

NELSON CITY COUNCIL

Nelson Resource Management Plan

Plan Change 21

Parking and Related Changes

Decisions of Commissioners Addressing Submissions on the Plan Change

Part One:

Main Findings

Commissioners

David Mead (Chair)

Ian Barker

Gail Collingwood

Rachel Reese

Derek Shaw

Mike Ward

Date of hearing

16 August 2011



Decisions on Plan Change 21 – Car Parking

1. INTRODUCTION

- 1.1. We are appointed under Section 34a of the Resource Management Act 1991 (RMA) on behalf of Nelson City Council to consider submissions in relation to Plan Change 21 (PC 21) to the Nelson Resource Management Plan (“NRMP” or “the Plan”) and to make decisions as to whether these submissions should be accepted or rejected (in whole or in part) and, arising from them, what changes should be made to the provisions of the Plan Change.
- 1.2. This report (Part 1) sets out our main findings on the principal issues in contention, as raised in submissions. Part 2 (A) sets out our decision on each specific submission point while Part 2 (B) provides an amended version of the Plan Change.

2. Background

- 2.1. PC 21 is a council-initiated plan change. As notified, it alters the provisions of the NRMP relating to on-site car parking requirements, broadly as follows:
 - Introduction of a new city-wide policy to provide guidance as to when reductions of on-site parking requirements are appropriate;
 - Introduction of a restricted discretionary activity class for reductions of on-site car parking requirements of up to 10% in the Inner City, Residential, Suburban Commercial, Industrial, Open space, Recreation and Rural zones;
 - Modifications of on-site car parking requirements for specific activities (as set out in Appendix 10);
 - Introduction of maximum parking requirements for the Inner City (City Centre) zone; and
 - Removal of minimum on-site car parking provisions for part of the Inner City (Fringe) zone, being the block bounded by Collingwood/ Riverside / Malthouse / Harley and Hardy Streets.
- 2.2. The Plan Change also introduces control over urban design outcomes (the design and external appearance of buildings) within the Collingwood/ Riverside / Malthouse / Harley and Hardy Street block of the Inner City (Fringe) zone where on-site car parking is no longer to be mandatory. This is in anticipation of the removal of on-site car parking requirements sparking some redevelopment.
- 2.3. Changes to signs and outdoor advertising are also proposed to clarify that directional signage (often involving signs associated with car parks) does not need consent.
- 2.4. As background to the Plan Change, Nelson City Council completed the Heart of Nelson Strategy in 2009. This strategy signalled the need, over time, to expand the central city area to encompass the current Fringe zone so as to accommodate the growth and development of the CBD. At the same time, the strategy identified the need to adjust on-site car parking requirements from the point of view of enabling better design outcomes for individual sites, as well as managing the transport implications of a bigger and busier CBD. PC 21 takes forward part of this general strategy, in that it changes the

parking provisions on the eastern fringe of the CBD (but not the western side). Simultaneously, the council had undertaken other work which suggested the need to modify the car parking requirements of specific activities and the benefits of introducing more flexibility into the Plan in relation to the reduction of on-site car parking requirements in all zones. These two different strands of work were brought together into one plan change.

- 2.5. A significant change proposed by PC 21 relates to how reductions of on-site car parking are assessed. Currently the Plan requires that any reduction be considered as a discretionary activity. With no guidance in the policies of the Plan as to when, or in what circumstances a reduction might be appropriate, the current framework presents a relatively high hurdle for car parking reductions to be successful.
- 2.6. As an example, the Plan's current policies relating to car parking include policy DO10.1.6: 'Parking, Loading and Turning'. This policy states that "sites should provide on-site parking, loading, turning for vehicles, or have access to those facilities sufficient to avoid any adverse effects on the safe and efficient operation of the roading network". The environmental results anticipated from this policy is "lower growth in cars parked on roads". Somewhat contradictorily, the same section of the Plan also refers to the "environmental effects of vehicles being avoided or mitigated by minimising the number and length of vehicle trips" (district-wide policy DO10.1.1). Car pooling and greater walking, cycling and public transport use are listed as methods. It appears to us that the two policies are not connected in the Plan: a generous supply of parking on-site so as to avoid impacts on the functioning of the adjacent street does little to encourage use of alternative modes to access the activity. Thus, it is generally appropriate that the Plan's methods be modified to address this inconsistency.
- 2.7. The one quirk with the Plan's framework for car parking relates to Short Term Living Accommodation, where there are no permitted standards; with any car parking arrangement being addressed as a controlled activity. This particular provision is a subject that we address in this decision.

3. Hearing and Deliberations

- 3.1. PC 21 was publicly notified on 25 September 2010. Submissions closed on 3 December 2010, with 18 submissions received. A summary of the decisions requested was notified on 26 March 2011 and further submissions closed on 8 April 2011. Three further submissions were received.
- 3.2. As no submissions were received on the changes to signs and outdoor advertising, these provisions of the Plan Change are effectively operative.
- 3.3. A Hearing was conducted on 16 August 2011 at the Nelson City Council offices. Prior to this, the Hearings Panel undertook a site visit of central Nelson on 15 August 2011. In attendance was Mr Peterson from the council who pointed out various areas and features that were affected by PC 21 and submissions to it.
- 3.4. A Hearings Report containing provisional recommendations in relation to submissions was prepared in terms of section 42a of the RMA by Mr Peterson, supported by a number of other council staff and consultant advisors. The discussion and preliminary recommendations included in the

report were intended to assist the Hearing Commissioners and those persons and organisations who lodged submissions in respect of the Plan Change. The report was circulated to all submitters and commissioners prior to the Hearing.

- 3.5. The Hearing commenced with an overview of the Plan Change by Mr Peterson. Mr Jackson (Senior Planner with the council) then provided background in terms of the Heart of Nelson Strategy. Mrs McAuley, engineering advisor with the council, provided a statement in relation to the Plan Change’s consistency with regional and city-level transport policies. Mr Rutherford (a consultant transport planner) and Mr Heale (council’s Principal Adviser Resource Management Planning) were also in attendance to provide transport expertise and procedural advice respectively.
- 3.6. The following parties appeared at the hearing and presented evidence:

Submitter	Representative
Nelson Marlborough Institute of Technology (NMIT)	J McNae, Staig and Smith
Gilrays No1, Fords Creek Farm, Town Paddock Ltd, M Mclean	T Quickfall, Via Strada
J M Ftichett	Mr Fitchett
Tasman Medical Syndicate	M Lile, Landmark Lile
Munro Hotels Holdings Ltd, 3 Grove Street Ltd	M Lile, Landmark Lile
Gibbons Holdings Ltd	M Lile, Landmark Lile
J Black	Mr Black

- 3.7. Deliberations commenced at the conclusion of the hearing of submitters. The Panel were assisted in its deliberations by Mr Heale.
- 3.8. In making decisions on the submissions, we are guided by the provisions of the Resource Management Act, including sections 74 and 75, which set out the matters to be considered by a territorial authority when preparing or changing its district plan and section 32, which sets out the matters to be evaluated when addressing the appropriateness of specific provisions. All our decisions are also subject to the filter of Part 2 of the RMA.
- 3.9. We note that there is no issue as to whether the matters set out in PC 21 give effect (or not) to regional policy or other higher order RMA documents. Neither were there any challenges that the provisions of the Plan Change fell outside the powers and duties of the council in relation to District Plans (section 31 of the RMA). The main issues raised related to the appropriateness of the proposed methods (the new city wide policy – DOIO.1.6A - and proposed changes to the objectives and policies for the Inner City Zone not being directly debated), and as such our attention was on Section 32 of the RMA, and the relevant tests for rules. That is, whether, having regard to their efficiency and effectiveness, the rules or other methods are the most appropriate way of achieving the objectives, taking

into account benefits and costs and the risk of acting or not acting if there is uncertain or insufficient information about the subject matter.

3.10. In passing we note that a section 32 report was prepared by council officers as part of the plan change documentation. This decision continues the section 32 process.

4. Key Issues and Our Findings

4.1. This section of the report does not cover every submission. Rather it provides an overview of the main issues and the general intent of the decision.

4.2. We have grouped the submissions into five key issues, and discuss each in turn:

- Eastern and Western Fringe
- Travel Management Plans
- NMIT
- Short Term Living Accommodation
- General.

Topic 1: Eastern and Western Fringe

4.3. PC 21 removes minimum car parking requirements for a street block on the eastern side of the CBD (the block bounded by Collingwood/ Riverside / Malthouse / Harley and Hardy Streets). That is, on-site car parking can be provided if the landowner / developer wishes to, but there is no mandatory requirement to provide car parking. This is the same policy that applies to the Inner City (City Centre) zone, immediately to the west of the block. The Plan Change does not alter the zoning of this street block, which remains Inner City (Fringe). At the same time as removing the minimum parking requirements, PC 21 introduces controls over the design and layout of new development within this street block.

4.4. A number of submissions supported the removal of parking requirements (submitters 5, 6, 7, 8, 10 and 12). Other submissions (submitters 1, 2 and 3) while supporting the change, requested that the no minimum on-site parking policy be applied to other land in the central area, in particular the western side of the Inner City (Fringe) zone. A number of these submitters attended the Hearing.

4.5. Mr Black presented evidence on the difficulty he faced in redeveloping a property on the western side of the CBD, in Vanguard Street. The present on-site car parking requirements would mean, by his calculation that 64% of the site would need to be occupied by car parks, leading to poor urban design outcomes.

4.6. Mr Quickfall referred to the Heart of Nelson Strategy and its signal that the CBD would be expanded, and along with it, the no on-site parking requirement that currently applies to the City Centre zone. He was concerned that only changing the parking requirements on the eastern side would lessen the coherence of the strategy. He also stated that he had been involved in a number of developments in the western fringe of the CBD

where the current policy was not helpful in terms of facilitating redevelopment.

- 4.7. The submitters he represented had made submissions stating that insufficient evaluations had been carried out in relation to the costs and benefits of only changing the parking requirements on the eastern side of the CBD. Their submission called for the western side of the CBD to be rezoned as Inner City (City Centre). Failing that, they requested the expansion of the no on-site parking policy to the western side. At the Hearing, Mr Quickfall offered a third alternative: that the Panel recommend to the council that a plan change be prepared to cover the western fringe of the CBD.
- 4.8. Mr Fitchett, while questioning council's wider strategy for the CBD, made the point that treating one side of the CBD differently from the other side may cause some unintended consequences for development patterns. He also asked whether landowners within the block where the no on-site parking policy was to be applied should pay towards public parking (as landowners in the Central City zone currently do).
- 4.9. To complete the summary of the issues we have to consider, the Section 42a report identified a potential scope issue, in that the requests to extend the Inner City (City Centre) zoning and the no minimum on-site parking policy to the western side of the CBD were not "on" the Plan Change.
- 4.10. Firstly, on the general issue of scope we agree with the recommendation of the Section 42a that the submissions on the western fringe are not 'on' the Plan Change. The Plan Change, as notified, clearly stated that the no minimum parking policy was to apply to a defined street block on the eastern side of the Central City zone. Along with this change came a commiserate change to the activity status of new buildings and alterations and additions, from permitted to controlled / discretionary so that urban design issues can be addressed.
- 4.11. The extension of the no parking rule to the western side of the CBD sought by submitters is clearly a new matter that is outside the scope of the Plan Change as notified. Plus the change to the eastern side of the CBD also involved the introduction of control over the design of buildings. This change was not included in the submissions requesting the extension of the no on-site car parking policy to the western fringe. We are not prepared to entertain application of only part of PC 21's overall package of provisions to the western side of the CBD.
- 4.12. In relation to council's overall strategy for the CBD, while the Heart of Nelson Strategy is a relevant document for us to consider under Section 74 of the RMA, it is not a document that can be used to determine RMA policy and methods. Any RMA change has to be justified in relation to the Act itself. In our view it is reasonable, in a resource management sense, for the council to take a staged approach to changes to car parking requirements for city fringe areas. This is from the point of view of being able to monitor changes to the environment (and the physical resources contained therein) arising from the Plan Change, and on the basis of this monitoring, inform the decision as to whether further changes to RMA provisions are appropriate.
- 4.13. Effects of the changed provisions may include unanticipated redevelopment of sites within the identified block; equally they may result in greater demand for public car parking resources to accommodate visitors and commuters. The potential for additional demand to be placed on public

parking resources was raised in a number of submissions. Given Nelson's size and rate of growth, it is reasonable in our view that a staged approach to changes be undertaken so that consequences can be monitored. In this regard, we are not prepared to recommend that a Plan Change to introduce the no on-site parking policy to the western side of the CBD be prepared immediately. The extension of the no on-site parking policy into the western fringe is a matter that needs to be addressed by the council in its overall planning programme.

- 4.14. In relation to the monitoring of outcomes, one submission (submitter 12) requested on-going monitoring of the impact of less on-site car parking in relation to increased demand for public parking (kerb side and public parking areas). This is a reasonable request, and one already incorporated to an extent into the Plan by way of method IC1.6.vi (which refers to "regular parking surveys in the inner city"). It would appear to us, that as part of this monitoring process, the council should consider the development of a more comprehensive strategy to vehicle parking in and around the central city area that would look at the varying needs of visitor and commuter parking, parking spill over into residential areas, management and enforcement issues, as well as funding of additional public parking facilities (if needed).

Topic 2: Travel Management Plans and 20% reduction

- 4.15. This topic covers submissions on the need for all applications for a reduction of on-site car parking to be accompanied by a travel management plan and the contents of that plan. A related issue is whether the proposed restricted discretionary activity class be available for reductions of up to 20% of permitted activity standards, this being a recommendation of the Section 42a report. The Plan Change as notified had a 10% reduction "band".
- 4.16. Firstly in relation to travel management plans, Mr Quickfall of Via Strada, appearing for a number of submitters (who are all grouped under submission number 1 and who opposed the requirement for a travel management plan as proposed for the Inner City area), presented evidence on the common use of travel management plans, their preparation and what such management plans often contain. We took it that the purpose of this evidence was to highlight the potential costs to applicants of preparing travel management plans; costs that could be substantial in relation to the effect being managed (for example, at the extreme, an application for the reduction of one car park requiring a travel management plan to be prepared by a transport planning expert). In his evidence, Mr Quickfall suggested that rather than remove the requirement for a travel management plan, an alternative relief would be to modify the proposed requirements so that they were less onerous. He proposed that travel management plans should generally only be required for larger activities. In support of this opinion, he referred to the "Nelson Central City Parking Plan Change Study" of June 2009 which referred to travel management plans being for activities involving more than 50 car parking spaces.
- 4.17. Mr Quickfall went on to suggest that the need for a travel management plan be modified, firstly by limiting their use to applications for significant reductions: secondly by using the words "taking into account the nature and scale of the activity and the reduction in parking spaces being sought" when the Plan Change sets out what needs to be covered in a travel

management plan: and thirdly removing a number of matters which the management plan needed to cover, such as reference to policies and objectives.

- 4.18. Mr Rutherford, an experienced transport planner who is advising the council on the Plan Change, made the point, in response to questions from the Commissioners that travel management plans should perhaps be aimed at larger businesses and enterprises that had the resources to prepare them, as well as to implement them and monitor their outcomes over a long time frame.
- 4.19. We agree that PC 21 as notified creates a degree of uncertainty as to what level of detail is needed within a travel management plan and that this uncertainty could lessen the positive benefits of the changed provisions, especially for smaller scale reductions of on-site car parking. In these cases, the costs of preparing a travel management plan may dissuade landowners from applying for a reduction.
- 4.20. We have two issues to resolve:
- Should there be a trigger or threshold to be reached before the need for a travel management plan is invoked?
 - What level of detail is appropriate for a travel management plan?

Trigger

- 4.21. We see merit in the principle of a threshold being set as to when a travel management plan is needed. A threshold will allow for smaller scale reductions to be considered without having to go through the hoops of preparing a specific travel management plan. A resource consent application will still need to be prepared and assessed, and as part of this, changes to travel patterns and behaviours can be considered, if they are relevant.
- 4.22. In terms of a threshold or trigger, Mr Quickfall suggested that a trigger point could be activities employing more than 15 staff. This would seem a more appropriate level for Nelson than 50 staff / car parks suggested in the 2009 Parking Plan Change study. However rather than use the number of staff, which may not translate into parking demands, it would be more appropriate to set the trigger based on the number of car parks that are being sought to be reduced. In our view, applications seeking up to 5 fewer car parks on-site than required by permitted standards should not need to be accompanied by a travel management plan.

