

**Before Independent Hearing Commissioners
In Porirua**

Under the Resource Management Act 1991

In the matter of of a submission by NZ Transport Agency (Waka Kotahi)
(submitter 82, further submitter 36) on the Proposed Porirua
District Plan

Statement of evidence of Claudia Jones for Waka Kotahi (Planning)

4 May 2022

1. Qualifications and experience

- 1.1. My full name is Claudia Paterson Jones. I am a Planner at Waka Kotahi where I have been employed since July 2020.
- 1.2. I hold a Bachelor of Environmental Planning from the University of Waikato. I have five years' planning experience within both the public and private sector.
- 1.3. My key responsibilities include working with local councils on district plan reviews and plan changes, assessing land use development applications and contributing to projects for major infrastructure upgrades.
- 1.4. In relation to the Proposed Porirua District Plan (PDP), I have been project managing the Waka Kotahi overall response to the Plan; this has included drafting the submissions and providing evidence.
- 1.5. I have authority to give evidence on behalf of Waka Kotahi.

2. Expert Witness Practice Note

- 2.1. While I acknowledge that I am an employee of Waka Kotahi, I have read, and agree to comply with, the Code of Conduct for Expert Witnesses as required by the Environment Court's Practice Note 2014. In providing my evidence, all of the opinions provided are within my expertise and I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express.

3. Scope of Evidence

- 3.1. This evidence focuses on the parts of the Waka Kotahi submission on the Rural, Subdivision and Special Purpose Zone (Future Urban Zone) Chapters of the Proposed Porirua District Plan (Hearing 05).
- 3.2. My responses to the Officer's recommendations are set out paragraph 4.1 below and in the table in Attachment A. I agree with all of the Officer's recommendations. I note that in relation to the section 4 below, the amendments I seek to the matters within the Transport Network heading of Appendix 11- Structure Plan Guidance are based on the evidence of Ms Black (corporate evidence) in relation to the Judgeford Hills area.

4. Judgeford Hills: Appendix 11- Structure Plan Guidance

- 4.1 Ms Black within her evidence [paragraph 7.6] states that "*The structure plan needs to clearly identify the transport system requirements needed to enable the development, and address any potential effects of urbanisation of the development on the wider transport network. This*

is required to align with the strategic and policy direction that guides Waka Kotahi, which I have detailed throughout my evidence. In order to include this information in the structure plan an integrated transportation assessment would be required as part of the structure plan process.” As such, I propose the following amendment to APP11 ‘Transport networks’:

6. “In relation to the Judgeford Hills area, provision of an integrated transport assessment that addresses points 1 to 5 above, including any intersection capacity assessments which reflect the scale of development.”

- 4.3 In addition to the above, I note that the Transport Chapter provision, TR-R5, requires an Integrated Transport Assessment for activities that do not comply with Table 7- Trip generation. Specifically, an ITA is required for residential activities that contain more than 60 units. It is therefore considered appropriate that there is a comparable provision that requires an ITA within the Structure Plan criteria. As such, I consider the above addition to APP11 ‘Transport Network’ appropriate.

5. Conclusion

- 5.1 I support the rezoning of the Judgeford Hills area to Future Urban provided that the PPDP identifies that more work is required to determine how adequate transportation connections will be put in place, through requiring an ITA within the structure planning process. This can be appropriately addressed by implementing the amendment suggested in paragraph 4.1 of my evidence.



Claudia Jones

Planner

Waka Kotahi NZ Transport Agency

APPENDIX ONE: TABLE ONE
Summary of the Waka Kotahi position in regard to the Reporting Officers recommendations.
Proposed Porirua District Plan Hearing 5.

Submission Point	Waka Kotahi Submission	Officer's Recommendation	My Response
82.140	<p>SUB-S1</p> <p>Amend the minimum allotment size of the rural lifestyle zone to 5ha.</p>	<p>Reject</p> <p><i>The requested increase in the minimum allotment size in the Rural Lifestyle Zone is not appropriate as it would significantly constrain the availability of lifestyle living environments in the future, while also not providing any significant benefits in terms of transport network safety and efficiency, or the area's amenity and character values.</i></p>	<p>I agree with the Reporting Officer's recommendation. Waka Kotahi originally opposed the minimum lot size as it is considered that it would encourage ribbon development on the transport network. However, given the location of the rural lifestyle zone in relation to the state highway network, I accept the Reporting Officer's rationale for rejecting the Waka Kotahi submission.</p>
82.133	<p>SUB-O4</p> <p>For reasons outlined in Waka Kotahi submission on the Future Urban Zones, Waka Kotahi does not support the proposed Future Urban Zoning of the Judgeford Hills. It is requested that reference to 'Judgeford Hills' is removed from this objective.</p>	<p>Reject</p> <p><i>The wider submissions from Waka Kotahi [82.133] are also assessed in the section 42A report for the FUZ - Future Urban Zone. That report recommends that Judgeford Hills remains zoned Future Urban as proposed in the PDP. Consequently, the reference to Judgeford Hills in SUB-O4 should not be removed.</i></p>	<p>I agree with the Reporting Officer's recommendation. Waka Kotahi does not oppose the rezoning of Judgeford Hills, on the basis that changes are made to APP11 (structure plan) to provide for an Integrated Transport Assessment which addresses points 1-5 under APP11- 'Transport Network'. This issue is addressed in the evidence of Ms Black for Waka Kotahi which I have reviewed and agree with, as well as my evidence.</p>
82.131	<p>SUB-O1</p> <p>Waka Kotahi supports the objective as it ensures that the safety and efficiency of the transport network is maintained as a result of subdivision. Waka Kotahi however consider that subdivision should create allotments where it can be demonstrated that it can connect to a transport network with sufficient capacity. Subdivision can adversely affect the safe functioning and operation of the transport</p>	<p>Reject</p> <p><i>The reasons for the additional clause sought by Waka Kotahi [82.131] includes stating that, 'subdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity to cater for additional allotments'. The objective already includes the clause maintain the safety and efficiency of the transport network'. While the additional clause sought</i></p>	<p>I agree with the Reporting Officer's recommendation and that the additional clause is unnecessary. In addition, I consider that the Infrastructure Chapter appropriately addresses adverse effects on Regionally Significant Infrastructure.</p>

