal curves so a carriageway can be widened to accommodate services, batters and the swept path of larger vehicles.
 - d. Engineering Standard requirements (such as sealing accessways with gradients over 12.5% and Engineering Standard Table 3-16 on sealing private accessways) are missing from the table and should be included.
 - e. If included, the Table 3-16 requirement from the Engineering Standards to seal rural accessways serving more than six households from an unsealed public road should be softened to a threshold of nine households from a sealed road.
445. Kristine Kerr (S302.003) opposes TRAN-Table 9 as she considers that 6m is too wide for a private accessway serving 6-8 households and will result in unnecessary impervious surface area. As an alternative, Kristine Kerr considers that 5m is appropriate. Kristine Kerr is also opposed to the requirement for accessways serving more than 8 households to have 10m flag lights and requests that this requirement is deleted. Finally, Kristine Kerr requests that dark sky guidelines are incorporated into the TRAN Chapter.



446. FENZ (S512.018) oppose TRAN-Table 9 as it contradicts TRAN-R2, which requires compliance with SNZ PAS 4509:2008. TRAN-Table 9 does not align with SNZ PAS 4509:2008 in the following ways:
- The minimum carriageway width of 3m for rural areas and 2-4m for residential units in urban areas is not sufficiently wide for fire appliances. Emergency response access requires at least 4m.
 - The maximum gradient suitable for FENZ is 16% and the proposed gradient of up to 22% is well in-excess of this.
447. For these reasons, FENZ request TRAN-Table 9 thresholds are amended to include a minimum carriageway width and height clearance of 4m, maximum gradient of 16% and that accessway surfaces must be able to accommodate a 20 tonne truck.

Analysis

448. The key issues raised with respect to TRAN-Table 9 are as follows:
- Alignment with the Engineering Standards, including missing standards relating to the sealing of private accessways.
 - Concerns about the additional 0.95m required for urban accessways serving 3-5 residential units, the 6m width required for a private accessway serving 6-8 residential units and the requirement for flag lights.
 - Misalignment between TRAN-R2 and TRAN-Table 9 with respect to the requirements for fire appliances and compliance with SNZ PAS 4509:2008 (raised by FENZ).
 - A request for dark sky guidelines to be included in TRAN-Table 9.

General alignment with the Engineering Standards

449. As discussed in Key Issue 1, the intention is to decouple the TRAN chapter from the Engineering Standards, which includes a full review of TRAN-Table 9. The Abley Report makes recommendations on TRAN-Table 9 in Section 1.3 as follows:
- As the Engineering Standards specify private accessway design requirements for industrial, commercial and rural land uses (as well as residential), the Abley Report recommends that these are included in TRAN-Table 9, otherwise the table is only focused on residential units.
 - That accessway design is based on number of allotments rather than number of residential units and that the threshold for accessway



design should include accessways that serve single allotments (such as pan-handle sites).

450. I agree with both recommendations – they ensure that TRAN-Table 9 includes the relevant information from the Engineering Standards to control the design of private accessways for all types of development, not just residential units. The change of focus from residential units to number of allotments aligns with my recommended amendments to TRAN-R2 and again ensures that the requirements of TRAN-Table 9 are easier to calculate and enforce, as number of allotments is a clearer threshold. I consider that these changes address the submission from NTA with respect to TRAN-Table 9 needing to align with the Engineering Standards.
451. I consider that recommended new table TRAN-Table X (as recommended in Key Issue 7 above) resolves the submissions from both NTA and Haigh Workman Limited regarding the need to require the sealing of private accessways over a certain gradient threshold.

Concerns with specific measurements in TRAN-Table 9

452. The Abley Report responds specifically to the concerns over the measurements used in TRAN-Table 9 raised by the various submitters, but I rely on the general theme of that advice that the measurements used in the recommended redraft of TRAN-Table 9 are appropriate and align with the Engineering Standards. I also rely on the advice in the Abley Report that widening on horizontal curves and sealing widths are matters addressed by the Engineering Standards and do not need to be included in the TRAN chapter.
453. In response to Kristine Kerr, I can confirm that no part of the TRAN chapter requires 10m flag lights so it is unclear what concern has been raised by the submission.