Contents

- 4.23. In relation to the contents of a travel management plan and the amount of detail therein, we agree with Mr Quickfall's suggestion that the provision be amended so that there is reference within the relevant assessment criteria to the detail of the travel management plan being in accordance with the extent of reduction being sought.
- 4.24. It is also apparent to us that the contents of travel management plans should be modified to better reflect the purpose of such plans; namely to set out how travel patterns are to be modified to fit with the reduced car parking requirement, rather than focus on assessment of policies and effects on the environment - matters that are likely to be addressed in a resource consent application's AEE. This was a point put to us by Mr Quickfall. At the

Hearing, the issue of monitoring of travel management plans and the actions that they contain also came up in discussion.

4.25. To this end we have decided that the relevant assessment criterion read:

Where a Travel Management Plan is required under the restricted discretionary activity rule, it should include the following, taking into account the reduction in parking spaces being sought:

i) The nature and scale of the activity and associated parking demands from employees and visitors/customers;

ii) Proposed means of reducing parking demands, such as

- Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies,*
- sharing parking spaces between complementary uses and spreading peak loads,*
- Encouraging more use of public transport, walking and cycling*

iii) Proposed means of monitoring outcomes.

4.26. At this point we note that the submission calling for changes to the requirement for, and contents of, travel management plans only concerned the relevant Inner City rule (rule ICr.76.3(b)), and not the equivalent rule in other zones. There were no submissions opposing or otherwise seeking modification of the introduction of travel management plan requirements in residential, suburban commercial, industrial, open space and rural zones. We are of the opinion that only changing the travel management plan provisions as they apply in the Inner City and not across all zones will create uncertainty in terms of plan implementation. We consider that it is reasonable and appropriate to modify all of the zone specific travel management plan rules on the basis of a consequential change under Schedule 1, clause 10 (2) (b) (i) of the RMA.

4.27. With regard to the 10% or 20% band for reduction of parking as a restricted discretionary activity, this was recommended to us in the Section 42a report in relation to the Inner City (Fringe) zone, but not other zones. The ability to only modify the percentage reduction for the Fringe zone arises from the original submission on this topic, submission number 3. This submission only referenced the change to the Inner City rule. However, some confusion arises due the Section 42a report suggesting that the city-wide policy on car parking be modified to state that up to a 20% reduction in on-site parking is possible, implying that this band would apply to all zones. While we are sympathetic to the idea that the 20% band should be available to all activities in all zones, we are of the opinion that in this instance, the 20% can only apply to the Inner City (Fringe) zone, as allowance for a 20% reduction in other zones would represent a significant step away from what was notified in the Plan Change, a step not identified in any submission.

4.28. No submitter who appeared before us said that the “20%” change to the Inner City rule should not be adopted. The one note of caution is that during the course of the hearing, Mr Rutherford for the council advised us that in his experience, it was unusual for travel management plans to deliver more than a 10% reduction in vehicle trips, and given the context of Nelson with

only a skeletal public transport system, it would be inappropriate to assume that a travel management plan process would deliver a 20% reduction.

- 4.29. Having considered the matter, we are of the view that the Section 42a report was correct in recommending a change from 10% to 20% for the Inner City area. The extent of the restricted discretionary band should be based on reasonable certainty of the nature and scale of any adverse effects to be created and therefore their ability to be defined within the Plan. It would appear to us that a 20% reduction would fall within this definition, taking into account the natural variability of car parking demands between similar activities (which are likely to range plus or minus around a mean figure). The 20% reduction allows for modest reductions to be assessed based on local circumstances (e.g. extent of on-street parking in the vicinity) and the particular features or characteristics of the activity without the need for comprehensive transport and planning assessments against all provisions of the Plan.
- 4.30. In this regard, the travel management plan is a tool to help determine if a reduction in on-site car parking is appropriate and achievable without causing significant off-site effects, where the reduction relies upon a mode shift in terms of how people access the specific activity. In addition to the matters covered in the travel management plan, there may well be other reasons to enable less on-site car parking, including sound urban design reasons. The 20% reduction provides scope for all these circumstances to be considered in an integrated way.

Topic 3: NMIT

- 4.31. Nelson Marlborough Institute of Technology (submitter number 8) submitted that they support PC 21 and that Appendix 10 should be modified to make it clear that up to a 10% reduction in on-site car parking requirements for NMIT should be a non-notified, restricted discretionary activity, consistent with the amended provisions to be introduced for the majority of the city.
- 4.32. As it stands, Appendix 10 sets out on-site car parking requirements for listed activities. For NMIT, in addition to setting the required amount of parking, the appendix states that a 10% reduction of this parking can be applied for as a discretionary activity “subject to a management plan satisfactory to Council to reduce parking demand”.
- 4.33. The Section 42a report stated that the submission from NMIT to change Appendix 10 was not in scope, as the Plan Change did not specifically state that amendments were to be made to Appendix 10 in relation to NMIT.
- 4.34. NMIT’s planning witness (Ms McNae) was of the opposite opinion, that the submission was in scope as the Plan Change did not specifically exclude NMIT, while the Plan Change documentation was clear that amendments were being made to the parking provisions of the Inner City (Fringe) zone, as well as other zones (the point being that NMIT is located within the Inner City (Fringe) zone and the Residential zone).
- 4.35. The issues to resolve are therefore:
- Is the submission within scope?
 - If it is, whether the suggested amendment is appropriate in RMA terms?

Scope

- 4.36. The Plan Change public notice (as re-notified on 16 October 2010) stated that the Plan Change ... “amends ICr.76 and the parking rules in other zones to make it easier to apply for a reduction in mandatory parking if a travel management plan for the site is provided”.
- 4.37. The Plan Change document itself goes on to explain that rule ICr.76 relates to parking and loading requirements in the Inner City (Fringe) zone. The rule is to be amended by the Plan Change so that, as a non-notified restricted discretionary activity, a 10% reduction in required parking may be applied for. The Plan Change also modifies various on-site parking requirements in Appendix 10 (Table 10.3.1) for a number of activities (but not Tertiary Institutes).
- 4.38. Rule ICr.76 relates to on-site parking requirements for all activities located within the Fringe zone. The rule cross refers to Appendix 10 in that parking, loading, manoeuvring, and queuing areas must be provided and maintained on each site in accordance with the standards set out in Appendix 10.
- 4.39. Appendix 10 is headed: “Standards and terms for parking and loading”.
Under the sub heading “Tertiary Education Facilities” is listed:
- a) Nelson Marlborough Institute of Technology
 - b) Other tertiary education facilities.

Car parking spaces required for a) is then listed as “350 parking spaces; or 1 space per 7 EFTS (Equivalent Full Time Staff and Students) whichever is the greater (reducible by up to 10% as a discretionary activity subject to a management plan satisfactory to Council to reduce parking demand).

- 4.40. The majority view of the Panel is that the submission by NMIT is within scope. The Plan Change clearly states that reductions in car parking requirements for activities within the Inner City (Fringe) zone were to be easier to obtain, along with the ability to apply for reductions in other zones, by way of restricted discretionary resource consent.
- 4.41. In forming this view, we note that as notified, there is inconsistency between the zone-based provisions and the activity-specific provisions of Appendix 10: on the one hand, as to be amended, Rule ICr.76 will allow for any activity within the Fringe zone to apply for a 10% reduction of car parking as a restricted discretionary, non-notified application. On the other hand, Appendix 10 states that for NMIT, a 10% reduction is possible as a discretionary activity, and which therefore may be notified. In our view, it is reasonable for NMIT to submit on this inconsistency and to request that this be resolved.
- 4.42. In our view, it is better that we address this inconsistency now, rather than leave this inconsistency to be resolved through an application process.

Merit

- 4.43. Turning to the question of merit, the question before us is whether, for the specific case of NMIT, a reduction in car parking of up to 10% should remain a discretionary activity (and therefore be the potential subject of notification), rather than be a non-notified restricted discretionary activity, as per the general provisions for all zones that PC 21 is to introduce. For us to find that the NMIT provisions should not be altered, we would in effect be accepting that NMIT’s car parking demands were different from other activities and that the adverse effects of less on-site car parking could not

easily be defined in the Plan (by way of a defined limit to council's discretion).

- 4.44. Certainly NMIT is a large organisation located close to a residential area. It is an activity that is likely to see car parking demands vary from year to year, depending upon student numbers and make up (international versus local, for example) as well as programmes and hours of operation.
- 4.45. The Section 42a report referred to there being a history of complaints regarding NMIT operations and the extent of on-street parking in the area. Issue ICd.15 of the District Plan refers to the Inner City Fringe area as being frequently used for free all day parking, which has led to some congestion, particularly around the Polytechnic. NMIT submitted that they had taken considerable steps to address these parking issues.
- 4.46. In our view, it is appropriate to amend Appendix 10 so that for NMIT a reduction of on-site car parking of up to 10% is a restricted discretionary activity, consistent with the direction to be taken for other zones. A resource consent application will still be required to reduce parking, and this will need to be assessed against the provisions of the Plan. This would include an assessment of "the adverse effects on other areas of traffic generated by activities within the Inner City, including any cumulative effects, and these effects should be avoided, remedied, or mitigated"; this being one of the policies of the Plan.
- 4.47. However, we are of the view that the extent of reduction should be retained at 10%, for the specific case of NMIT. While this creates a disjunction between the provisions that will apply in the Inner City (Fringe) Zone (20% reduction possible) and NMIT (10% reduction possible), we are of the view that the lower (as current) threshold is appropriate given the size of NMIT and its location with regard to a residential area.
- 4.48. An appropriate cross-reference will need to be made to the NMIT provisions so as to make it clear that the 10% provision overrides the more general 20% provision, for example:

Car Parking or Queuing Spaces Required: a) "350 parking spaces; or 1 space per 7 EFTS (Equivalent Full Time Staff and Students) whichever is the greater (reducible by up to 10% as a restricted discretionary activity subject to a Travel Management Plan in accordance with Rule ICr.76.3) Note: for the avoidance of doubt the above provision for a maximum 10% reduction takes precedence over the provisions of Rule ICr.76.3.

Topic 4: Short Term Living Accommodation

- 4.49. PC 21 modifies the provisions that apply to visitor accommodation (hotels, motels, backpackers and the like). The Plan refers to these activities as Short Term Living Accommodation ("STLA"). Currently no permitted standards apply to STLA activities; rather on-site parking is considered as a controlled activity. The controlled activity provision does not set a minimum car parking requirement, or even a range. Each application is assessed on its merits.

- 4.50. PC 21 intends to introduce a permitted activity status of 1 space per unit, subject to the ability to seek a 10% reduction by way of a restricted discretionary activity application.
- 4.51. A number of submissions (submitters 16 and 17) questioned the basis for this change and whether it would lead to more appropriate Plan provisions. They requested retention of the controlled activity status. They also questioned the utility of a travel management plan, given that hotel and motel operators cannot control the mode of arrival of their guests.
- 4.52. Mr Lile appeared for two motel operators. In his experience, the controlled activity status provided flexibility to accommodate the diversity of the sector in terms of the different types of businesses, as well as different geographic circumstances. He pointed out that in most cases the starting point for car parking demands were more in the order of 0.8 spaces per unit, reflecting the fact that very rarely was 100% occupancy ever achieved. He was therefore concerned that the new provisions were going to put in place a framework which will increase compliance costs for applicants, in that most developments were likely to seek a reduction of the permitted standard. But rather than involve a controlled activity application, a more complex and potentially uncertain restricted discretionary activity application would be required as a minimum. He also questioned whether a travel management plan was necessary for what is essentially a very customer focused activity, suggesting that applicants may wish instead to follow a full discretionary path to avoid the potential compliance issues involved in implementing a travel management plan. This then raised the likelihood of notification of applications.
- 4.53. In simple terms a shift from controlled to a permitted standard should be welcomed as it reduces compliance costs for applicants and the council. However, if the permitted standard is too high, then there is no effective reduction in compliance costs; in fact costs go up, either in following a more difficult consent path to reduce the permitted standard, or through the overprovision of parking to avoid needing consent. We therefore accept the point made by Mr Lile that the proposed change may increase costs, rather than reduce them. However rather than return to the current controlled activity provisions (as this has its own potential costs, for example should an application for a motel development with only limited on-site parking have an adverse effect on the surrounding area yet under the current controlled activity status, the council has no ability to decline the application), we consider it more appropriate to rework the proposed provision so that it better fits the nature of short term visitor accommodation developments.
- 4.54. Looking first at the proposed rate of 1 space per unit, reports prepared as part of the Plan Change stated that this was an appropriate rate, based on provisions in other district plans. However on closer inspection of the Section 32 background reports there is reference to a survey of three motel operations in the May 2005 report "District Plan Car Parking Review Report" prepared by Traffic Design Group. Examination of this survey data (as set out in Table 3 of that report) suggests that a rate of 0.8 spaces per unit is about right as a starting point (i.e. 8 spaces for a 10 unit motel).
- 4.55. Following on from this, we have determined that the permitted activity standard of 1 space per unit proposed in PC 21 be retained, as this may suit some operations and as a result, avoid the need for them to apply for the parking component of their development. A controlled activity class for

STLA developments that provide between 0.8 and 1 space per unit could then be provided. This may effectively cover off most operations and retains an element of the current controlled activity provision that Mr Lile said operators are happy with. A further reduction in parking would then require a restricted discretionary activity application. That is, up to a further 20% reduction of the controlled activity rate, for example, up to a further two spaces for a 10 unit development, taking on-site parking to between a rate of 0.6 and 0.8 parks per unit. A similar stepped approach is required for parking for dormitory-type rooms, to retain consistency. That is, 2 spaces for each room that can accommodate more than six people as a permitted activity, dropping to 1.5 spaces as a controlled activity and down to 1 space as a restricted discretionary activity.

- 4.56. Under this approach, relevant assessment matters could remain as they are in AP 10.15.2c, and there would be no specific reference to the need to prepare travel management plans.
- 4.57. While this option is somewhat different to that which the submissions requested (retention of the current controlled activity rule), we are of the opinion that this stepped arrangement is within scope and will help to ensure that the effects of car parking associated with STLA are appropriately managed, while retaining some of the flexibility that STLA operators currently enjoy.
- 4.58. To accommodate the changes, amendments need to be made to the parking and loading provisions of Residential (REr.38.3), Suburban Commercial Zone (SCr.31.3), Industrial Zone (INr.35.3), Open Space & Recreation Zone (OSr.34.3) and Rural Zones (RUr.35.3), as well as the City Fringe area (ICr.76.3).

4.59. **Topic 5: General**

4.60. In this part of the decision we address a number of specific issues that arose from the Hearing, or as set out in submissions, but where the submitters did not attend the Hearing.

Private Car Parking

4.61. The Plan Change as notified proposed a new activity called “private car parking” for the Inner City (City Centre) zone. This activity was to be controlled where it was located in defined areas (such as adjoining the current parking squares in the city centre and scheduled streets – these being the main shopping streets in the centre). The intention of the rule is to manage the visual and amenity affects of surface car parking lots.

4.62. As notified, the rule referred to the use of land for private car parking whether leased, rented or without fee, where the user of the parking space is not involved in an activity on the site (other than parking the vehicle). A submission was received on this proposed rule, noting that private parking is not defined within the definitions sections of the Plan. It also pointed out that the effects of car parking provided as part of an activity and car parking as an activity in itself, are the same.

4.63. The section 42a report recommended a rewording of the proposed rule and, in particular, proposed a definition of the activity: “private car parking”. This was to read: “private car parking: this means any privately provided car park where parking is available whether leased, rented or without a fee, or provided as staff or visitor parking”. In this re-organisation, the proposed rule would simply refer to private parking as an activity with the definition added to the relevant part of the Plan.

4.64. We consider that some rewording is in order to clarify that the definition is intended to cover parking areas where members of the public can park, as well as staff and visitors. The rewording is as follows:

“private car parking area”: this means any privately provided area where car parking is available to be used on a casual, rental or leased basis; with or without a fee, by members of the public or provided as staff or visitor parking for a particular business or activity”.