	network if there is not enough capacity to cater for additional allotments. It is important that this is recognised in the objective framework.	<i>includes a greater emphasis on the capacity of the transport network being sufficient, it would seem to be superfluous where the effects of connection of new development to a network which lacks sufficient capacity would relate to the safety of the network, as this is already addressed by the existing clause. Therefore, I do not consider that this amendment is necessary.</i>	
82.134	<p>SUB-P1</p> <p>Waka Kotahi supports this policy as it provides for subdivision that ensures the safe operation, maintenance and access to Regionally Significant Infrastructure, taking into account the outcome of consultation with the Regionally Significant Infrastructure owner. However, the policy only ensures the safe operation, maintenance and access to Regionally Significant Infrastructure from subdivision allotments where it is located on or adjacent the site. Subdivisions located off side roads are putting pressure on state highway intersections resulting in adverse effects upon the safety and efficiency of the state highway network. Waka Kotahi considers that the policy requires amendment to ensure the safe operation, maintenance and access to any Regionally Significant Infrastructure on, adjacent or <u>located near a site.</u></p>	<p>Reject</p> <p><i>In relation to the amendment sought by Waka Kotahi [82.134], I note that the use of the term 'adjacent' was considered in the Right of Reply for Hearing Stream 4 which stated the understanding of its meaning being close to, but not necessarily adjoining another site. In relation to this, the Quality Planning website states that:</i></p> <p><i>"The term adjacent has a common meaning which is "close to, but not necessarily adjoining another site".</i></p> <p><i>The term adjacent has also been defined by the Courts as lying near or close; adjoining; continuous; bordering; not necessarily touching".</i></p> <p><i>As such, I consider the additional wording sought by Waka Kotahi [82.134] is not necessary, as the term 'adjacent' encompasses the intended meaning sought by the submitter.</i></p>	I agree with the Reporting Officer's recommendation, specifically that the additional wording is not necessary.
82.136	<p>SUB-P4</p>	<p>Accept in Part</p> <p><i>Taking into consideration the direction from these higher order objectives and policies,</i></p>	<p>I agree with the Reporting Officer's recommendation for the following reasons:</p> <ul style="list-style-type: none"> • Porirua City Council has a development contributions policy which has been