FENZ

454. I agree with FENZ that TRAN-R2, PER 2 and TRAN-Table 9 as notified are not consistent. However, as discussed in Key Issue 7 above, I do not consider it appropriate for TRAN-R2, PER 2 to require compliance with a third-party document as a permitted standard and have recommended that it is deleted. This resolves the inconsistency issue between TRAN-R2, PER 2 and TRAN-Table 9, although not in the manner that FENZ requested that the issue is resolved. I reiterate my position, supported by the Abley Report, that the Building Code is the correct statutory tool to manage emergency responder access. As such I do not recommend any changes to TRAN-Table 9 in response to the FENZ submission.

Dark sky guidelines

455. I disagree with including Dark Sky guidelines (or referencing them) in the PDP for the same reason as I have rejected all submissions requesting that



the TRAN chapter refer to third-party guidance documents or Codes of Practice (as discussed in Key Issues 6 and 7 above). I also note that the section 42A report for Noise and Lighting confirmed that there are no dark sky reserves in the Far North district and that amending the PDP to be more restrictive on light emissions to align with the Dark Sky Guidelines is not appropriate as part of this plan review process without further community engagement²⁰.

Recommendation

456. For the reasons set out above, I recommend that the submissions on TRAN-Table 9 are accepted, accepted in part and rejected as set out in **Appendix 2**.
457. I recommend that TRAN-Table 9 is amended as per the Abley Report.

Section 32AA evaluation

458. I consider that the recommended amendments to TRAN-Table 9 are required to decouple the TRAN chapter from the Engineering Standards, clarify the intent of the table and achieve consistency with other TRAN provisions. I rely on the analysis in the Abley report that the recommended drafting of TRAN-Table 9 is more efficient and effective in achieving the relevant objectives in terms of section 32AA compared to the notified drafting.

6 Conclusion

459. This report has provided an assessment of submissions received in relation to the TRAN chapter. The primary amendments that I have recommended relate to:
- a. Amendments to the overview, objectives, policies and rules of the TRAN chapter to give effect to the NPS-UD, specifically with respect to car parking minimums;
 - b. Remove all references to the Engineering Standards in the TRAN provisions where they were being used to determine activity status and/or whether a resource consent is required;
 - c. Include content from the Engineering Standards where it is needed to manage adverse environmental effects related to traffic and transport issues to effectively 'decouple' the Engineering Standards from the PDP;
 - d. Introduce new provisions relating to the management of level crossings over railway corridors;

²⁰ Paragraph 114, section 42A Report Noise and Lighting, 23 September 2024



- e. Clarify the relationship between TRAN provisions and provisions in Part 2 of the PDP, to be consistent with the Renewable Energy and Infrastructure chapters;
 - f. Improve the consistency between provisions within the TRAN chapter, and also with provisions in other chapters such as the Subdivision chapter;
 - g. Introduce a new Transport Network Hierarchy map to show the road classifications for all vested roads in the Far North district to assist with interpretation of the TRAN chapter provisions;
 - h. Provide a permitted pathway for maintenance of the existing transport system and existing vehicle crossings with an existing road corridor, without the need to comply with standards relating to road or vehicle crossing design; and
 - i. Other various amendments in response to submitter requests.
460. Section 5.2 considers and provides recommendations on the decisions requested in submissions. I consider that the submissions on the TRAN chapter should be accepted, accepted in part or rejected as set out in my recommendations of this report and in **Appendix 2**.
461. I recommend that provisions for transportation matters be amended as set out in **Appendix 1.1** below, for the reasons set out in this report. The consequential amendments made to the TRAN chapter as result of the recommendations in other s42A reports are also contained in **Appendix 1.1**.
462. I recommend that the Definitions chapter of the PDP be amended as set out in **Appendix 1.2**, for the reasons set out in this report.

Recommended by: Melissa Pearson – Principal Planning Consultant, SLR Consulting New Zealand

Approved by: James R Witham – Team Leader District Plan, Far North District Council.

Date: 31/03/2025