NZTA

4.65. The New Zealand Transport Agency (NZTA) made a number of submissions on the Plan Change. One submission sought additional text to be added to the explanation to Rule ICr.31A.5, this being the rule that controls new parking areas within the Inner City (City Centre) zone. We generally agree that additional wording would be helpful, but consider a minor adjustment to the wording proposed by NZTA is appropriate so as to better reflect the Plan’s overall approach, as follows:

“The supply of car parking can influence the growth of private vehicle traffic. Limiting car parking can encourage use of other sustainable modes of transport, reduce congestion on the transport network and may also improve the environment of the City Centre.”

Bicycle parking

4.66. Tasman Medical Syndicate requested a modification of the proposed provisions relating to bicycle parking. Table 10.3.1 in Appendix 10 provides for the number of on-site car parks to be reduced if bicycle parking is provided. As notified, the table stated that “the required car parking for an activity can be reduced where on-site bicycle stands are provided”. Tasman Medical Syndicate submitted that the word “can” be replaced with the word “shall”. At the Hearing, Mr Lile (planner for Tasman Medical Syndicate) proposed that the rule be reworded to read as follows:

The total required car parking for an activity ~~can be~~ is reduced where on-site bicycle stands are provided, the reduction being....

We agree with this change.

Other Submissions

4.67. Other submissions not covered in detail above are addressed in the Council’s Section 42a report. We agree with the Section 42a recommendations in relation to these submissions, apart from one small change. In relation to the explanation and reasons for Rule IC1.6, the report proposed an amendment to IC1.6.ii that read “the City Fringe is more dominated by traffic effects”. We consider that the wording “the City Fringe experiences greater levels of traffic effects” is more appropriate.

5.0 Overall Decision

Having considered the requirements of the RMA, the officers report and comments and the evidence and issues raised through submissions, the Hearings Panel considers that the Plan Change (with amendments within this Decision report) better meets the purpose of the RMA than the present provisions of the Plan. It will allow the District Plan to more effectively manage future development of the natural and physical resources of the city in a way and at a rate that meets the needs of present and future generations, while improving the amenity of the city and the quality of its built environment.

Hearing Committee Authorisation

David Mead (Chair) *DM Mead.*

Ian Barker..... *Ian Barker*

Gail Collingwood..... *Gail Collingwood*

Rachel Reese..... *Rachel Reese*

Derek Shaw..... *Derek Shaw*

Mike Ward..... *Mike Ward* Date *23rd January 2012*

NELSON CITY COUNCIL

Nelson Resource Management Plan

Plan Change 21

Parking and Related Changes

Decisions of Commissioners Addressing Submissions on the Plan Change

Part Two:

A) Decisions on submissions organised by topic

B) Amended provisions

Date of hearing

16 August 2011



Part 2 (A)

Decisions on submissions

PC21: General

Submitter 4: Viastrada

Support

Submission Point #4.2: Support the entire plan change relating to reduced parking requirements. The plan change remedies the current over-provision of parking and implements expert reports.

Decision Sought: Retain the reduced parking standards.

Oppose

Submission Point #4.6: The plan change does not address parking requirements on the Western fringe. The Heart of Nelson Strategy and several parking and traffic studies that formed the basis of this plan change included decisions to remove the on-site parking requirements for the Western fringe and the plan change has not incorporated these. The plan change includes objectives and policies regarding the ability for parking reductions of 10% and allows specified sites on the Eastern fringe to provide no on-site parking. To give effect to these decisions an additional policy should be included in the plan.

Decision Sought: Incorporate a specific policy for the consideration of the exemption of parking requirements as recommended in the Heart of Nelson Strategy. Make all necessary consequential changes to give effect to this submission.

Viastrada.

Submission point #4.2

DECISION

Submission Point #4.2: Accept.

Reasons

The submitter supports proposed Plan Change 21 relating to reducing parking requirements. This support is accepted.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Decision

Submission point #4.6

Submission Point #4.6: Reject.

Reasons

The Plan Change as notified removed mandatory on-site parking requirements from a specified block of land in the eastern City Fringe area only. As covered in the body of our main findings, we consider that the submission to extend these provisions to the western side of the CBD is outside the scope of the Plan Change.

We further consider that a staged approach to the removal of mandatory parking requirements is appropriate in Resource Management terms.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 9: Ben Winnubst

Oppose in part

Submission Point #9.1: The suggestion that more use is made of street parking in residential areas, instead of on-site parking, is not a good idea. Street parking exposes vehicles to an increased risk of damage. Nobody likes to see their car damaged. Anyone who has a choice will want on-site parking.

Decision Sought: Require on-site parking in residential areas.

Oppose in part

Submission Point #9.2: There are many areas where street parking should be removed and replaced with cycle lanes, for example Main Road Stoke. This would be a very cheap way of increasing cycle safety and promoting more use of commuter cycling.

Decision Sought: Consider removing street parking and replacing it with cycle lanes in many areas.

Ben Winnubst

Submission point #9.1

Decision

Submission Point #9.1: Reject.

Reasons

Plan Change 21 does not propose to reduce or remove on-site parking requirements in residential areas. It sets guidance for when it might be appropriate for an applicant to seek a reduction in the amount of on-site parking they are required to provide because of specific site or activity characteristics, rather than stem from a desire to shift from on-site to street-based parking.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submission point #9.2

DECISION

Submission Point #9.2: Reject.

Reasons

Regardless of the merit of conversion of existing on-street parking to cycle lanes, such an action is outside of the scope of the Plan Change and is not a matter to be addressed through the Nelson Resource Management Plan. We note that Nelson City Council actively promotes cycling and seeks opportunities to improve and encourage it as a means of transport and recreation.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 13: John Malcolm Fitchett

Oppose

Submission Point #13.1: Currently there is insufficient parking in the Inner City Zone and the Plan Change (in conjunction with the Heart of Nelson Strategy) will make it harder to find parking in the Montgomery / Buxton / Achilles Squares. In light of the Council decision to make traffic go slower and give priority to pedestrians in the Inner City Zone there will be more gridlock and a slow strangulation of the commercial heart of Nelson. If on site parking is not required in the City Fringe Zone those users will compete unduly with Inner City Zone users for on street parking.

Decision Sought: Delete Plan Change (pages 5 - 20) entirely.

Further Submitter X3: Tasman Medical Syndicate

Statement X3.1

Oppose Submission Point #13.1

The submitter seems not to appreciate the significant and wide ranging benefits to be gained from the Plan Change.

John Malcolm Fitchett
Submission point #13.1

DECISION

Submission Point #13.1: Accept in part.

Further Submission Statement X3.1: Accept in part.

Reasons

We note that the 'Nelson CBD and Fringe Public Parking Analysis' report by Transport Planning Solutions found that *'overall there is sufficient short stay parking in the Central Core and in the Fringe area'*. Ross Rutherford of Transport Planning Solutions Ltd has further considered the concerns raised by the submitter (report attached as Part B, Appendix 1 to the Section 42a report) and has confirmed that there is adequate parking in the inner city for shoppers and this availability can be improved if parking is used effectively. Mr Rutherford also specifically notes the maximum occupancy of the on street parking spaces in and around the area subject to the proposed removal of mandatory parking requirements was 68% around the midday survey carried out on a Thursday for the Traffic Design Group report. The maximum desirable on-street parking occupancy is 85%.

Notwithstanding our findings on the submission, we recommend this submission to delete the proposed Plan Change is accepted in part. This partial acceptance relates to the recommended deletion of items in this proposed Plan Change. See submission point 4.3.

AMENDMENT TO PROPOSED PLAN CHANGE: See the decision in relation to submission #4.3 (deletion of proposed Plan Change provision 21.7 b) and 21.7 j)).

Plan Change 21.1: New Policy and Methods – ‘On-site parking – reductions in mandated levels’

Plan Change 21.1 a) Policy DO10.1.6A - On-site parking – reductions in required levels

Submitter 4: Viastrada

Oppose in part

Submission Point #4.5: The Transport Planning Solutions report identifies the benefits for sharing parking spaces. The report recommends the following: "The NRMP should encourage applications for shared parking while making clear that any reciprocal parking arrangements should be enduring ". Although shared parking is reflected in new policy DO10.1.6A, this has not been extended to the rules and the policy on its own does not "encourage applications" as recommended. In order to give full effect to the recommendation, the parking rules should be amended to allow for consideration of shared parking as a means of addressing parking requirements.

Decision Sought: Amend the parking rules to provide an exemption (e.g. 10%-20% reduction) in required parking spaces, as a controlled activity, if the applicant can demonstrate an enduring shared parking arrangement.

Make all necessary consequential changes to give effect to this submission.

**Viastrada
Submission point #4.5**

DECISION

Submission Point #4.5: Reject.

Reasons

Due to the many possible variations as to what an ‘enduring shared parking arrangement’ may be, we consider that the resource consent process (generally with a discretionary activity status) guided by the proposed policy, is the most suitable and flexible method of determining the suitability of a shared parking arrangement.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.1: This new policy (plan change section 21.1 a) will provide better guidance to the consideration of applications for a reduction in the provision of parking.

Decision Sought: Retain proposed Plan Change section DO10.1.6A.

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.1: The NZTA supports new policy DO10.1.6A On-site parking - reductions in required levels in particular a), b), c) and d) which recognises that car parks can have adverse effects on the transport

network through increased congestion by increased private vehicle usage and also impact on the use of other sustainable modes of transport.

Decision Sought: Retain new policy DO10.1.6A – on-site parking – reductions in required levels.

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.1: The introduction of a new policy providing for the reduction of car parking spaces in the inner city fringe area will provide opportunity for flexibility in private parking arrangements under controlled circumstances. Subsequent additions to the explanation and reasons and the methods provide context.

Decision Sought: Retain plan change section 21.1 a) (proposed Policy DO10.1.6A).

Tasman Medical Syndicate

Submission point #10.1

New Zealand Transport Agency

Submission point #14.1

Progressive Enterprises Limited

Submission point #17.1

DECISION

Submission Point #10.1: Accept

Submission Point #14.1: Accept

Submission Point #17.1: Accept.

Reasons

These three submitters express their support for the proposed policy which gives guidance on when it may be appropriate, and under what circumstances, to allow a reduction in stipulated parking levels. This support is accepted and the proposed policy is to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.1 b) DO10.1.6A.i Explanation and Reasons

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.2: This new explanation and reasons (plan change section 21.1 b) will provide better guidance to the consideration of applications for a reduction in the provision of parking.

Decision Sought: Retain proposed Plan Change section DO10.1.6Ai.

Tasman Medical Syndicate
Submission point #10.2

DECISION

Submission Point #10.2: Accept.

Reasons

The submitter's support for the explanations and reasons for the proposed policy DO10.1.6A 'On-site parking – reductions in required levels' is accepted and the proposed explanations and reasons are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.1 c) DO10.1.6A.v Methods

Submitter 10: Tasman Medical Syndicate

Support in part

Submission Point #10.3: The proposed method seems to suggest that the proposed restricted discretionary classification is dependant on the Council's assessment of the effectiveness of the travel plan. That is not the case. Applicants must submit a travel plan in order for their application to benefit from this activity status.

Decision Sought: Delete the words "... and the Council consider the plan is likely to be effective in achieving that reduction in on-site parking" from DO10.1.6A.v.

Tasman Medical Syndicate
Submission point #10.3

DECISION

Submission Point #10.3: Accept in part.

Reasons

We agree that the merit of the Travel Management Plan should not play a role in determining the consent status. However, the submitter's requested removal of part of the text results in some further confusion in the method as it removes all reference to council considering the merits of the Travel Management Plan as part of the consideration of a resource consent. We therefore have included an addition to the text

which retains this consideration intent but still resolves the submitters concern. We therefore accept the submission point in part to ensure the proposed method is not misinterpreted.

As a consequential change we also consider that 'travel plan' should be amended to 'Travel Management Plan' as this is the correct term as used in rule ICr.76.3 and this change retains consistency within the Plan. It is important to note that this change does not alter the meaning of the provision.

AMENDMENT TO PROPOSED PLAN CHANGE:

DO10.1.6A.v Rules providing for the consideration of a 10% to 20% reduction in the required minimum level of parking as a restricted discretionary activity, if a Travel Management Plan ~~travel plan~~ forms part of the consent application, ~~and the Council considers the plan is likely to be effective in achieving that reduction in on-site parking.~~

Submitter 18: Jungle Payne

Support in part

Submission Point #18.1: I think the wording is too imprecise: '...the Council considers the plan is likely to be effective in achieving that reduction in on-site parking.' There should be a mandatory follow-up at applicant's expense to monitor the effectiveness of travel demand management plans adopted in return for reduction of parking requirement. It is too easy to allow Councillors to say 'yes it is likely' without any, or adequate evidence that the TDM plan will actually accomplish anything.

Decision Sought: Amend plan change section 21.1 c) as follows:

There should be mandatory follow-up at applicant's expense to monitor the effectiveness of travel demand management plans adopted in return for reduction of parking requirement.

Jungle Payne

Submission point #18.1

DECISION

Submission Point #18.1: Accept in part.

Reasons

Monitoring of Travel Management Plan outcomes is important to the sustainable management of the city's resources, particularly where a travel management plan relies heavily on behavioural change to lessen car parking demands. However the nature and extent of monitoring cannot be pre-set and needs to be determined as part of the preparation of the travel management plan.

AMENDMENT TO PROPOSED PLAN CHANGE:

The contents of travel management plans be modified to include:

- i. Proposed means of monitoring outcomes.*

Plan Change 21.2: Amendments to Inner City Zone – Objective IC1 ‘Form and Access’ and Policy IC1.6 ‘Parking’

Plan Change 21.2 a) IC1 Objective - Form and Access

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.4: The proposed amendments to IC1 (plan change section 21.2 a) more accurately describe the relationship between the City Centre and City Fringe areas.

Decision Sought: Retain proposed Plan Change section 21.2 a).

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.2: Support plan change section 21.2 a). The amendment to the policy wording makes the policy clearer that the Fringe area is vehicle focused.

Decision Sought: Retain Plan Change section 21.2 a).

**Tasman Medical Syndicate
Submission point #10.4**

**Progressive Enterprises Limited
Submission point #17.2**

DECISION

Submission Point #10.4: Accept

Submission Point #17.2: Accept.

Reasons

The submitter’s support for the proposed amendments to Objective IC1 ‘Form and access’ which seeks to clarify the relationship between the City Centre and the City Fringe is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.2 b) IC1.6 Policy - Parking

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.5: The changes to Policy IC1.6 (plan change section 21.2 b) are necessary and appropriate given the intent of Plan Change 21.

Decision Sought: Retain Plan Change section 21.2 b).

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.3: Support plan change section 21.2 b). The second paragraph of the amendment clarifies that the reduction in parking numbers is linked to generated parking demand.

Decision Sought: Retain Plan Change section 21.2 b).

Tasman Medical Syndicate

Submission point #10.5

Progressive Enterprises Limited

Submission Point #17.3

DECISION

Submission Point #10.5: Accept

Submission Point #17.3: Accept.

Reasons

The submitter's support for the proposed amendments to policy IC1.6 Parking is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.2 c) IC1.6.i Explanation and Reasons (Policy - Parking)

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.6: The changes to IC1.6i and ii (plan change section 21.2 c) are necessary and appropriate given the intent of Plan Change 21.

Decision Sought: Retain proposed Plan Change section 21.2 c).

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.4: Support plan change section 21.2 c). The 'strike-out' parts of the explanation and reasons are not necessary with the introduction of clear policy direction for the consideration of reduced parking numbers.

Decision Sought: Retain Plan Change section 21.2 c).

Tasman Medical Syndicate
Submission point #10.6
Progressive Enterprises Limited
Submission Point #17.4

DECISION

Submission Point #10.6: Accept in part

Submission Point #17.4: Accept in part.

Reasons

The submitter's support for the proposed amendments to the explanation and reasons for policy IC1.6 'Parking' is noted. However changes to the provisions contained in Plan Change section 21.2 c) are proposed as a result of submission point #14.2. Therefore submission points #10.6 and #17.4 are accepted in part.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 14: New Zealand Transport Agency

Oppose

Submission Point #14.2: The NZTA does not support the removal of "in order to minimize hazards created by traffic movement and traffic generation it is important that each site provides adequate space on site so that parking and manoeuvring of vehicles can be contained within the boundaries of the site" from IC1.6.ii - explanation and reasons. (Plan change section 21.2 c). The NZTA believes retaining this sentence is necessary as it recognises the adverse effects and potential conflicts traffic movements can have on the transport network, particularly off site.