	<p>Waka Kotahi supports this policy as it provides for subdivision where it maintains the safe and efficient functioning of the transport network. Waka Kotahi however considers that the policy does not address the need for developers to contribute to the cost of infrastructure upgrades that are a result of growth.</p> <p>Growth as a result of subdivision is putting pressure on state highway intersections resulting in Waka Kotahi bearing the cost of intersection upgrades. It is considered that this issue needs to be acknowledged within this policy to ensure that the safe and efficient operation, maintenance and repair of regionally significant infrastructure is not compromised by subdivision.</p> <p>Subdivision can adversely affect the safe functioning and operation of the transport network if there is not enough capacity to cater for future subdivision. The policy currently drafted does not recognise that a transport network with sufficient capacity is required in order to achieve safe access onto the state highway network from subdivision. It is important that this is recognised in the objective framework.</p> <p>The terminology used for SUB-P4.2 is inadequate in ensuring transport network connections within and between communities. The term “where opportunities exist” suggest that transport network connections within and between communities will only be established for</p>	<p><i>and the recent RLTP, I agree with the submitter that the wording of clause two of SUB-P4 should be strengthened, as providing for connectivity throughout the transport network is a clear priority.</i></p> <p><i>Currently the policy does not provide a clear requirement, or provide guidance on how it should be implemented. As such, I consider that removing the phrase ‘[w]here opportunities exist’ and amending this to state ‘where new roads are proposed’ is appropriate. This will provide greater clarity as to the scale of development to which the policy clause will apply, and integrate with the recommended amendments to the INF – Infrastructure chapter through the section 42A report relating to no-exit roads and associated pedestrian and cycling connections.</i></p> <p><i>Similarly, I also consider that removing the phrase ‘[w]here consistent with the zone’, sought by Waka Kotahi [82.136], is also appropriate. This clause assists in giving effect to Policy 57 clauses (c) and (d) of the RPS and relates to a number of the objectives and policies in the RLTP. The modal mix and level of provision for different travel modes may differ throughout the City and zone area; however, providing for a variety of travel modes in itself is not dependent on the zone. Additionally, the clause also includes the phrase ‘reflect the purpose, character and amenity values of the zone’, and as such the preface that providing for a variety of travel modes that is ‘consistent with the zone’ is superfluous.</i></p>	<p>developed in accordance with the Local Government Act 2002. Therefore, I consider that development contributions are appropriately addressed elsewhere and are not required within the PDP.</p> <ul style="list-style-type: none"> • The amendments recommended by the Reporting Officer on SUB-P4 Clause 2 align with the Waka Kotahi submission.
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	<p>some subdivisions rather than all. Waka Kotahi consider that transport network connections should be required by all subdivisions. Stronger wording is required within the policy to reflect this. The terminology used for used for SUB-P4.3 is also considered inadequate as it suggests that if subdivision is provided where it is not consistent with the zone, then that subdivision may be exempt from providing a variety of travel modes as per the policy. Alternative wording is required to ensure that all subdivision is required to provide a variety of travels modes.</p>	<p><i>The discussion on the submission from Waka Kotahi [82.131] on SUB-O1 in section 3.8.1 above is also relevant to the requested amendment to clause four sought by Waka Kotahi [82.136], relating to sufficient capacity of the state highway network. Similarly, I consider that where a proposed development seeking access to the state highway network would exceed the operational capacity of the road, this would have safety and efficiency effects, and therefore these aspects would already be covered by the current wording of the policy. However, I agree that it would be beneficial for the policy to provide additional guidance in respect to the matters that will need to be considered, including the capacity of the road. A such, I consider that it would be appropriate to include additional wording stating that the capacity of the network should be taken into account.</i></p> <p><i>I do not consider it appropriate to include an additional clause relating to funding of infrastructure upgrades required as a result of subdivision and development, as sought by Waka Kotahi [82.136]. The requirement for and timing of upgrades to existing infrastructure is a complex matter. It is often the cumulative effects of dispersed activities that may result in the need for upgrades to occur to provide additional capacity, and therefore there may not be the ability to identify an individual development as the reason for a necessary upgrade. The zoning pattern included in the PDP was based on the Growth Strategy 2048, and technical assessments of the roading network which took into account the capacity of the network.</i></p>	
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82.139	<p>SUB-R3 Waka Kotahi supports the activity status for each zone dependent on the matters to which compliance is achieved with. However, the drafting of this provision could be made clearer, as it is unclear to what activity status applies to which zone.</p> <p>For example, it states that a restricted discretionary activity status applies to all zones under SUB-R3.2 where compliance is not achieved with the matters listed. And then under SUB.R3.3 it refers to a restricted discretionary activity status for just Residential and Maori Purpose (Hongoeka) Zones.</p>	<p>Reject</p> <p><i>In relation to the submission from Waka Kotahi [82.139], I do not consider that any amendments are required to clarify the rule. The example provided by Waka Kotahi does not represent an error in the rule formulation. This is because SUB-R3-2 relates to subdivision in any zone where compliance is not achieved with SUB-S2, SUB-S3, SUB-S4, SUB-S5 SUB-S6 or SUB-S7. SUB-R3-3, in contrast, relates to non-compliance with SUB-S1 (minimum allotment size) in the Residential Zones and Māori Purpose Zone (Hongoeka). Non-compliance with SUB-S1 in other zones is addressed by SUB-R3-4, 6, 7 and 8.</i></p>	I have reviewed the rules and I agree with the Reporting Officer's recommendation.
82.132	<p>SUB-O2</p> <p>Retain as notified.</p>	<p>Accept in Part</p> <p><i>Accept in part, subject to amendments made in response to other submissions.</i></p>	It is noted that there are submissions by Wellington Electricity Lines Limited (85.34) and Porirua City Council (11.57) that seek to amend the objective. It is understood that these submission points will be considered through the development of the NPS-UD variation. Waka Kotahi has a continued interest in this objective

			as it may impact the integration of the land and transport network. Therefore, it is understood that Waka Kotahi will have the opportunity to comment on any amendments at a later date, once the variation is notified.
82.135	SUB-P2 Retain as notified.	Accept <i>There are no submissions opposing or seeking amendments to this policy.</i>	I agree with the Reporting Officer's recommendation.
82.137	SUB-P7 Waka Kotahi supports this policy as it avoids subdivision that will compromise the efficiency and effective operation of the transport network, as well as reverse sensitivity effects. Waka Kotahi however considers that the policy does not encompass Waka Kotahi Road to Zero safe system approach. Safety is a fundamental component of a good transport network. It is important that this is recognised in the policy framework.	Accept <i>The requested amendment is consistent with strategic direction UFD-O3, objective INF-O3, INF-P13-2 and INF-P14.</i>	I agree with the Reporting Officer's recommendation as the amendment recognises the Waka Kotahi Road to Zero safe system approach. In addition, the amendment is consistent with other objectives and policies within the proposed plan.
82.138	SUB- P11 Retain as notified.	Accept in Part <i>Accept in part, subject to amendments made in response to other submissions.</i>	I agree with the Reporting Officer's recommendation. I consider that the amendments made in response to other submissions do not change the intent of the policy, which appropriately addresses the creation of allotments for the purposes of infrastructure.
82.141	SUB-S2 Retain as notified.	Accept in part <i>Accept in part, subject to amendments made in response to other submissions</i>	I agree with the Reporting Officer's recommendation. I consider that the amendments made in response to other submissions do not change the intent of the provision, in particular, the requirement for new allotments to have access to a formed road in accordance with the relevant transport provisions.