Decision Sought: Retain this existing text within IC1.6.ii - Explanation and Reason "in order to minimize hazards created by traffic movement and traffic generation it is important that each site provides adequate space on site so that parking and manoeuvring of vehicles can be contained within the boundaries of the site."

New Zealand Transport Agency **Submission point #14.2**

DECISION

Submission Point #14.2: Accept in part.

Reasons

We accept in part, as retaining the sentence as proposed by the submitter would create an inconsistency in the Plan. The current sentence states that '*...it is important that each site provides adequate space on site so that parking and manoeuvring of vehicles can be contained within the boundaries of the site*'. Under the Plan Change this on-site parking will not be required in all areas of the City Fringe. An example of this change is Objective IC1 'Form and Access' which is to be amended to remove the statement that the City Fringe consists of self contained sites. One of the methods to give effect to this objective is rule ICr.76.1 which removes the mandatory parking requirement within a specified block in the City Fringe area. With this in mind, we consider it to be inefficient (and inaccurate) to include a statement saying that it is important that each site provides for its own parking and manoeuvring, as this is not always the case.

Having said that, an amended version of the sentence should be retained which reflects the intent of the proposed Plan Change but also reflects the submitter's concerns. We therefore consider that section IC1.6.ii should appear as follows.

AMENDMENT TO PROPOSED PLAN CHANGE:

IC1.6.ii

The City Fringe ~~experiences greater levels of traffic effects.~~ In order to minimise potential hazards created by traffic movement and traffic generation ~~it is important that each sites should generally~~ provides adequate space on site so that parking and manoeuvring of vehicles can be contained within the boundaries of the site. ~~Where there is insufficient room on site, flexibility can be provided for some or all of these facilities to be provided off site eg. By a legally binding agreement to lease parking elsewhere. The proviso is, however, that this arrangement should not lead to a hazard to traffic or pedestrians.~~

Plan Change 21.2 d) IC1.6.iii Methods (Policy - Parking)

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.7: The changes to IC1.6.iii-vi (plan change section 21.2 d) are necessary and appropriate given the intent of Plan Change 21.

Decision Sought: Retain proposed Plan Change section 21.2 d).

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.3: The NZTA supports new method IC1.6.iiiA - Rules setting maximum parking ratios within the City Centre. (Plan change section 21.2 d). The NZTA believes that limiting over-supply of parking by setting maximum parking standards is a good travel demand management tool.

Decision Sought: Retain new method IC1.6.iiiA - Rules setting maximum parking ratios within the City Centre.

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.5: Support plan change section 21.2 d). The amendment to the methods clarifies the methodology (resource consent) for consideration of a reduction in parking numbers. The introduction of regular parking surveys in the Inner City area to monitor parking demand and the availability of on-street parking indicates the Council will review its policy over time and this is supported.

Decision Sought: Retain Plan Change section 21.2 d).

**Tasman Medical Syndicate
Submission Point #10.7**

**New Zealand Transport Agency
Submission Point #14.3**

**Progressive Enterprises Limited
Submission Point #17.5**

DECISION

Submission Point #10.7: Accept

Submission Point #14.3: Accept

Submission Point #17.5: Accept.

Reasons

Submitters 10 (Tasman Medical Syndicate) and 17 (Progressive Enterprises Limited) seek to retain all of Plan Change section 21.2 d), while submitter 14 (New Zealand Transportation Agency) specifically supports the individual method IC1.6.iiiA 'Rules setting maximum parking ratios within the City Centre'. This support is accepted and the proposed amendments are to be retained.

We have made a small amendment to IC1.6.iii to remove reference to new developments, as collective parking in the City Centre is provided for both existing and new developments.

AMENDMENT TO PROPOSED PLAN CHANGE:

IC1.6.iii Maintain existing differential rates within the City Centre, with the Council providing collective parking for new developments setting up in the City Centre.

Plan Change 21.3: New rule ICr.31A – private car parking – City Centre Area

Plan Change 21.3 a) ICr.31A Private car parking - rule - general

Submitter 4: Viastrada

Oppose

Submission Point #4.1: Oppose Plan Change 21.3, ICr.31A 'Private parking' (in present form).

a) "Private parking" is not defined. Although it is described, it also requires an explicit definition if it is retained.

b) There is interpretive ambiguity over the meaning of "associated with" which will cause uncertainty,

c) The relationship between "private car parks" and required or volunteered car parks is unclear. The use of the car parks is likely to change over time, e.g. car parks may change from private to ones associated with an activity, or change form one associated with an activity to private. As worded, any change of the use of a car park may trigger a resource consent. There is no resource management reason to regulate the change of use of a car park.

d) The proposed regulatory method (and the wording) is unnecessarily complex, and is not the most appropriate method in terms of section 32. A simpler, alternative method to address the resource management issue (car park amenity) would be to require minimum landscaping requirements for car parking.

Decision Sought: a) Delete the new provision for private car parks, and replace with minimum landscaping requirements for all car parks.

b) In the event the rule is retained, add a new definition for "private car parks" which is explicit and unambiguous.

Make all necessary consequential changes to give effect to this submission.

Viastrada

Submission point #4.1

DECISION

Submission Point #4.1: Accept in part.

Reasons

The submitter raises some valid points in relation to the proposed rule. It is unnecessarily complex and a simpler version is possible. The provision of a definition of private car parking outside of the rule would assist with this.

The second point raised by the submitter relates to their request to replace the rule with one which requires minimum landscaping requirements for all car parks as the method to mitigate the adverse visual and amenity effects of outdoor car parking areas. We do not agree that such a rule is the solution as it does not adequately mitigate the issues that the current proposed rule seeks to address.

The proposed rule seeks to manage the effects of private car parking in the city. These effects go beyond those that can be managed simply through the use of landscaping and include:

- impact on the character of an area,
- location and width of vehicle crossings in relation to pedestrian safety and appearance,
- Crime Prevention Through Environment Design (CPTED considerations),
- pedestrian circulation, continuity of the 'street edge' and weather protection,

- appearance of a building if the car parking is within a building,
- effects of additional car parking on vehicle congestion in the city and on public transport, cycling and walking transport mode, and
- dilution of the vibrancy of the City Centre.

We have decided that the rule itself be revised to ensure that it is less complex and also allows all private car parks in the Inner City to be dealt with consistently. While this does not directly achieve the result the submitter requests it does solve part of the issue they have raised, i.e. improve the rule, and provide for a separate definition

AMENDMENT TO PROPOSED PLAN CHANGE:

Include a new definition in Chapter 2, Meaning of Words:

“private car parking area”: this means any privately provided area where car parking is available to be used on a casual, rental or leased basis; with or without a fee, by members of the public or provided as staff or visitor parking for a particular business or activity.

Amend proposed rule ICr.31A Private Car parking. The amendments below show the rule as recommended in response to the submission point; for a copy of this rule with all changes shown in strike out and underline format see Part B.

Item	Permitted	Controlled	Discretionary/Non-complying
PTO			

<p>ICr.31A Private car parking (Definition see Chapter 2, Meaning of Words)</p>	<p>ICr.31A.1 <u>Private car parking is permitted if:</u></p> <p>a) <u>the parking spaces meet the design and layout standards in Appendix 10 (standards and terms for parking and loading) including for manoeuvring, queuing, set down areas, and surfacing, and</u></p> <p>b) <u>the number of parking spaces does not exceed 10, and</u></p> <p>c) <u>the site does not have a boundary fronting a scheduled street as shown on Planning Map 1 or fronting onto Wakatu Square, except if there is a building along that frontage that screens the car parks from the street or square.</u></p>	<p>ICr.31A.2 <u>Private car parking is controlled if:</u></p> <p>a) <u>the parking spaces meet the design and layout standards in Appendix 10 (standards and terms for parking and loading) including for manoeuvring, queuing, set down areas, and surfacing, and</u></p> <p>b) <u>the number of parking spaces does not exceed 25, and</u></p> <p>c) <u>the site does not have a boundary fronting a scheduled street as shown on Planning Map 1 or fronting onto Wakatu Square, except if there is a building along that frontage that screens the car parks from the street or square, and except that private car parks where the number of parking spaces does not exceed 10 may front onto Montgomery, Buxton or Wakatu parking squares.</u></p> <p><u>Control reserved over:</u></p> <p>i. <u>the design and appearance of the car park, including any fencing and signage, and the type and appearance of the surfacing, and</u></p> <p>ii. <u>landscaping, including its location, and</u></p> <p>iii. <u>access to and from the site (including reverse manoeuvring onto roads), and</u></p> <p>iv. <u>conditions relating to the safety of users and the public, and the prevention of crime.</u></p>	<p>ICr.31A.3 <u>Activities that contravene a controlled standard are discretionary if:</u></p> <p>a) <u>the site does not have a boundary fronting Trafalgar, Hardy or Bridge Streets except if there is a building along that frontage that screens the car parks from the street</u></p> <p><u>Activities that contravene discretionary standard a) are non-complying.</u></p>
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Note that proposed Plan Change 21.3 b) which consists of ICr.31A.4 'Assessment Criteria' and ICr.31A.5 'Explanation' to this rule are not altered from that notified, aside from the addition set out in comment #17.

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.8: New rule (ICr.31A 'Private Parking', plan change section 21.3 a) should lead to a more appropriate and more compact City Centre.

Decision Sought: Retain proposed Plan Change section 21.3 a).

**Tasman Medical Syndicate
Submission point #10.8**

DECISION

Submission Point #10.8: Accept in part.

Reasons

The submitter supports the proposed rule as they consider it should lead to a more appropriate and compact City Centre. We agree that this supporting submission be 'accepted in part' due to the fact we have made changes to the rule ICr.31A in response to submission #4.1. We note that these changes to the provision are still intended to achieve the type of city centre the submitter supports.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.3 b) ICr.31A.4 Private car parking - assessment criteria

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.9: Changes to ICr.31A.4, Assessment Criteria, (plan change section 21.3 b) are supported.

Decision Sought: Retain proposed Plan Change section 21.3 b).

**Tasman Medical Syndicate
Submission point #10.9**

DECISION

Submission Point #10.9: Accept

Reasons

The submitter's support for the changes to the assessment criteria for rule ICr.31A Private Car Parking is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 14: New Zealand Transport Agency

Support in part

Submission Point #14.4: New Assessment Criteria ICr.31A, in particular i) and j) recognise car parks can have adverse effects on the transport network through increased congestion by increased private vehicle usage and also potentially impact on the use of other sustainable modes of transport. The NZTA requests additional text is added to ICr.31A.5 to recognise the impact car parking can have on the transport network through increased congestion and impact on the use of sustainable modes of transport.

Decision Sought: Retain new Assessment Criteria ICr.31A, specifically i) and j) and retain Explanation ICr.31A.5. However, amend ICr.31A.5 by adding a paragraph after the first paragraph, as follows: Car parking can influence the growth of private vehicle traffic. Limiting car parking can influence people to use other sustainable modes of transport. This in turn will seek to avoid, remedy or mitigate congestion on the transport network and improve the City Central Area environment.

**New Zealand Transport Agency
Submission point #14.4**

DECISION

Submission Point #14.4: Accept

Reasons

The submitter supports Plan Change 21.3 b) being the Assessment Criteria for rule ICr.31A Private Car Parking. They also seek that the explanation is retained but suggest additional text be inserted. This suggested addition is accepted as this explains one of the intended outcomes of the rule and supports assessment criteria ICr.31A.4 i) and j) which relate to effects on congestion and use of alternative transport modes.

However, we agree with a minor change to be consistent with the overall approach of the District Plan.

AMENDMENT TO PROPOSED PLAN CHANGE:

Add between the first and second proposed paragraphs in ICr.31A.5:

The supply of car parking can influence the growth of private vehicle traffic. Limiting car parking can encourage use of other sustainable modes of transport, reduce congestion on the transport network and may also improve the environment of the City Centre.

Plan Change 21.4 Parking Maximums – City Centre Area

Plan Change 21.4 a) ICr.31.1 Parking and loading - permitted rule

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.10: The changes to ICr.31.1 (plan change section 21.4 a) are necessary and appropriate given the intent of Plan Change 21. The proposed changes will avoid inappropriate traffic movements on the ring road and ensure that parking areas do not compromise the amenity intended for the City Centre.

Decision Sought: Retain proposed Plan Change section 21.4 a).

Tasman Medical Syndicate
Submission point #10.10

DECISION

Submission Point #10.10: Accept

Reasons

The submitter's support for the proposed amendments to rule ICr.31.1 Parking and Loading, permitted column is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.4 b) ICr.31.3 Parking and loading - discretionary rule

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.11: The changes to ICr.31.3 (plan change section 21.4 b) are necessary and appropriate given the intent of Plan Change 21. The proposed changes will ensure that parking areas do not compromise the amenity intended for the City Centre.

Decision Sought: Retain proposed Plan Change section 21.4 b).

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.5: The NZTA supports the text added to the end of discretionary rule ICr.31.3 (plan change section 21.4 b). It recognises the need for a Travel Management Plan to ensure adverse effects on the transport network are mitigated.

Decision Sought: Retain the text added to the end of discretionary rule ICr.31.3.

Tasman Medical Syndicate
Submission point #10.11
New Zealand Transport Agency
Submission point #14.5

DECISION

Submission Point #10.11: Accept

Submission Point #14.5: Accept.

Reasons

The submitters' support for the proposed amendments to rule ICr.31.3 Parking and Loading, discretionary column is accepted. The submitters note that the amendment will protect the amenity of the city centre and ensure adverse effects on the transport network are mitigated. The proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.4 c) ICr.31.4 Parking and loading - assessment criteria

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.12: In conjunction with plan change section 21.4 a) - b), these changes to ICr.31.4 (plan change section 21.4 c) will provide the appropriate guidance to the administration of these new provisions.

Decision Sought: Retain proposed Plan Change section 21.4 c).

Submitter 14: New Zealand Transport

Support

Submission Point #14.6: The NZTA supports the text added to the Assessment Criteria ICr.31.4 c) (plan change section 21.4 c). This provides specific criteria for the Travel Management Plan to address and also recognises the potential adverse effects on the use of other sustainable modes of transport.

Decision Sought: Retain the text added to the Assessment Criteria ICr.31.4

Tasman Medical Syndicate
Submission point #10.12
New Zealand Transport Agency
Submission point #14.6

DECISION

Submission Point #10.12: Accept

Submission Point #14.6: Accept.

Reasons

The submitters note that the assessment criteria will provide appropriate guidance to the administration of the new provisions and provide specific criteria for the Travel Management Plan. This support is accepted in part as changes to assessment criteria are required to ensure that the detail of a Travel Management Plan is in accordance with the reduction being sought, as outlined in the main findings report.

AMENDMENT TO PROPOSED PLAN CHANGE:

Add the following to the end of assessment criteria ICr.31.4:

Where the parking proposed for an activity is more than 15 spaces, and exceeds the maximum by more than 20%, consideration of a Travel Management Plan is required. This plan shall include the following, taking into account the reduction in parking spaces being sought:

- i) The nature and scale of the activity and associated parking demands from employees and visitors/customers;
- ii) Proposed means of reducing parking demands, such as
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies,
 - sharing parking spaces between complementary uses and spreading peak loads,
 - Encouraging more use of public transport, walking and cycling
- iii) Proposed means of monitoring outcomes.

Plan Change 21.4 d) and 21.4 e) ICr.31.5 Parking and Loading – Explanation

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.13: In conjunction with plan change section 21.4 a)-c), these changes to ICr.31.5 (Plan Change section 21.4 d) will provide the appropriate guidance to the administration of these new provisions.

Decision Sought: Retain proposed Plan Change section 21.4 d).

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.14: In conjunction with plan change section 21.4 a)-d), these changes to ICr.31.5 (Plan Change section 21.4 e) will provide the appropriate guidance to the administration of these new provisions.

Decision Sought: Retain proposed Plan Change section 21.4 e).

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.7: The NZTA supports the text added after paragraph two of Explanation ICr.31.5 (plan change section 21.4 d). The NZTA believes it is important to recognise the need to discourage congestion especially within the City Centre environment.