82.142	<p>SUB-S3</p> <p>Retain as notified.</p>	<p>Accept in part</p> <p><i>Accept in part, subject to amendments made in response to other submissions</i></p>	<p>I agree with the Reporting Officer's recommendation. I consider that the amendments made in response to other submissions do not change the intent of the policy, which appropriately addresses the creation of allotments for the purposes of infrastructure.</p>
82.254 and 82.267	<p>GRUZ-R9 and RLZ-R7</p> <p>Waka Kotahi understands that in certain circumstances it may be appropriate to have a second residential unit.</p> <p>However, Waka Kotahi does not consider that secondary residential units should be permitted where access is gained from state highways as this does not allow for consideration of traffic effects associated with the dwellings. There are a number of locations where intensification of the use of accesses may have adverse safety implications.</p>	<p>Reject</p> <p><i>The scale of minor residential units is limited to 60m² off a shared driveway.</i></p> <p><i>I consider that with these permitted activity thresholds, the economic and social benefits of providing for home-based business and minor residential units outweigh what would be an imperceptible impact on the capacity of state highways. The safety of the state highway network should not be compromised provided the vehicle crossing was legally constructed to district plan standards.</i></p>	<p>I agree with the Reporting Officer's recommendation. The safety and efficiency of the state highway network should not be compromised provided the vehicle crossing is constructed in accordance with the district plan standards.</p>
82.257	<p>GRUZ-R11</p> <p>Waka Kotahi understands that in certain circumstances it may be appropriate to provide for visitor accommodation.</p> <p>However, Waka Kotahi does not consider that visitor accommodation should be permitted where access is gained from state highways as this does not allow for consideration of traffic effects associated with this activity. In addition, there are a number of locations where intensification of the use of accesses may have adverse safety implications.</p>	<p>Reject</p> <p><i>The scale of the visitor accommodation is limited by the permitted activity threshold of a maximum number of 10 people per night within residential units, minor residential units or accessory buildings. The activity is also intermittent in nature.</i></p>	<p>I agree with the Reporting Officer's recommendation. Visitor accommodation is intermittent in nature and as such, access onto the state highway will be irregular. However, it is noted that within peak holiday periods, the number of vehicle movements associated with visitor accommodation will become more frequent. The traffic volume on the transport network within this time period will also increase. However, Rule TR-R5 appropriately addresses trip generation rates in conjunction with TR-Table 7 within the Transport Chapter.</p>

<p>82.268</p>	<p>RLZ-R10</p> <p>Waka Kotahi supports a restricted discretionary activity status for any home business that do not comply with the permitted activity status. Waka Kotahi however considers that the matters to which Council's discretion is restricted to does not address adverse effects upon the safe, effective and efficient operation of the transport network.</p> <p>Waka Kotahi seek that the submission point on RLZ-P4 should be adopted to ensure that the safe, effective and efficient operation of the transport network is not compromised as a result of a non-compliance with RLZR10.2, specially, the number of staff members who live off-site.</p>	<p>Reject</p> <p><i>I do not consider that RLZ-P4 needs to be amended to include an additional criterion related to the transport network. This is addressed in more detail in section 3.11.3 of the Infrastructure Section 42A Report, which I agree with. Mr Smeaton considers that no changes to RLZ-P4 are necessary "as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF- Infrastructure and TR – Transport chapters". The Infrastructure Chapter requires different standards for vehicle crossings based on vehicle movements under INF-R23, and the Transport Chapter addresses high trip generating activities under TR-R5. INF-P14 and TR-P1 provide policy guidance as a matter of discretion for noncompliance with these rules which addresses the effects on the transport network.</i></p>	<p>I agree with the Reporting Officer's Recommendation and that the Infrastructure and Transport Chapter already addresses the safety and efficiency of the transport network. Therefore, changes to RLZ-P4 are unnecessary.</p>
<p>82.250</p>	<p>GRUZ-P3</p> <p>Waka Kotahi understands that in some instances homebased commercial activities might be appropriate, however Waka Kotahi seeks for this policy to consider providing for these only where they do not adversely affect the Transport network.</p>	<p>Reject</p> <p><i>I consider that the amendments sought by the submitter to GRUZ-P3 are not necessary, as they would duplicate GRUZ-P7-2 which would be applied if the relevant rules for these activities are breached. I consider that GRUZ-P7-2 provides sufficient policy guidance, subject to amendments recommended in relation to other relief sought by the submitter.</i></p> <p><i>I also note that INF-P14 also provides policy guidance where rules/standards are breached for high trip generating activities or vehicle crossings.</i></p>	<p>I agree with the Reporting Officer's Recommendation and that the proposed changes would duplicate GRUZ-P7-2 meaning the changes are unnecessary.</p>