Decision Sought: Retain the text added after paragraph two of Explanation ICr.31.5

Tasman Medical Syndicate

Submission point #10.13 and #10.14

New Zealand Transport Agency

Submission point #14.7

DECISION

Submission Point #10.13 and #10.14: Accept

Submission Point #14.7: Accept.

Reasons

Submitter 10, Tasman Medical Syndicate, supports both added provisions due to the guidance this will provide to the administration of these new provisions. Submitter 14, New Zealand Transportation Agency, specifically supports Plan Change section 21.4 d) as they believe it is important to recognise the need to discourage congestion especially within the City Centre environment. This support is accepted and the proposed amendments are to be retained.

A consequential change is required to amend the explanation to clarify that it is parking generally (rather than just loading) that must not exceed the maximum level in Appendix 10.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5.i): Parking in area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St, and ii) reduction in other City Fringe areas by resource consent.

Plan Change 21.5 ICr.76 Parking and loading rule - general (City Fringe)

Submitter 1: Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean

Oppose

Submission Point #1.3: Oppose the plan change. It does not consistently apply the removal of car parking requirements and omits the removal of car parking from the Western Fringe area (the submitters' properties) as recommended in both the Heart of Nelson and the 2009 parking study.

Decision Sought: A) As first preference, amend PC21 to extend the City Centre Zone (and remove any parking requirements) to include the submitters' properties (identified in Fig 4 attached to their submission (6-10 Vanguard St, one on Rutherford St, and 4 properties on Vanguard St - 3 on western side, 1 on eastern side) as recommended in the Heart of Nelson Strategy and as modified in the 2009 Parking Study.

B) As second preference, remove the mandatory parking requirements from the sites identified in Fig 4 (submitter's property, shown in submission) and as recommended in the Heart of Nelson Strategy and the 2009 Parking Study.

C) Amend the section 32 analysis for PC21.5 to include all of the Fringe Zone rather than be limited to part of the Eastern Fringe, and to better reflect the benefits for extending the City Centre Zone.

Further Submitter X1: Gibbons Holdings Limited

Statement X1.3

Support Submission Point #1.3

Gibbons Holdings Limited agrees that the eastern side of Nelson City should not be the only area that benefits from Plan Change 21. As set in the Heart of Nelson Strategy it would be appropriate for the parking requirement to be removed from other parts of the City also.

Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean
Submission point #1.3

DECISION

Submission Point #1.3: Reject

Further Submission Statement X1.3: Reject

Reasons

As discussed in our main findings, in our opinion the change requested by the submitter is not within the scope of the proposed Plan Change. As per the First Schedule, Clause 6 (1) RMA, 1991, a person can make a submission 'on' a proposed policy statement or plan that is publicly notified. Proposed Plan Change 21 seeks to remove the mandatory on-site parking requirements from a specific block of land in the eastern area of the Inner City Fringe Zone. It does not set out to do this in other areas of that Zone. The effect of the request in the submission is to substantially alter what was notified in the proposed Plan Change without any real opportunity for involvement of those potentially affected.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil

Submitter 3: John Black

Oppose

Submission Point #3.1: The recommendation in Heart of Nelson Strategy, which included Lower Vanguard St and The Triangle (Rutherford, Vanguard, Hardy), should apply for parking.

Decision Sought: a) Amend to include areas as recommended in Heart of Nelson Strategy i.e. Lower Vanguard Street and the Triangle.

OR

b) Reduce parking requirements for Lower Vanguard St and The Triangle (Rutherford, Vanguard, Hardy) by 50%.

Further Submitter X1: Gibbons Holdings Limited

Statement X1.2

Support Submission Point #3.1

Gibbons Holdings Limited agrees that the eastern side of Nelson City should not be the only area that benefits from Plan Change 21. As set in the Heart of Nelson Strategy it would be appropriate for the parking requirement to be removed from other parts of the City also.

John Black

Submission point #3.1

DECISION

Submission Point #3.1: Reject

Further Submission Statement X1.2: Reject

Reasons

As per submission point 1.3, we consider that the submission is not 'on' the proposed Plan Change and therefore cannot be considered.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 6: Irving Smith Jack Architects Ltd

Support

Submission Point #6.1: The removal of on-site parking requirements for the city eastern fringe (ICr.76) and accompanying obligations for improved building design (ICr.73A) are strongly supported.

Decision Sought: Retain the removal of on-site parking requirement for the eastern city fringe (ICr.76).

Irving Smith Jack Architects Ltd
Submission point #6.1

DECISION

Submission Point #6.1: Accept.

Reasons

The submitter's support for the removal of on-site parking requirements for the eastern city fringe (Plan Change 21.5) is accepted and the relevant Plan Change provisions giving effect to this are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 8: Nelson Marlborough Institute of Technology (NMIT)

Support

Submission Point #8.1: NMIT supports the exclusion of the block bounded by Collingwood/Riverside/Malthouse/Harley/Hardy from the mandatory parking provisions and supports that the City Centre parking provisions apply to it.

Decision Sought: Retain the provision to amend the car parking provisions applying to the block Collingwood/ Riverside/Malthouse/Harley/Hardy area from the parking provisions applying to the City Fringe, and instead make the requirement that the City Centre parking provisions should apply to this locality.

Nelson Marlborough Institute of Technology (NMIT)
Submission point #8.1

DECISION

Submission Point #8.1: Accept

Reasons

The submitter supports the removal of the on-site parking requirements for the block bounded by Collingwood/Riverside/ Malthouse/Harley/Hardy (Plan Change 21.5). This support is accepted and the relevant Plan Change provisions giving effect to this are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5 a) ICr.76.1 Parking and loading - permitted rule

Submitter 2: Levenbach Ltd

Oppose in part

Submission Point #2.1: Area affected by this rule amendment should be expanded to include the area recommended in Action C38 of Heart of Nelson Strategy (HONS), including in particular both sides of Halifax St, bounded by Ajax Ave. At the very least the commercial properties on both sides of Halifax St, between Trafalgar St and Collingwood St, should be included in Exception (a) of this proposed rule amendment.

Decision Sought: PC21.5 (a) should be amended so that Exception A reads as follows:

"(a) for sites in the area bounded by Collingwood Street, Riverside, Malthouse Lane, Harley St and Hardy St and Ajax Avenue where rules ICr.31 and ICr.31A apply as if the area were City Centre, and"

Further Submitter X1: Gibbons Holdings Limited

Statement X1.1

Support Submission Point #2.1

Gibbons Holdings Limited agrees that the eastern side of Nelson City should not be the only area that benefits from Plan Change 21. As set in the Heart of Nelson Strategy it would be appropriate for the parking requirement to be removed from other parts of the City also.

**Levenbach Ltd
Submission point #2.1**

DECISION

Submission Point #2.1: Reject

Further Submission Statement X1.1: Reject.

Reasons

As covered in our main findings, we consider that the submission is not 'on' the proposed Plan Change and therefore cannot be included within this Plan Change.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 5: The Freehouse Ltd

Support

Submission Point #5.1: As a business based at 95-97 Collingwood St (The Free House Tavern), we fully support this plan change so that car parks become an irrelevance on both sides of this part of Collingwood St. Our business is extremely pedestrian and cycle-friendly and we do not wish to encourage drinkers to drive to our establishment.

Decision Sought: Retain Plan Change 21.5 a).

Submitter 7: John Graham Abbott

Support

Submission Point #7.1: We agree with Plan Change section ICr.76.1 Parking and Loading, in relation to city fringe extension and parking.

Decision Sought: Retain ICr.76.1 in relation to the city fringe extension and parking.

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.15: The proposed removal of the parking requirement to this area in the eastern side of the Inner City is supported. These changes to ICr.76.1 (plan change section 21.5 a) will better enable this land to be developed without being driven by the need to either comply with the parking requirements or go through a complex resource consent application.

Decision Sought: Retain proposed Plan Change section 21.5 a).

**The Freehouse Ltd
Submission point #5.1**

**John Graham Abbott
Submission Point #7.1**

**Tasman Medical Syndicate
Submission Point #10.15**

DECISION

Submission Point #5.1: Accept

Submission Point #7.1: Accept

Submission Point #10.15: Accept.

Reasons

The submitters support the removal of the on-site parking requirement for the block bounded by Collingwood/Riverside/ Malthouse/Harley/Hardy (Plan Change 21.5 a). Submitter 10, Tasman Medical Syndicate, specifically notes this '*...will better enable this land to be developed without being driven by the need to either comply with the parking requirements or go through a complex resource consent application.*' This support is accepted and the relevant Plan Change provisions giving effect to this are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 12: Gibbons Holdings Limited

Support

Submission Point #12.1: Plan Change 21.5 proposes to remove the parking requirement from the area bounded by Collingwood Street, Riverside, Malthouse Lane, Harley Street and Hardy Street. As sites are redeveloped it is accepted that this change may have some positive effects on the visual amenity of this area, and will provide an opportunity to undertake more intensive developments. The displacement of staff parking demand is however already an issue experienced in Nelson which may be worsened by this proposed change to the Plan.

Decision Sought: Retain the proposed Plan Change section 21.5 a) and 21.5 c) on the condition that the Nelson City Council closely monitor demands for and availability of on-street and public parking (as per ICr.1.6.vi, plan change section 21.2 d) and have a formal strategy to provide for extra demands as they arise.

Gibbons Holdings Limited
Submission point #12.1

DECISION

Submission Point #12.1: Reject.

We recognise the importance of ensuring that parking in Nelson City Centre is adequate to meet the needs of residents and visitors and that a reduction of on-site parking may increase demand for public parking spaces. To this end, a stated method in the proposed Plan Change is surveys to monitor demands. We acknowledge that this is not a 'formal strategy to provide for extra demands as they arise' as requested by the submitter, as the Plan Change cannot require the council to prepare such a strategy. However monitoring of the outcomes of plan provisions is a relevant matter under the RMA, and in the main findings we note that there would be benefit from the development of an appropriate strategy. Therefore while the support outlined in the submission is accepted, the submission overall is rejected as we cannot guarantee through the Plan Change process that a strategy will be developed.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5 b) ICr.76.2 Parking and loading - controlled rule

Submitter 15: 3 Grove Street Limited

Oppose

Submission Point #15.1: The deletion of the current controlled activity rule for parking and loading for short term living accommodation is opposed. It is considered that the current rule better achieves the purpose of the Act. (Plan change section 21.5 b)

Decision Sought: Delete proposed Plan Change section 21.5 b.

Further Submitter X2: Rutherford Hotel Holdings Limited **Statement X2.1**

Support Submission Point #15.1

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

Submitter 16: Munro Hotels Developments Limited

Oppose

Submission Point #16.1: The deletion of the current controlled activity rule for parking and loading for short term living accommodation is opposed (plan change section 21.5 b). It is considered that the current rule better achieves the purpose of the Act.

Decision Sought: Delete proposed Plan Change section 21.5 b.

Further Submitter X2: Rutherford Hotel Holdings Limited **Statement X2.6**

Support Submission Point #16.1

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

3 Grove Street Limited
Submission point #15.1
Munro Hotels Development Limited
Submission point #16.1

DECISION

Submission Point #15.1: Accept in part

Further Submission Statement X2.1:

Submission Point #16.1: Reject

Further Submission Statement X2.6: Reject

Reasons

These submitters oppose the replacement of the controlled activity rule relating to the provision of car parking for Short Term Living Accommodation with a required level of parking as a permitted activity. As discussed in our main findings, we are of the opinion that a hybrid rule is appropriate. That is, a permitted activity standard is introduced, along with the retention of a controlled activity standard for modest reductions, and a limited discretionary band for more significant reductions.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5 c) ICr.76.3 Parking and loading - discretionary rule

Submitter 1: Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean

Support in part

Submission Point #1.2: Support ICr.76.3 to the extent that reduced parking up to 10% is restricted discretionary, but oppose it to the extent that a Travel Management Plan is required to accompany any proposed reduction in parking spaces.

Decision Sought: a) Support ICr.76.3 to the extent that reduced parking up to 10% is restricted discretionary but, b) Delete proposed clause b) (requirement for Travel Management Plan) from rule ICr.76.3

Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean
Submission point #1.2

DECISION

Submission Point #1.2: Accept in part

Reasons

As discussed on our main findings, we accept that a travel management plan needs to be tailored to the circumstances of the application and the site. We also accept that for minor reductions in car parking numbers, a travel management plan is an unnecessary step to take. The following changes take these points into account.

AMENDMENT TO PROPOSED PLAN CHANGE:

ICr.76.3

Activities that contravene a permitted condition or a controlled standard are discretionary, except that an application to reduce the parking requirements in Appendix 10 is a restricted discretionary activity if:.....

b) ~~where the reduction in parking spaces exceeds five spaces,~~ the application is accompanied by a Travel Management Plan that addresses the matters in Assessment Criterion ICr.76.4 c)

Submitter 3: John Black

Support in part

Submission Point #3.2: The parking reduction of 10% is not sufficient to encourage a developer to apply for a reduction.

Decision Sought: Increase the parking reduction to at least 20%. Perhaps as much as 40% as granting a reduction is at Council's discretion.

John Black

Submission point #3.2

DECISION

Submission Point #3.2: Accept

Reasons

In our opinion a limit of up to a 20% reduction is reasonable, as a restricted discretionary activity. This increased limit is safeguarded by the fact the rule is restricted discretionary (and therefore applications can be declined) and the 20% reduction is a maximum. An applicant cannot expect to receive the maximum limit in all cases; they will need to prove that any reduction can be justified (including by the methods proposed through a Travel Management Plan). Should Council not accept that a reduction is justified, the consent can be declined or a lesser parking reduction accepted.

AMENDMENT TO PROPOSED PLAN CHANGE:

ICr.76.3

Activities that contravene a permitted condition or a controlled standard are discretionary, except that an application to reduce the parking requirements in Appendix 10 is a restricted discretionary activity if:

a) ~~The proposed reduction in parking spaces is not more than 10%,~~ 20% of the number required in Appendix 10, and...

Submitter 6: Irving Smith Jack Architects Ltd

Support in part

Submission Point #6.3: The 10% conditional dispensation for parking levels could be clarified on its application where small numbers of car parks are provided.

Decision Sought: The 10% conditional dispensation for parking levels could be clarified on its application where small numbers of car parks are provided.

Irving Smith Jack Architects Ltd
Submission point #6.3

DECISION

Submission Point #6.3: Reject

Reasons

In our opinion there is no need to further clarify the application of this provision to situations where a small number of car parks are to be provided.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 8: Nelson Marlborough Institute of Technology (NMIT)

Support in part

Submission Point #8.2: NMIT supports the provision of a non-notified restricted discretionary activity provision for up to a 10% reduction in parking where an application is accompanied by a Travel Management Plan. NMIT opposes the fact that the 10% reduction rule being introduced as a non-notified restricted discretionary activity does not also amend the current provisions for parking under Appendix 10 for tertiary education, where a 10% reduction rule also applies, but the status for that is as a discretionary activity rather than a non-notified restricted discretionary activity.

Decision Sought: Retain the provision in the Plan Change for a 10% reduction in the parking rule to be a restricted discretionary activity with no notice or any approvals required. Amend Appendix 10, Table 10.3.1 under the heading of tertiary education facilities and change the words in brackets under a) to state the following: "(reducible by 10% as a restricted discretionary activity subject to a Travel Management Plan that addresses the matters under ICr.76.4 c. Such an application will be considered without notification and without service of notice)".

Nelson Marlborough Institute of Technology (NMIT)
Submission point #8.2

DECISION

Submission Point #8.2: Accept

Reasons

As set out in our main findings, it is reasonable for the specific provisions for NIMT in Appendix 10 to be aligned with the new policy introduced for the City Centre and other zones (allowing for a reduction in car parking to be considered on a restricted discretionary basis).

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.16: The proposed amendments to ICr.76.3 (Plan Change section 21.5 c) will provide more opportunity for land to be developed in a sustainable manner. Parking standards are, by their very nature, generic and so the rules should reflect that.

Decision Sought: Retain proposed Plan Change section 21.5 c.

**Tasman Medical Syndicate
Submission point #10.16**

DECISION

Submission Point #10.16: Accept in part

Reasons

The submitter's support for the proposal to provide a non-notified restricted discretionary activity rule for up to 10% reduction where an application is accompanied by a Travel Management Plan is accepted in part and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 15: 3 Grove Street Limited

Oppose

Submission Point #15.2: In conjunction with my submission on plan change section 21.5 b), the deletion of the words 'or controlled standard' from ICr.76.3 is opposed. (Plan change section 21.5 c)

Decision Sought: Delete proposed Plan Change section 21.5 c.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.2

Support Submission Point #15.2

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

Submitter 16: Munro Hotels Developments Limited

Oppose

Submission Point #16.2: In conjunction with my submission on plan change section 21.5 b) the deletion of the words 'or controlled standard' from ICr.76.3 is opposed. (Plan change section 21.5 c)

Decision Sought: Delete proposed Plan Change section 21.5 c.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.7

Support Submission Point #16.2

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

**3 Grove Street Limited
Submission point #15.2
Munro Hotels Developments Limited
Submission point #16.2**

DECISION

Submission Point #15.2: Accept in part

Further Submission Statement X2.2: Accept in part

Submission Point #16.2: Accept in part

Further Submission Statement X2.7: Accept in part.

Reasons

See response to submission 16.4.

AMENDMENT TO PROPOSED PLAN CHANGE:

See response to submission 16.4.

Submitter 17: Progressive Enterprises Limited

Support in part

Submission Point #17.6: Support in part plan change section 21.5 c). The new rule provides clarity in terms of how the reduction in parking numbers is to be implemented and it is appropriate that restricted discretionary status is applied, without notification. However, Table 10.3.1 places a clear restriction on the amount of the reduction to 10% or 10 parking spaces, whichever is the lesser. This rule (ICr.76.3) only refers to 10%. This is misleading and the rule should refer to the actual number restriction as well.

Note: the references to 10% in the rules relating to the Residential, Suburban Commercial, Industrial, Open Space & Recreation and Rural Zone should also be expanded to refer to 'or 10 spaces, whichever is the lesser' for consistency purposes.

Decision Sought: Amend rule ICr.76.3 a) to say "the proposed reduction in parking spaces is not more than 10% of the number required in Appendix 10 **or 10 spaces, whichever is the lesser** or words giving effect to the same.

**Progressive Enterprises Limited
Submission point #17.6**

DECISION

Submission Point #17.6: Reject

Reasons

The provision '*or 10 spaces, whichever is the lesser*' only applies to the proposed Plan Change 21.7 m) which relates to reductions possible for bicycle parking. It is not a provision that applies when considering parking reductions under the restricted discretionary consent provision proposed under Plan Change 21.5 c).

In our opinion no change is required as there is no inconsistency between the proposed rule and Table 10.3.1. This has been clarified with the submitter who agrees with this position.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5 d) ICr.76.4 Parking and loading - assessment criteria

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.17: In conjunction with plan change section 21.5 c), these changes to ICr.76.4 (plan change section 21.5 d) will provide the appropriate guidance to the administration of these new provisions.

Decision Sought: Retain proposed Plan Change section 21.5 d).

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.8: The NZTA supports new Assessment Criteria ICr.76.4 specifically c). (Plan change section 21.5 d).

Decision Sought: Retain the new Assessment Criteria ICr.76.4, in particular c).

**Tasman Medical Syndicate
Submission point #10.17
New Zealand Transport Agency
Submission point #14.8**

DECISION

Submission Point #10.17: Accept

Submission Point #14.8: Accept

Reasons

In conjunction with the submission on Plan Change section 21.5 c), submitter 10 supports the assessment criteria proposed for rule ICr.76. Submitter 14, New Zealand Transport Agency, specifically supports assessment criteria c) relating to the Travel Management Plan. This support is accepted in part as consequential changes are necessary to align with decisions outlined in the main findings report relating to Transport Management Plans generally and ICr.76.3 specifically.

AMENDMENT TO PROPOSED PLAN CHANGE:

Add the following to the end of assessment criteria ICr.76.4:

Where a Travel Management Plan is required under ICr.7.6.3, it shall include the following, taking into account the reduction in parking spaces being sought:

- ii) The nature and scale of the activity and associated parking demands from employees and visitors/customers;
- ii) Proposed means of reducing parking demands, such as
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies,
 - sharing parking spaces between complementary uses and spreading peak loads,
 - Encouraging more use of public transport, walking and cycling
- iii) Proposed means of monitoring outcomes.

Plan Change 21.5 e) REr.38.3, SCr.31.3, INr.35.3, OSr.34.3 and RUr.35.3 **Parking and loading - discretionary rule - Other zones**

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.18: The proposed amendments (Plan change section 21.5 e) will provide more opportunity for land to be developed in a sustainable manner. Parking standards are, by their very nature, generic and so the rules should reflect that.

Decision Sought: Retain proposed Plan Change section 21.5 e).

Tasman Medical Syndicate
Submission point #10.18

DECISION

Submission Point #10.18: Accept

Reasons

The submitter's support for the proposal to make changes to rules REr.38.3, SCr.31.3, INr.35.3, OSr.34.3 and RUr.35.3 to reflect those proposed under Plan Change 21.5 c is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.5 f) REr.38.4, SCr.31.4, INr.35.3, OSr.34.3 and RUr.35.3 **Parking and loading - assessment criteria - Other zones**

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.19: In conjunction with the submission on plan change section 21.5 e) these changes (under plan change section 21.5 f) will provide the appropriate guidance to the administration of these new provisions.

Decision Sought: Retain proposed Plan Change section 21.5 f).

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.9: The NZTA supports the new Assessment Criteria in plan change section 21.5 f)

Decision Sought: Retain new Assessment Criteria, as shown in Plan Change section 21.5 f).

DECISION

Submission Point #10.19: Accept

Submission Point #14.9: Accept.

Reasons

The submitters support the proposal to make changes to assessment criteria in rules REr.38.4, SCr.31.4, INr.35.4, OSr.34.4 and RUr.35.4 to reflect those proposed under Plan Change 21.5 c). This support is accepted in part as consequential changes are necessary to align with amendments to ICr.76.3 and ICr.76.4.

AMENDMENT TO PROPOSED PLAN CHANGE:

Make changes to assessment criteria in rules REr.38.4, SCr.31.4, INr.35.4, OSr.34.4 and RUr.35.4 as follows:

Where a Travel Management Plan is required under the restricted discretionary activity rule, it should include the following, taking into account the reduction in parking spaces being sought:

- iii) The nature and scale of the activity and associated parking demands from employees and visitors/customers;
- ii) Proposed means of reducing parking demands, such as
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies,
 - sharing parking spaces between complementary uses and spreading peak loads,
 - Encouraging more use of public transport, walking and cycling
- iii) Proposed means of monitoring outcomes.

Plan Change 21.6: Design and External Appearance of buildings in area bounded by Collingwood St, Riverside, Malthouse Lane, Harley Street and Hardy Street.

Plan Change 21.6 ICr.73A Design and external appearance - Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St

Submitter 5: The Free House Ltd

Support

Submission Point #5.2: We support this change: ICr.73A Design and External Appearance

Decision Sought: Retain new rule ICr.73A Design and External Appearance

Submitter 6: Irving Smith Jack Architects Ltd

Support

Submission Point #6.2: The removal of the on-site parking requirement for the city eastern fringe (ICr.76) and accompanying obligations for improved building design (ICr.73A) are strongly supported.

Decision Sought: Retain accompanying obligations for improved building design (ICr.73A).

The Free House Ltd

Submission point #5.2

Irving Smith Jack Architects Ltd

Submission point #6.2

DECISION

Submission Point #5.2: Accept

Submission Point #6.2: Accept

Reasons

The submitter's support for the proposal to introduce design controls to buildings in the area bounded by Collingwood St, Riverside Lane, Malthouse Lane, Harley Street and Harley Street is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.6 a) and b) ICr.73A Design and external appearance – rule

Submitter 10: Tasman Medical Syndicate

Support in part

Submission Point #10.20: The incorporation of some design control over the development of land within this portion of the City Centre is supported. However it could be argued that the same design control should apply to the entire Inner City of Nelson. In addition, this part of the Inner City is no different to the wider Inner City area.

Decision Sought: Replace proposed Plan Change section 21.6 a) with a rule that applies equally and fairly over the entire Inner City.

Submitter 10: Tasman Medical Syndicate

Support in part

Submission Point #10.21: The incorporation of some design control over the development of land within this portion of the City Centre is supported. However it could be argued that the same design control should apply to the entire Inner City of Nelson. In addition, this part of the Inner City is no different to the wider Inner City area.

Decision Sought: Replace proposed Plan Change section 21.6 b) with a rule that applies equally and fairly over the entire Inner City.

Tasman Medical Syndicate
Submission point #10.20 (Plan Change 21.6 a) and,
Submission point #10.21 (Plan Change 21.6 b).

DECISION

Submission Point #10.20: Reject

Submission Point #10.21: Reject.

Reasons

The design of buildings in other parts of the City Centre is controlled through existing operative rules. The specific rules are: ICr.27 Buildings in Montgomery, Buxton and Wakatu Square, ICr.28 External Design and Appearance – Trafalgar, Hardy and Bridge Streets, and ICr.29 Display Windows. There seems to be little need to extend the proposed interim design controls to all of the Inner City Zone.

The explanation section of proposed rule ICr.73A states '*As an interim measure ahead of a more comprehensive review of the zoning to apply to the area, and the design rules and controls that are to apply to the City Centre, some design control has been reserved over the external appearance of new or significantly altered buildings, and layout of the site*'. It is clear from this statement that the intent is to carry out a more comprehensive review of Inner City design controls in the future.

In light of the existing operative design controls in other parts of the Inner City Centre, and the stated interim nature of those proposed under this Plan Change we find that no changes are needed.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7: Amendment to Appendix 10 Standards and terms for parking and loading

Plan Change 21.7 a) AP10.2 a: Appendix 10 Definitions - Large format retail/Bulk retail

Submitter 11: Strategic Property Group Limited

Oppose

Submission Point #11.1: The definition proposed for LFR / Bulk retail (plan change section 21.7 a) is inappropriate and does not align with what has been approved as LFR both in Nelson and throughout New Zealand.

Decision Sought: Amend proposed Plan Change section 21.7 a) as follows: "means a retail store with a minimum gross floor area of 500m²...."

Strategic Property Group Limited
Submission point #11.1

DECISION

Submission Point #11.1: Accept.

Reasons

A 500m² threshold for large format retail is consistent with that which appears in Schedule N.

This definition is also only relevant to parking requirements in Appendix 10.

AMENDMENT TO PROPOSED PLAN CHANGE:

Replace 1000m² with 500m² in the proposed definition of Large Format Retail / Bulk Retail in Appendix 10, AP 10.2 Definitions.

Submitter 17: Progressive Enterprises Limited

Support in part

Submission Point #17.7: The introduction of a definition for "Large Format Retail / Bulk Retail" is supported. However, the definition as proposed is clumsy and not well considered. The second sentence in the definition is unnecessary as any retail activity meeting the first part of the definition is automatically covered. It appears that the sentence is intended to relate to large format activity on large sites without building floor area, in which case the parking numbers Table (10.3.1) should make a distinction on gross floor area and gross outdoor display area which would ensure that both types of bulk retail are addressed.

Decision Sought: Amend the proposed definition of Large Format / Bulk Retail as follows: "Means a retail store with a minimum gross floor area of 1000m², excluding any outdoor display area **associated with that store of a retail site with a minimum area of 1000m² used for outdoor display of goods for sale.** For the purposes of calculating parking requirements **outdoor display areas not associated with retail store will be required to provide parking**" or words of a similar nature.

DECISION

Submission Point #17.7: Accept in part

Reasons

We agree with the submitter that definition of “Large Format Retail / Bulk Retail” could be improved and that the second sentence of the proposed definition is redundant as outdoor display areas are already excluded by the first sentence.

The question of how much parking to provide for outdoor display areas has been considered by Ross Rutherford of Transport Planning Solutions Ltd who recommends a rate of 1 space per 100m² of outdoor retail display area (report attached as Part B, Appendix 1 to Section 42a report). Making this change highlights the inconsistency of then not having a parking requirement for outdoor display areas which are associated with a retail store. We therefore find that consequential amendments arising from the submissions be made subject to Schedule 1, Clause 10 (2) (b) (ii) of the RMA to ensure that outdoor display areas are dealt with consistently in the Plan.

AMENDMENT TO PROPOSED PLAN CHANGE:

Amend proposed definition for Large Format Retail / Bulk Retail, Plan Change 21.7 a)

Large Format Retail/Bulk Retail:

means a retail store with a minimum gross floor area of ~~4000~~ 500m², excluding any outdoor display area. ~~For calculating parking requirements, Any outdoor display area will be excluded provided the outdoor display area is associated with a retail activity in a building with a minimum gross floor area of 4000~~ 500m² will be included in the parking calculations as per parking table 10.3.1.

This definition excludes Large Format Retailing in Schedule N (Quarantine Road Large Format Retail), which is defined separately in Schedule N (N.3) and has specific parking provisions under Table 10.3.1.

Amend Table 10.3.1 as it is proposed to relate to Large Format Retail / Bulk Retail, plan Change 21.7 f)

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
<u>Large Format Retail / Bulk Retail</u> <u>(other than within Schedule N – Quarantine Road)</u>	<u>3.5 spaces per 100m² gross floor area</u> <u>+ 1 space per 100m² for outdoor display areas</u> <u>(For Schedule N, - see ‘Activities defined in N.3 for Schedule N’ above)</u>

Amend Table 10.3.1 as it is proposed to relate to Retail Activities, and Retail Services, Plan Change 21.7 i)

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
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<p><u>Retail Activities, and Retail Services</u> <u>(other than shopping centres/ shopping malls, and large format retail/bulk retail)</u> (for illustrative purposes, retail services includes personal or household services such as hairdressers, dry cleaners, servicing or repair of appliances or equipment and businesses and professional services such as lawyers and accountants. Retail activity includes things such as vehicle sales).</p>	<p><u>4 spaces per 100m² gross floor area</u> <u>+ 1 space per 100m² for outdoor display areas</u></p> <p><u>Premises or sites <1000m² gross floor area:</u> <u>1 space/30m² of gross floor area</u> <u>+ 1 space/40m² gross floor area for outdoor display area, except for vehicle sales yards where 1 space/80m² gross floor area is required</u> <u>+ 1 staff space/100m² gross floor area.</u></p> <p><u>Premises or sites >1000m² gross floor area:</u> <u>1 space/25m² of gross floor area</u> <u>+ 1 space/40m² gross floor area for outdoor display area, except for vehicle sales yards where 1 space/80m² gross floor area is required</u> <u>+ 1 staff space/100m² gross floor area.</u></p>
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Plan Change 21.7 b) AP10.2 b: Appendix 10 Definitions - Shopping Centre/Shopping Mall

Submitter 4: Viastrada

Oppose

Submission Point #4.3: The definition is not representative of a shopping centre or mall. Under this definition, 5 small boutique neighbourhood retailers (of any size) which share a common car parking area are a shopping centre or shopping mall. The definition is too restrictive as proposed and is likely to have unintended consequences. It is also not clear whether the retailers are individual, or in individual buildings.

Decision Sought: A) Clarify that these are separate / individual retailers.

B) Amend to apply a minimum floor area (e.g. 5 or more having a combined total GFA exceeding 2500m²).

C) Amend so the definition includes individual retailers (as amended) clustered around a supermarket or Large Format Retail anchor tenant.

Make all necessary consequential changes to give effect to this submission.

Viastrada
Submission point #4.3

DECISION

Submission Point #4.3: Reject.

Reasons

In our view the submitter has raised a valid issue that calls into question whether the definition and associated parking requirement is the most efficient way of dealing with the issue of car parking. Without a specific provision any mall that sought to develop in Nelson would be subject to the standard parking requirements for retail activities (4 spaces per 100m², and for Large Format Retail / Bulk Retail, 3.5 spaces per 100m² as are proposed to apply through this Plan Change), or the operative provisions in the current Plan. This ensures that car parking is required, and if the mall developer has justification to seek an alternative parking provision below that required by the Plan they can do this through the resource consent process.

Drawing on Submitter 13, John Fitchett's request that the proposed Plan Change is deleted entirely, we consider that proposed Plan Change provision 21.7 b) and associated proposed Plan Change provision 21.7 j) be deleted. This rejects submission 4.3 to carry out amendments to the proposed definition and accepts in part submission 13.1, to delete the proposed Plan Change entirely.