<p>82.258, 82.259, 82.260, 82.261</p>	<p>GRUZ-R17, GRUZ-R18, GRUZ-R19 and GRUZ-R20</p> <p>Waka Kotahi supports a restricted discretionary status for each activity and the matters to which Council's discretion is restricted to. Waka Kotahi however considers that the matters to which Council's discretion is restricted to does not address adverse effects upon the safe, effective and efficient operation of the transport network.</p> <p>Waka Kotahi seek that the submission points on GRUZ-P4 and GRUZ-P5 should be adopted; and section GRUZ-P7 should be included to ensure that the safe, effective and efficient operation of the transport network is not compromised as a result of the activity</p>	<p>Reject</p> <p><i>The relief sought referenced by the submitter to GRUZ-P4 and GRUZ-P5 is addressed in more detail in section 3.11.3 of the Infrastructure Section 42A Report. The submitter seeks that these provisions be amended to include an additional criterion related to the transport network. I agree with the recommended response in the Infrastructure Section 42A Report that no changes to these policies are necessary "as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF-Infrastructure and TR – Transport chapters".</i></p> <p><i>Further, as discussed in section 3.7 of this report, the Infrastructure Chapter requires different standards for vehicle crossings based on vehicle movements under INF-R23, and the Transport Chapter addresses high trip generating activities under TR-R5. INF-P14 and TR-P1 provide policy guidance as a matter of discretion for non-compliance with these rules which addresses the effects on the transport network.</i></p> <p><i>I therefore do not consider that GRUZ-P7 needs to be referenced as a matter of discretion to provide policy guidance on effects on the transport network for these restricted discretionary activity rules.</i></p>	<p>I agree with the Reporting Officer's Recommendation. These changes are not necessary as the safety and efficiency of the transport network is already addressed by relevant objectives and policies in the INF-Infrastructure and TR – Transport chapters.</p>
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82.255	<p>GRUZ-R10</p> <p>Retain as notified.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer's Recommendation.</p>
82.256	<p>GRUZ-R10</p> <p>Retain as notified.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer's Recommendation.</p>
82.269	<p>RLZ-R11</p> <p>Waka Kotahi understands that in certain circumstances it may be appropriate to provide for visitor accommodation.</p> <p>However, Waka Kotahi does not consider that visitor accommodation should be permitted where access is gained from state highways as this does not allow for consideration of traffic effects associated with this activity. In addition, there are a number of locations where intensification of the use of accesses may have adverse safety implications.</p>	<p>Reject</p> <p><i>The scale of the visitor accommodation is limited by the permitted activity threshold of a maximum number of 10 people per night within residential units, minor residential units or accessory buildings. The activity is also intermittent in nature.</i></p>	<p>I agree with the Reporting Officer's Recommendation. Visitor accommodation is intermittent in nature and as such, access onto the state highway will be irregular. However, it is noted that within peak holiday periods, the number of vehicle movements associated with visitor accommodation will become more frequent. The traffic volume on the transport network within this time period will also increase. However, Rule TR-R5 appropriately addresses trip generation rates in conjunction with TR-Table 7 within the Transport Chapter.</p>

82.253	<p>GRUZ-P7</p> <p>Waka Kotahi supports the intent of this policy; however, it is considered that matter 2. should be amended to read “transport network” which is broader than the term “road network”.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer’s Recommendation.</p>
82.262	<p>GRUZ-S7</p> <p>Waka Kotahi supports the intent of the standard; however, considers that adequate consideration has not been provided for transport network user safety at entrances. Waka Kotahi seeks the addition of a standard and matter of discretion to this section specifying that at site egress visibility splays and sightlines must be maintained per the Infrastructure Chapter.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer’s Recommendation.</p>
82.270	<p>RLZ-S7</p> <p>Waka Kotahi supports the intent of the standard; however, considers that adequate consideration has not been provided for transport network user safety at entrances. Waka Kotahi seeks the addition of a standard and matter of discretion to this section specifying that at site egress visibility splays and sightlines must be maintained per the Infrastructure Chapter.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer’s Recommendation.</p>