AMENDMENT TO PROPOSED PLAN CHANGE:

Delete proposed Plan Change 21.7 b) 'Definition of Shopping Centre/Shopping Mall' in its entirety.

Delete proposed Plan Change 21.7 j) 'New parking provisions Shopping Centre/Shopping Mall' in its entirety.

Plan Change 21.7 c) AP10.2 c: Appendix 10 Definitions - Supermarket

Submitter 17: Progressive Enterprises Limited

Support in part

Submission Point #17.8: The introduction of a definition for "supermarket" is supported. However the definition developed is too explanatory and the reference to lines of product in c) is unnecessary, adding nothing to the definition. The reference to "general housekeeping" as a means of defining a product line is not standard industry practice. By adding the words 'including but not limited to' before the range of products covers the very diverse range of goods generally found in supermarkets.

Decision Sought: Amend 21.7 c) as follows:

"Means a retail shop with a gross floor area of not less than 500m² (or an equivalent area including related back of house unloading, storage, preparation, staff and equipment space, within a larger store) and selling a comprehensive range of (**including but not limited to**):

- a) fresh meat and produce; and
- b) chilled, frozen, packaged, canned and bottled food and beverages; and
- c) general **household** and personal goods."

**Progressive Enterprises Limited
Submission point #17.8**

DECISION

Submission Point #17.8: Accept.

Reasons

The amendment sought by the submitter is accepted as it simplifies the proposed definition and improves its application.

As a consequential amendment (Schedule 1, Clause 10 (2) (b) (i) of the RMA) we find that a note should be placed below this proposed definition referring the reader of the Plan to the Schedule N definition. This would help to ensure that there is no misunderstanding of the role of the two definitions of supermarket.

AMENDMENT TO PROPOSED PLAN CHANGE:

Amend proposed definition of supermarket in AP10.2, proposed Plan Change 21.7 c)

Supermarket

means an individual retail shop with a gross floor area of not less than 500m² (or an equivalent area,

including related back of house unloading, storage, preparation, staff and equipment space, within a larger store) and selling a comprehensive range of:

- a) fresh meat and produce, and
- b) chilled, frozen, packaged, canned and bottled foods and beverages, and
- c) general household housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenware, toilet paper, diapers, and other paper tissue products, magazines and newspapers, greeting cards and stationery, cigarettes and related products, barbecue and heating fuels, batteries, flashlights and light bulbs, films, pharmaceutical, health and personal hygiene products and other toiletries.

Note: Schedule N, Industrial Zone includes a differing definition of Supermarkets which is only relevant to the Schedule N area.

Plan Change 21.7 d) AP10.2 d: Appendix 10 Definitions - Unit

Submitter 15: 3 Grove Street Limited

Oppose

Submission Point #15.3: In conjunction with my submission on plan change section 21.5 b) and c), a definition of a unit is only required if the current controlled activity standard is to be deleted and a new permitted activity parking standard introduced. If the controlled activity standard is retained the Consent Authority is able to have regard to the particular Tourist Accommodation activity proposed, and the locational circumstances. Hence, there is no need for this new definition.

Decision Sought: Delete proposed Plan Change section 21.7 d.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.3

Support Submission Point #15.3

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

Submitter 16: Munro Hotels Developments Limited

Oppose

Submission Point #16.3: In conjunction with my submission on plan change section 21.5 b) and c), a definition of a unit is only required if the current controlled activity standard is to be deleted and a new permitted activity parking standard introduced. If the controlled activity standard is retained the Consent Authority is able to have regard to the particular Tourist Accommodation activity proposed, and the locational circumstances. Hence, there is no need for this new definition.

Decision Sought: Delete proposed Plan Change section 21.7 d.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.8

Support Submission Point #16.3

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

3 Grove Street Limited
Submission point #15.3
Munro Hotels Developments Limited
Submission point #16.3

DECISION

Submission Point #15.3: Reject

Further Submission Statement X2.3: Reject

Submission Point #16.3: Reject

Further Submission Statement X2.8: Reject.

Reasons

As set out in relation to submission points 16.4, we have found that revised provisions for STLA should be incorporated into the Plan Change. These amended provisions rely upon a “unit” as being the basis against which parking demands will be assessed, and a definition of a ‘unit’ is therefore required.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 e) Table 10.3.1 Parking table - General

Submitter 1: Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean

Support

Submission Point #1.1: The submitters support the reduced parking requirements in Plan Change 21.

Decision Sought: Retain the reduced parking requirements in Appendix 10.

Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean
Submission point #1.1

DECISION

Submission Point #1.1: Accept.

Reasons

The submitter states their support for the reduced parking standards in Plan Change 21.

This support is accepted and the relevant Plan Change provisions giving effect to this are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Submitter 3: John Black

Support in part

Submission Point #3.3: Under PC21.7 f), h), i), j) and l), it is unclear what parking is required for part of 100m² gross floor area (is calculation based only on 100m² and not part of 100m²?). As an example the gross floor area of a building is 110m². The change may state 4 parks per 100m². Are 4 or 8 required? It would be better to state 1 park per 25m² or part thereof.

Decision Sought: Specify the floor area required for one car park, rather than number required per 100m².

John Black
Submission point #3.3

DECISION

Submission Point #3.3: Accept in part.

Reasons

We consider that a statement should be added to the Plan clarifying how to calculate the number of car parks required on a per 100m² basis. While this is not directly what the submitter requested we consider that it does help to resolve their concern. The proposed statement is shown below.

AMENDMENT TO PROPOSED PLAN CHANGE:

Add new statement to AP10.3.iii below existing second box:

When the parking requirement is stated as the number of parks required per 100m² or similar, the number of parks required is to be calculated on a proportional basis.

For example: At a required parking rate of 4 parks per 100m² gross floor area a 455m² development will require $(455/100) \times 4$ parks, this equals 18.2 parks. Using the rounding provisions explained above the development is required to provide 18 car parks.

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.22: The change to Table 10.3.1 is considered to provide an appropriate acknowledgment to the role played by bicycle parking.

Decision Sought: Retain proposed Plan Change section 21.7 e.

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.10: The NZTA supports the amendment to Table 10.3.1 title. (Plan change section 21.7 e)

Decision Sought: Retain the amendment to Table 10.3.1 title.

Tasman Medical Syndicate
Submission point #10.22
New Zealand Transport Agency
Submission point #14.10

DECISION

Submission Point #10.22: Accept

Submission Point #14.10: Accept.

Reasons

The submitter's support for proposed Plan Change 21.7 e) which is a change to the title of Table 10.3.1 adding in '*...and car parking reductions where bicycle parking is provided*' is accepted and the Plan Change provision is to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 f) Table 10.3.1 Large format retail/Bulk retail

Submitter 11: Strategic Property Group Limited

Support in part

Submission Point #11.2: The provision for a parking ratio for LFR is supported however it is also considered that the required ratio should be consistent with that considered appropriate for Schedule N (3 spaces per 100m²). (Plan change section 21.7 f).

Decision Sought: Amend proposed Plan Change section 21.7 f) as follows: "3 spaces per 100m² gross floor area".

**Strategic Property Group Limited
Submission point #11.2**

DECISION

Submission Point #11.2: Reject.

Reasons

The parking requirement of 3.5 per 100m² is to be retained as it acts as the permitted activity level for any proposal, in any location or configuration that meets the definition of LFR. This could be a single store of 500m², or the large multi-tenanted development of up to 30 000m² described above.

The figure of 3.5 per 100m² was considered by Ross Rutherford in his report 'District Plan Car Parking Ratios, June 2009' to be the most suitable for the multiple-category retail that often occurs in LFR stores. The lower parking rate of 3 spaces per 100m² referred to by the submitter was approved for a specific development, in a specific location through a Private Plan Change process.

If an individual proposal can justify a lower parking rate then this is able to be considered through the resource consent process. The policy DO10.1.6A 'On Site parking – reductions in required levels' proposed through this Plan Change provides guidance and policy direction for when, and under what circumstances, this is appropriate.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 h) Table 10.3.1 Restaurant/Tavern

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.23: Plan Change section 21.7 h) proposes a new parking ratio of 4 spaces per 100m² of gross floor area for restaurants, cafes, and taverns. The Plan Change incorrectly identifies the current rule as requiring 1 space per 100m² of gross floor area. The current rule requires 1 space per 10m² of gross floor area. The proposed change is considered to require a more realistic ratio of parking for this activity.

Decision Sought: Retain proposed Plan Change section 21.7 h).

**Tasman Medical Syndicate
Submission point #10.23**

DECISION

Submission Point #10.23: Accept

Reasons

The submitter states their support for the reduced parking standard relating to restaurants, cafes and taverns as they see this as a more realistic parking ratio. The submitter also notes the error in the Plan Change document where 'struck out' text shows the current rule as having a parking requirement of 1 space per 100m². This error is acknowledged and the correct operative parking ratio for restaurants and taverns is 1 park per 10m².

The support of the submitter is accepted and the proposed amendments are recommended to be retained (with the error corrected).

AMENDMENT TO PROPOSED PLAN CHANGE:

Proposed Plan Change 21.7 h) Table 10.3.1 correct an error, 1 ~~space~~ / 100m² to read 1 ~~space~~ / 10m².

Plan Change 21.7 i) Table 10.3.1 Retail Activities/Retail Services

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.24: Plan change section 21.7 i) proposes to simplify the parking requirement for retailing activities, while adding new ratios for Large Format Retail and Shopping Centres. The simplification of the parking ratio for retailing activities is generally supported.

Decision Sought: Retain proposed Plan Change section 21.7 i.

**Tasman Medical Syndicate
Submission point #10.24**

DECISION

Submission Point #10.24: Accept.

Reasons

The support of the submitter is noted. The proposed provision is to be amended as a result of submission 17.7. This change adds a parking requirement for outdoor display areas. This is a simplification of the current rule so it is our opinion that the support of the submitter remains valid.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil as a result of this submission.

Note: See submission 17.7.

Submitter 17: Progressive Enterprises Limited

Support in part

Submission Point #17.9: The proposed amendment to the parking numbers in Table 10.3.1 as they relate to "Retail Activities and Retail Services" is supported. However, for completeness and consistency, the

description of the activity (column 1) should also exclude supermarkets if the reference to "other than shopping centres, shopping malls, and large format retail / bulk retail" is to be retained.

Decision Sought: Amend column "activity" description as follows: "Retail Activities, and Retail Services (other than shopping centres / shopping malls, **supermarkets** and large format retail / bulk retail)" ...retain the remainder of the description.

Progressive Enterprises Limited
Submission point #17.9

DECISION

Submission Point #17.9: Accept.

We consider that the submitter has raised a valid point and for the purposes of Plan clarity and consistency 'supermarket' is recommended to be excluded from the definition of 'Retail Activities and Retail Services' clause.

AMENDMENT TO PROPOSED PLAN CHANGE:

Table 10.3.1 activity column 'Retail Activities, and Retail Services' be amended to include, (~~other than shopping centres / shopping malls, supermarkets and large format retail / bulk retail~~).

Plan Change 21.7 k) Table 10.3.1 Short Term Living Accommodation

Submitter 15: 3 Grove Street Limited

Oppose

Submission Point #15.4: The new rule is opposed as the current rule is considered to better achieve the purpose of the Act (plan change section 21.7 k).

Decision Sought: Delete proposed Plan Change section 21.7 k.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.4

Support Submission Point #15.4

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

Submitter 16: Munro Hotels Developments Limited

Oppose

Submission Point #16.4: The new rule is opposed as the current rule is considered to better achieve the purpose of the Act (plan change section 21.7 k).

Decision Sought: Delete proposed Plan Change section 21.7 k.

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.9

Support Submission Point #16.4

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

DECISION

Submission Point #15.4: Accept in part

Further Submission Statement X2.4: Accept in part

Submission Point #16.4: Accept in part

Further Submission Statement X2.9: Accept in part.

Reasons

As set out in our main findings, we recommend that a hybrid approach to managing parking demands be provided for STLA. This provides for a permitted standard, as well as controlled and limited discretionary “steps”. In this way, the variable characteristics of the sector can be accommodated within a framework that allows for the consideration of the potential for increased off-site effects as less parking is provided on-site.

AMENDMENT TO PROPOSED PLAN CHANGE:

Amend Table 10.3.1 as follows

Permitted Activity:

1 space per unit, except where the unit can accommodate more than 6 guests, 2 spaces must be provided.

1 space for a one bedroom manager’s residence or 2 spaces where there are two or more bedrooms
A loading zone for coaches if there are more than 30 units.

(A double, queen or king bed counts as 2 guests)

Amend relevant Parking and Loading rules as follows:

Controlled activity column:

Parking for Short Term Living Accommodation units (excluding any loading zones for coaches and parking for managers units) and which complies in all other respects with the relevant standards in Appendix 10, is a controlled activity if:

- a) a minimum of 0.8 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1.5 spaces must be provided per unit.

Discretionary / Non complying column

Activities that contravene a permitted condition or controlled standard are discretionary, except that an application to reduce the parking requirements in Appendix 10 is a restricted discretionary activity if:

- a) for short term living accommodation a minimum of 0.6 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1 space must be provided per unit.

or

- b) for other activities :

Plan Change 21.7 l) Table 10.3.1 Supermarket

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.10: The introduction of a new row in Table 10.3.1 specifically referencing supermarkets is supported as it provides clarity and indicates the Council does not consider supermarkets to be "Large Format Retail".

Decision Sought: Retain plan change section 21.7 l).

Progressive Enterprises Limited
Submission point #17.10

DECISION

Submission Point #17.10: Accept.

Reasons

The submitter states their support for the introduction of a specific parking standard for supermarkets in parking table 10.3.1 as this recognises the difference between supermarkets and Large Format Retail.

The support of the submitter is accepted and the proposed amendments are to be retained

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 m) Table 10.3.1 Reduction where cycle parking provided

Submitter 10: Tasman Medical Syndicate

Support in part

Submission Point #10.25: The provision for reduced parking requirements when bicycle parking is provided is supported (plan change section 21.7 m). Cycling to work is becoming increasingly popular and should be encouraged. This new rule would reward the provision for this alternative mode of transport. The environmental and social benefits of this provision are significant. However it is considered that the use of the word 'can' in the first line should be replaced with 'shall' as this would avoid any confusion over the administration of this new rule.

Decision Sought: Amend proposed Plan Change section 21.7 m) to use the word 'shall' rather than 'can' in the first line of the rule.

**Tasman Medical Syndicate
Submission point #10.25**

DECISION

Submission Point #10.25: Accept in part.

Reasons

The wording of the proposed rule should be amended to clarify that there is no discretion involved in the substitution of bicycle parking for car parking.

AMENDMENT TO PROPOSED PLAN CHANGE:

The total required carparking for an activity ~~can be~~ is reduced where on-site bicycle stands are provided, the reduction being:

Submitter 14: New Zealand Transport Agency

Support

Submission Point #14.11: NZTA supports the addition of the activity Reduction in car parking where bicycle parking is provided, Plan Change 21.7 m)

Decision Sought: Retain the addition of the activity, 'Reduction in car parking where bicycle parking is provided'.

Submitter 17: Progressive Enterprises Limited

Support

Submission Point #17.11: Support plan change section 21.7 m). The introduction of a rule providing for a reduction in carpark numbers is necessary to give effect to the new policy framework.

Decision Sought: Retain plan change section 21.7 m).

**New Zealand Transport Agency
Submission point #14.11
Progressive Enterprises Limited
Submission point #17.11**

DECISION

Submission Point #14.11: Accept

Submission Point #17.11: Accept

Reasons

The submitters state their support for the addition of the activity 'Reduction in car parking where bicycle parking is provided' (Plan Change 21.7 m).

The support of the submitters is accepted and the proposed amendments are to be retained

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 o) AP10.15.2 a) Assessment Criteria – parking, queuing and loading

Submitter 10: Tasman Medical Syndicate

Support

Submission Point #10.26: The additional assessment criteria (plan change section 21.7 o) are considered to provide some useful guidance to some resource consent applications.

Decision Sought: Retain plan change section 21.7 o).

**Tasman Medical Syndicate
Submission point #10.26**

DECISION

Submission Point #10.26: Accept.