<p>FS36.20</p>	<p>Judgeford Heights (200.1)- Planning Maps: Amend zoning at 346A, 346C & 352 Paremata Haywards Road, Judgeford from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone.</p> <p>Waka Kotahi oppose the rezoning of 346A, 346C & 352 Paremata Haywards Road, Judgeford from General Rural Zone to Future Urban Zone and Rural Lifestyle Zone.</p> <p>Any rezoning of land which enables more development than currently provided for must ensure that adverse effects (for example, on the transport network) including cumulative effects, are identified and addressed. The effects upon surrounding transport infrastructure of this rezoning have not been addressed.</p>	<p>Council response to submission point 200.1 by Judgeford Heights Limited (changes to Future Urban Zone):</p> <p>Accept</p> <p><i>I have considered the boundary for the FUZ – Future Urban Zone sought by the submitter and assessed its appropriateness in respect to the topography and land features on the site. I have had to do so on the basis of a desktop exercise and by viewing the site from the road, as I was unable to access the site before the hearing due to Covid restrictions. In my opinion, the boundary for the FUZ – Future Urban Zone should be as set out as in my recommendations below, taking into account the area requested by the submitter and the topography of the site which begins to rise more steeply beyond the area requested to be rezoned. Overall, I recommend that this submission be accepted.</i></p> <p>Council response to submission point 200.1 by Judgeford Heights Limited (changes to Rural Lifestyle Zone)</p> <p>Reject</p> <p><i>In my view, this site is not suitable for rezoning to RLZ due to roading constraints. Waka Kotahi opposes the rezoning, and the submitter has not provided detail on how access to the State Highway will be achieved.</i></p>	<p>Regarding the s42A Reporting Officer’s response on the changes to the Future Urban Zone, I agree with the recommendation. It is noted that the inclusion of this land would not result in a greater area of land being zoned Future Urban should the Hearing Panel agree with the Reporting Officer’s recommendation to remove other land from the Future Urban Zone as a result of other submissions. However, should the Hearing Panel disagree with the removal of other land from the Future Urban Zone resulting in a larger area of land being developable, this land is identified as a future employment area within the Porirua Growth Strategy and will be subject to a structure plan process. Therefore, I am satisfied that access related matters will be addressed appropriately as per the Future Urban Zone provisions.</p> <p>Regarding the s42A Reporting Officer’s response on the Rural Lifestyle Zoning, I agree with the recommendation as it aligns with the Waka Kotahi further submission.</p>
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82.275	<p>FUZ-P2</p> <p>Retain as notified.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer's Recommendation.</p>
82.273	<p>FUZ-O3</p> <p>Waka Kotahi supports this policy, specifically that it ensures that use and development within the Future Urban Zone does not result in the efficient and effective operation of the Transport Network being compromised.</p> <p>However, Waka Kotahi considers that the policy needs to be amended to ensure that the safe and efficient operation of the Transport Network is not compromised. This is in line with the Porirua Growth Strategy and the Waka Kotahi Road to Zero which adopts a safe system approach.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer's Recommendation.</p>
82.277	<p>FUZ-P5</p> <p>Waka Kotahi supports the intent of the policy but considers that potentially incompatible activities should demonstrate that the activity will not adversely affect the safety and efficiency of the transport network.</p>	<p>Reject</p> <p><i>I do not agree that this clause is required. This policy is focussed on managing activities that may compromise the future urban development potential of land, and therefore the inclusion of impact on the transport network is unnecessary. Any development would still be subject to the policies and rules in the GRUZ – General Rural Zone and TRAN - Transport chapters which address the submitter's concern.</i></p>	<p>I agree with the Reporting Officer's recommendation. Specifically, that the safety and efficiency of the state highway network is addressed and provided for within other chapters of the proposed plan.</p>

82.290	<p>Amend Appendix 11- Future Urban Zone Guidance</p> <p>Waka Kotahi supports the Future Urban Zone Structure Plan Guidance contained within Appendix 11. Waka Kotahi specifically support the matters which are to be investigated and addressed under Transport Network and Infrastructure. Waka Kotahi however consider that amendment is required to point 1 under Urban Growth. Point 1 requires a structure plan to investigate and address the future supply and projected demand for residential and business land. Waka Kotahi seek that this point be amended to include industrial land. The intended use of 'Judgeford Flats' is anticipated to be industrial (as identified in FUZ-P3) and as such, should also be required to investigate future supply and projected demand in the structure plan areas, to achieve an appropriate capacity to meet the requirements of the National Policy Statement for Urban Development 2020.</p>	<p>Reject</p> <p><i>In terms of Waka Kotahi's submission, I do not agree that industrial needs to be inserted. The definition of business land in the NPSUD includes industrial land, as follows:</i></p> <p><i>business land means land that is zoned, or identified in an FDS or similar strategy or plan, for business uses in urban environments, including but not limited to land in the following:</i></p> <ul style="list-style-type: none"> <i>(a) any industrial zone</i> <i>(b) the commercial zone</i> <i>(c) the large format retail zone</i> <i>(d) any centre zone, to the extent it allows business uses</i> <i>(e) the mixed use zone, to the extent it allows business uses</i> <i>(f) any special purpose zone, to the extent it allows business uses</i> 	<p>I agree with the Reporting Officer's recommendation as the NPS-UD definition includes industrial land.</p>

82.34	<p>UFD-O4</p> <p>Retain as notified.</p>	<p>Accept</p> <p><i>Agree with submitter.</i></p>	<p>I agree with the Reporting Officer's recommendation.</p>
82.300, 82.292, 82.272, 82.271, 82.276	<p>For reason outlined within the Waka Kotahi submission, delete reference to 'Judgeford Hills' within the following provisions:</p> <p>HO-O3 FUZ-O1 FUZ-P3</p>	<p>Reject</p> <p><i>FUZ-P1 sets out the criteria for identifying areas for future urban development as the Future Urban Zone. There are two ways land can be zoned as Future Urban Zone. The first is that it is consistent with the Growth Strategy and meets relevant criteria in respect to any Overlays on the land. The second is where the land is of a size, scale and location that could accommodate future development.</i></p> <p><i>Judgeford Hills sits in the first category. That is, it is identified in the Growth Strategy as a new residential area in the medium term. There is no obligation under FUZ-P1-1 for the Judgeford Hills FUZ to be accessible from existing and planned infrastructure and create a compact urban form because of its inclusion in the Growth Strategy as a growth area. I note that the submitter did not seek to amend the identification criteria under FUZ-P1-1.</i></p> <p><i>I also note the history of this site, which is detailed in the Future Urban Zone s32 evaluation report. It is zoned Judgeford Hills in the Operative District Plan and was</i></p>	<p>I agree with the Reporting Officer's recommendation. Waka Kotahi does not oppose the rezoning of Judgeford Hills, on the basis that changes are made to APP11 (structure plan) to provide an Integrated Transport Assessment which addresses points 1-5 under APP11- 'Transport Network'. This issue is addressed in the evidence of Ms Black for Waka Kotahi which I have reviewed and agree with, as well as my evidence.</p>

		<p><i>introduced through a private plan change, made operative 5 December 2008 prior to the designation of Transmission Gully. It has an accompanying structure plan. The development of the site under the Judgeford Hills Zone relies on access from Bradey Road and provides for five clusters of dwellings, each with a maximum overall limit of 43 dwellings.</i></p> <p><i>In my opinion, the submitter's concerns will largely be addressed through the requirements for any rezoning for urban development, as set under FUZ-P2. In particular, development will only be able to occur when a comprehensive structure plan has been developed in accordance with Appendix 11 and it has been rezoned as a Development Area.</i></p> <p><i>Waka Kotahi would be a key stakeholder in the development of any structure plan and through a plan change process. Finally, I note that it is not surprising there is no public transport available as the land has not yet been developed. Public transport connectivity would be considered as part of a structure plan process.</i></p>	
FS36.22	<p>John Carrad (231.30): FUZ – General-Deletion of Future Urban Zone from the District Plan and providing for the subject site as General Residential Zone or adopting the land as ‘The Wairaka Precinct’ and providing specific provisions.</p> <p>Waka Kotahi generally supports the intent of the Future Urban Zone in that it enables urban development in appropriate</p>	<p><i>Council response to submission point 231.30 by John Carrad (Deletion of Future Urban Zone):</i></p> <p><i>Reject</i></p> <p><i>The submitter has not provided rationale for the rezoning to General Residential Zone, and its appropriateness;</i></p>	<p>I agree with the Reporting Officer's recommendation. The submission lacks key information, particularly in relation to infrastructure. I also agree that the submission does not fully address the matters set out in Appendix 11. Therefore, the Future Urban zoning of the subject site should remain until such time that an appropriate structure plan has been developed in accordance with the relevant provisions under the Future Urban Zone Chapter.</p>

	<p>locations in accordance with the structure plan process.</p> <p>The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multimodal options (including travel planning), accessibility and connections to the Transport Network are aptly identified. Waka Kotahi require these matters to be assessed prior to any urban development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan.</p> <p>As such, Waka Kotahi seeks the Future Urban Zone is retained as drafted for this subject site.</p>	<p><i>The submission lacks key information, particularly in relation to infrastructure, yield and staging;</i></p> <p><i>The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;</i></p> <p><i>There is no evaluation of the appropriateness of the General Residential Zone provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary;</i></p> <p><i>The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW; and Not all the matters contained in Appendix 11 have been addressed.</i></p> <p><i>The submission did not fully address the matters set out in Appendix 11 or FUZ-P2, I have been unable to undertake an evaluation of the appropriateness of the decision sought. I concur with Waka Kotahi's further submission in this regard.</i></p>	
<p>FS36.23 and FS36.24</p>	<p>The Neil Group Limited and Gray Family (241.21 and 241.2): Rezoning, Spatial layer method- Deletion of Future Urban Zone from the District Plan and providing for the subject site as General Residential Zone or adopting the land as 'The Kakaho Precinct' and providing specific provisions.</p> <p>Waka Kotahi generally supports the intent of the Future Urban Zone in that it enables urban development in appropriate</p>	<p>Council response to submission point 241.21 and 241.2 by the Neil Group Limited and Gray Family:</p> <p>Reject</p> <p><i>It is unclear what the submitter is fully seeking in terms of zoning;</i></p> <p><i>What has been provided is more akin to a scheme plan for a subdivision than a structure plan;</i></p>	<p>I agree with the Reporting Officer's recommendation. The submission does not fully address the matters set out in Appendix 11. Therefore, the Future Urban zoning of the subject site should remain until such time that an appropriate structure plan has been developed in accordance with the relevant provisions under the Future Urban Zone Chapter.</p>

	<p>locations in accordance with the structure plan process.</p> <p>The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multimodal options (including travel planning), accessibility and connections to the Transport Network are aptly identified.</p> <p>Waka Kotahi require these matters to be assessed prior to any urban development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan.</p>	<p><i>Only a portion of the site is zoned Future Urban. There is no evaluation as to the demand for housing to rezone that part of the site zoned Rural Lifestyle to Residential;</i></p> <p><i>The Structure Plan itself is inconsistent with applying a blanket GRZ General Residential Zone and SETZ Settlement Zone; as it shows large block residential and general density housing. No evaluation of why the GRZ or SETZ is sought or an evaluation of their appropriateness. The information provided also refers to the use of Medium Density and Rural Residential zoning (which is not a zone included in the National Planning Standards);</i></p> <p><i>The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;</i></p> <p><i>There is no evaluation of the appropriateness of the PDP provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary. I note that the landscape and visual assessment contains a series of recommendations in respect to provisions, but there are no proposed provisions included;</i></p> <p><i>The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW;</i></p> <p><i>There are inconsistencies in the material provided, in terms of the zoning sought, etc; and</i></p>	
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FS36.25	<p>Pukerua Property Group Limited (242.12): FUZ-General: Deletion of Future Urban Zone from the District Plan and providing for the subject site as General Residential Zone or adopting the land as 'The Mt Welcome Precinct' and providing specific provisions.</p> <p>Waka Kotahi generally supports the intent of the Future Urban Zone in that it enables urban development in appropriate locations in accordance with the structure plan process.</p> <p>The use of Future Urban Zones and the associated structure plan process provides for an appropriate method to ensure that adverse effects on the transport network, including cumulative effects, are identified and addressed. Additionally, this process ensures multimodal options (including travel planning), accessibility and connections to the Transport Network are aptly identified.</p> <p>Waka Kotahi require these matters to be assessed prior to any urban</p>	<p>Council response to submission point 242.12 by the Pukerua Property Group Limited:</p> <p>Reject</p> <p><i>The submitter has not provided rationale for the rezoning to General Residential Zone, and its appropriateness;</i></p> <p><i>The submission lacks key information, particularly in relation to infrastructure, yield and staging;</i></p> <p><i>The use of a Precinct is inconsistent with FUZ-P2-2 and the National Planning Standards, which rather require the use of Development Areas in this instance;</i></p> <p><i>There is no evaluation of the appropriateness of the General Residential Zone provisions to support the indicative structure plan provided and whether any bespoke provisions are necessary;</i></p> <p><i>The ecology assessment is now out of date and would need to be updated in accordance with the NPS-FM and NES-FW; and</i></p>	<p>I agree with the Reporting Officer's recommendation. The submission does not fully address the matters set out in Appendix 11. Therefore, the Future Urban zoning of the subject site should remain until such time that an appropriate structure plan has been developed in accordance with the relevant provisions under the Future Urban Zone Chapter.</p>

	<p>development being proposed to ensure that development is appropriate for the site, and that there is funding available in order to implement the structure plan.</p>	<p><i>Not all the matters contained in Appendix 11 have been addressed.</i></p> <p><i>Given that the submission did not fully address the matters set out in Appendix 11 or FUZ-P2, I have been unable to undertake an evaluation of the appropriateness of the decision sought. I concur with Waka Kotahi's further submission in this regard.</i></p>	
FS36.12	<p>1010 Homes Limited (125.2): FUZ-P2-Removal of Clause 2.</p> <p>Waka Kotahi does not support the removal of Clause 2. We support the Council process of rezoning as a Development Area prior to development. This ensures plans for access onto the state highway network are well managed, as well as identifying multi-modal options (including travel planning), accessibility and connections to the Transport Network. These matters would need to be assessed prior to any urban development being proposed to ensure that the Future Urban Zoning is appropriate for the site.</p> <p>Noting Waka Kotahi have opposed the FUZ zoning of this location in its submission.</p>	<p>Council response to submission point 125.2 by 1010 Homes Limited:</p> <p>Reject</p> <p><i>In respect of 1010 Home's submission, I do not share their concerns about a delay. There are two ways rezoning could occur; through a Council-initiated plan change or variation or through a private plan change. Council-initiated plan changes or variations can occur at any time, with which one applying depending on the status of the Plan being changed.</i></p> <p><i>Part 2 of Schedule 1 sets out specific requirements in respect to private plan changes. I am unclear why the submitter has referred to Clause 21 as this does not set out any specific matters that may restrict consideration of a private plan change request. However, Clause 25(4) of Schedule 1 sets out the grounds where a council may reject a request for a private plan change.</i></p> <p><i>These are not automatic exclusions, but rather matters to be considered in making a decision. Clause 25(4)(e) states "in the case</i></p>	<p>I agree with the Reporting Officer's recommendation. As stated within the Waka Kotahi submission, the requirement for a site to be rezoned as a Development Area prior to development will ensure plans for access onto the state highway network are well managed. Therefore, I do not support the deletion of clause 2 from FUZ-P2.</p>

		<p><i>of a proposed change to a policy statement or plan, the policy statement or plan has been operative for less than 2 years". There would be nothing preventing someone requesting a private plan change immediately after the PDP was made operative. The date of when the PDP becomes operative is, however, uncertain at this point in time and I accept that there will be a delay before a private plan change request could be sought.</i></p>	
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