Reasons

The submitter's support for Plan Change 21.7 o) which consists of additional assessment criteria relating to applications to reduce car parking numbers is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.7 p) AP10.15.2c Assessment Criteria - short term living accommodation

Submitter 15: 3 Grove Street Limited

Oppose

Submission Point #15.5: The deletion of AP10.15.2 c) is opposed as the current controlled standard better achieves the purpose of the Act. (Plan change section 21.7 p).

Decision Sought: Delete proposed Plan Change section 21.7 p).

Further Submitter X2: Rutherford Hotel Holdings Limited

Statement X2.5

Support Submission Point #15.5

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

Submitter 16: Munro Hotels Developments Limited

Oppose

Submission Point #16.5: The deletion of AP10.15.2 c) is opposed as the current controlled standard better achieves the purpose of the Act (plan change section 21.7 p).

Decision Sought: Delete proposed Plan Change section 21.7 p).

Support Submission Point #16.5

No Hotels in any city provide one car space per room as most guests at Hotels arrive by bus.

**3 Grove Street Limited
Submission point #15.5
Munro Hotels Developments
Submission point #16.5****DECISION**

Submission Point #15.5: Accept in part

Further Submission Statement X2.5: Accept in part

Submission Point #16.5: Accept in part

Further Submission Statement X2.10: Accept in part.

Reasons

As outlined in our main findings, we find that there is merit in providing a hybrid solution for short term living accommodation. This hybrid solution recognises the variable characteristics of this sector. The recommended provision retains the current controlled activity assessment criteria for a component of the possible parking demand generated by hotels, motels and the like.

AMENDMENT TO PROPOSED PLAN CHANGE:

See response to submission 15.4 / 16.4 (Plan Change provision 21.7 .k).

Plan Change 21.7 q) AP10.16.iii Reasons for rules**Submitter 10: Tasman Medical Syndicate****Support**

Submission Point #10.27: This change (plan change section 21.7 q) proposes to add some additional wording to the explanatory material within AP10.16 of the Plan. The additional wording may be helpful in the consideration of some discrete resource consent applications.

Decision Sought: Retain proposed Plan Change section 21.7 q.

**Tasman Medical Syndicate
Submission point #10.27****DECISION**

Submission Point #10.27: Accept.

Reasons

The submitter's support for Plan Change 21.7 q) which consists of additional wording to the explanatory material within AP10.16 of the Plan is accepted and the proposed amendments are to be retained.

AMENDMENT TO PROPOSED PLAN CHANGE:

Nil.

Plan Change 21.8: Amendment to Appendix 10 Standards and Terms for parking and loading

There have been no submissions on proposed Plan Change 21.8 'Amendments to Appendix 20 Signs and Outdoor Advertising' and this is now effectively operative.

Part 2 (B)

Amendments to Notified Plan Change

Amendments to the Plan Change as notified are shown below with the proposed text as per Plan Change 21 shown as it appeared at notification, i.e. Operative Plan text unchanged and included for context is shown as 'plain' text, text to be removed ~~struck through~~, and text to be added underlined. The changes as a result of decisions on submissions are shown as text to be removed ~~struck through~~, and text to be added underlined. Provisions which contain changes as a result of this decision are shown in red.

Plan Change 21.1 – New Policy and Methods - 'On-site parking – reductions in mandated levels'

21.1 a) Add new Policy DO10.1.6A to Chapter 5 District Wide Objectives, as follows:

Policy

DO10.1.6A on-site parking – reductions in required levels

Reductions in required on-site parking will be considered, having regard to:

- a) whether the reduction will support and facilitate the use of alternative modes of transport,
- b) the provision of on-site bicycle stands, and accompanying change and shower facilities proportional to the reduction in on-site parking,
- c) the proximity of the site to public transport, how the activity proposes to facilitate use of public transport, and the scope to provide additional bus stops in the vicinity,
- d) the existence of a travel management plan for the site that the Council considers is likely to result in a lower demand for commuter parking through such initiatives as car-pooling, a bus or taxi transport system provided for staff, and the encouragement of cycling or walking,
- e) the ability to establish an enduring and binding arrangement to share parking with a nearby site if the parking demands are complementary,
- f) the proximity, availability and ease of access to on-street and off-street public car parks, and taking account of the time of the expected parking demand,
- g) good evidence that the parking demand generated by the activity will be less than the on-site parking required by the Plan,
- h) whether the parking demand, particularly peak demand, is likely to be infrequent, having regard to the practicality, economic efficiency and amenity impacts of providing for occasional peak demand,
- i) any benefits in terms of improved urban design outcomes, including streetscape, more efficient use of land and a more compact city,

provided that there must be no resultant adverse effect that is more than minor on the safety or movement functions of any Classified Road¹, or on the safety or residential character of any Unclassified Road¹ within the Residential Zone, and the safety and efficiency criteria in Policy DO10.1.6 (parking, loading and turning) are addressed.

21.1 b) Add new Explanation and Reasons (for Policy DO10.1.6A), as follows:

¹ defined in Plan Change 14

Explanation and Reasons

DO10.1.6A.i *The parking standards for different classes of activities in Appendix 10 are necessarily generic. There may often be good reasons to depart from them. For example, evidence may be provided that the particular activity will have a lower demand for parking than the generic class of activity. Alternatively, the parking demand may be at a time when on-street parking or parking on a nearby site is available.*

DO10.1.6A.ii Required parking can occupy a lot of land or space within a building. As such it represents a significant cost, it can have significant effects on the economic viability of projects and the required parking can sometimes work against other objectives – for example, anti drink-drive objectives, urban design and amenity outcomes, heritage, a compact city, and promoting use of public transport, walking and cycling.

DO10.1.6A.iii There is no economic sense in having large areas of land paved for parking but largely unused, nor is there any environmental benefit in this. This policy provides guidance to reduce the required amount of parking. But doing so ought not be just for private or commercial convenience or gain, particularly if it creates a problem for someone else. Avoiding adverse effects on Classified Roads – the main vehicle movement corridors or feeders – is important. The key issue on these busier roads is to avoid effects that compromise traffic movement functions more than to a minor extent, or which create safety concerns. It is also important to avoid adverse effects on residential streets. That does not mean no effect, but the effect ought to be no more than minor. A once-a-year sports or entertainment event that results in parking on residential streets is unlikely to be an effect that is more than minor. Depending on the circumstances, an activity that has a brief parking demand once or twice a day may not have an effect that is more than minor. In other situations, the effect may be more adverse. Providing on-site parking to fully accommodate full peak or intermittent demand in all situations is often impractical and does not necessarily meet the purpose of the Resource Management Act (section 5(2)) nor the matters relating to efficiency and amenity values in section 7 of the Act.

21.1 c) Add new Methods (for Policy DO10.1.6A), as follows:

Methods

DO10.1.6A.iv *Resource consent process to consider reductions in mandated parking requirements.*

DO10.1.6A.v *Rules providing for the consideration of a 10% to 20% reduction in the required minimum level of parking as a restricted discretionary activity, if a Travel Management Plan ~~travel plan~~ forms part of the consent application, and the Council considers the plan is likely to be effective in achieving that reduction in on-site parking.*

Plan Change 21.2 – Amendments to Inner City Zone – Objective IC1 (Form & Access) and Policy IC1.6 (Parking)

21.2 a) Amend Objective IC1 (Form and Access) in Chapter 8, Inner City Zone, as follows:

IC1 form and access

A compact and convenient pedestrian oriented environment within the City Centre, which is supported and complemented by a ~~predominantly~~ more vehicle oriented City Fringe ~~of self contained sites~~.

21.2 b) Amend Policy IC1.6 (Parking), as follows:

IC1.6 parking

~~Parking w~~ Within the City Centre:

~~parking shall will~~ be provided publicly in parking areas defined for that purpose, in locations which enhance vehicle and pedestrian access, and provision of private parking will be voluntary but will be regulated to support Policy IC1.3 (access – city centre), Policy 10.1.1 (environmental effects of vehicles) and Objective IC2 (street and public amenity).

~~while sites~~ Within the City Fringe sites will be required to provide for the parking demand they generate, subject to Policy DO10.1.6A (reduction in on-site parking).

21.2 c) Amend Explanation and Reasons to Policy IC1.6, as follows:

Explanation and Reasons

IC1.6.i Land in the City Centre is a scarce resource. Collective provision of car parking means that 100% of individual sites can be developed, making better use of the land resource. It also makes more efficient use of car parks. Car parking in central squares also increases the accessibility of the City Centre and ties the area together as an entity. Separate car parks tend to cause disaggregation of an area, and detract from the streetscape and amenity objectives being sought. ~~The policy does not rule out the option of individual sites can providing provide parking voluntarily for their own needs, but means that this is not a requirement. Where such parking is provided, a maximum level applies (equivalent to the minimum level required in zones where parking is mandatory).~~

IC1.6.ii

The City Fringe experiences greater levels of traffic effects will be dominated by traffic effects. In order to minimise potential hazards created by traffic movement and traffic generation ~~it is important that each sites should generally provides~~ adequate space on site so that parking and manoeuvring of vehicles can be contained within the boundaries of the site. ~~Where there is insufficient room on site, flexibility can be provided for some or all of these facilities to be provided off site eg. By a legally binding agreement to lease parking elsewhere. The provide is, however, that this arrangement should not lead to a hazard to traffic or pedestrians.~~ Policy DO10.1.6A, which applies across the district, provides guidance for considering reductions below the required parking levels. there is insufficient room on site, flexibility can be provided for some or all of these facilities to be provided off site eg. by a legally binding agreement to lease parking elsewhere. The provide is, however, that this arrangement should not lead to a hazard to traffic or pedestrians.

21.2 d) Amend methods for Policy IC1.6, as follows (proposed text to be deleted is shown in strike-out, proposed new text is underlined):

Methods

IC1.6.iii Maintain existing differential rates within the City Centre, with the Council providing collective parking ~~for new developments setting up~~ in the City Centre.

IC1.6.iiiA Rules setting maximum parking ratios within the City Centre.

IC1.6.iiiB Rules controlling private carparking areas.

IC1.6.iv Rules in the City Fringe specifying requirements for parking according to broad types of activity.

IC1.6.v Resource consent process to consider departure from the parking rules.

IC1.6.vi Regular parking surveys in the inner city to monitor the demand for and availability of on-street and public car parks.

Plan Change 21.3 – New rule ICr.31A – private car parking – City Centre Area and new definition, Chapter 2, Meaning of Words

Add new definition to Chapter 2, Meaning of Words.

Private car parking areas: this means any privately provided area where car parking is available to be used on a casual, rental or leased basis; with or without a fee, by members of the public or provided as staff or visitor parking for a particular business or activity.

21.3 a) Add a new rule ICr.31A to the City Centre Area part of the Inner City Rule Table, as follows:

<p><u>ICr.31A</u> <u>Private car parking areas</u> <u>(where the user of the parking is not associated with an activity on the site)</u> <u>(Definition see Chapter 2, Meaning of Words)</u></p>	<p><u>ICr.31A.1</u> <u>Private car parking areas are permitted if:</u></p> <p>a) <u>the parking spaces meet the design and layout standards in Appendix 10 (standards and terms for parking and loading) including for manoeuvring, queuing, set down areas, and surfacing, and</u></p> <p>b) <u>the number of parking spaces does not exceed 10, and</u></p> <p>c) <u>the site does not have a boundary fronting a scheduled street as shown on Planning Map 1 or fronting onto Wakatu Square, except if there is a building along that frontage that screens the car parks from the street or square.</u></p>	<p><u>ICr.31A.2</u> <u>Private car parking areas are controlled if:</u></p> <p>a) <u>the parking spaces meet the design and layout standards in Appendix 10 (standards and terms for parking and loading) including for manoeuvring, queuing, set down areas, and surfacing, and</u></p> <p>b) <u>the number of parking spaces does not exceed 25 or</u></p> <p>c) <u>the site does not have a boundary fronting a scheduled street as shown on Planning Map 1 or fronting onto Wakatu Square, except if there is a building along that frontage that screens the car parks from the street or square, and except that private car parks where the number of parking spaces does not exceed 10 may front onto Montgomery, Buxton or Wakatu parking squares.</u></p> <p><u>Control reserved over:</u></p> <p>i. <u>the design and appearance of the car park, including any fencing and signage, and the type and appearance of the surfacing, and</u></p> <p>ii. <u>landscaping, including its location, and</u></p> <p>iii. <u>access to and from the site (including reverse manoeuvring onto roads), and</u></p> <p>iv. <u>conditions relating to the safety of users and the public, and the prevention of crime.</u></p>	<p><u>ICr.31A.3</u> <u>Activities that contravene a controlled standard are discretionary if:</u></p> <p>a) <u>the site does not have a boundary fronting Trafalgar, Hardy or Bridge Streets except if there is a building along that frontage that screens the car parks from the street.</u></p> <p><u>Activities that contravene discretionary standard a) are non-complying.</u></p>
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21.3 b) Add a new Assessment Criteria ICr.31A.4 and Explanation ICr.31A.5 to the City Centre Area part of the Inner City Rule Table, as follows:

Assessment Criteria	Explanation
<p><u>ICr.31A.4</u></p> <p>a) <u>how visually prominent the site is, and the impact of the parking area on the built environment, having regard to the character and desired character of the area.</u></p> <p>b) <u>opportunities to enhance the appearance of the site through landscaping, surface texture, control of signage, fencing and other infrastructure.</u></p> <p>c) <u>the location and the width of vehicle access to and from the site, having regard to pedestrian safety and the appearance of the site.</u></p> <p>d) <u>the safety of the users of the car park and of members of the public, particularly after dark, and ways to manage this such as lighting, avoidance of entrapment spots, locking the area or other means, while having regard to any potential adverse effects of these methods on the appearance and amenity of the City Centre.</u></p> <p>e) <u>the effects of the parking area on pedestrian safety, having regard to the level of foot traffic in the area.</u></p> <p>f) <u>the effects on pedestrian circulation patterns and/or continuity of weather protection for pedestrians.</u></p> <p>g) <u>the assessment criteria in Appendix 10.</u></p> <p>h) <u>in terms of parking of more than 25 spaces within any building or a dedicated parking building, the appearance of that building and how it contributes to the amenity objectives and policies for the Inner City Zone, and good urban design principles.</u></p> <p>i) <u>the effects of additional car parking on vehicle congestion in the Inner City and on roads to and from the Inner City.</u></p> <p>j) <u>the effects of additional car parking on Council's strategies and objectives to encourage public transport use, cycling and walking.</u></p> <p>k) <u>the cumulative impacts of additional parking on the City Centre.</u></p>	<p><u>ICr.31A.5</u></p> <p><u>Private car parking areas within the City Centre provide an important service for businesses and for people working in the City Centre. However, some parking areas can be unsightly and detract from the objectives to make the City Centre more attractive and vibrant. Some locations are potentially more sensitive than others, and this is recognised in the rules e.g. in the main retail streets (Bridge, Hardy and Trafalgar Streets), and those accessed off the public parking squares (Montgomery, Buxton and Wakatu). There can be adverse effects on visual amenity, pedestrian safety and amenity, and the continuity of the 'street edge' and verandah protection.</u></p> <p><u>The supply of car parking can influence the growth of private vehicle traffic. Limiting car parking can encourage use of other sustainable modes of transport, reduce congestion on the transport network and may also improve the environment of the City Centre.</u></p> <p><u>Very large private car parks, or many smaller ones, can have significant visual impacts, break up the continuity of streets, and impact on the pedestrian-friendly objectives that are sought for the City Centre.</u></p>

Plan Change 21.4 – Parking maximums – City Centre Area

21.4 a) Amend rule ICr.31.1 (parking and loading, permitted column) in the City Centre Area part of the Inner City Rule Table, as follows:

ICr.31.1

- a) parking spaces are not required in the City Centre, but:
 - i) any provided on a site must meet the design and layout standards in Appendix 10 (standards and terms for parking and loading) including for manoeuvring, queuing, and set down areas, and surfacing, and
 - ii) must not exceed as a maximum the number calculated for the activity or activities on the site in accordance with AP10.3 in Appendix 10, and
- b) except on sites with a boundary on any scheduled frontage shown on Planning Maps 1 and 10, loading must be provided and maintained on each site in accordance with the standards set out in Appendix 10, and
- c) for sites with a boundary on a scheduled frontage, any loading spaces voluntarily provided must meet the design and layout standards in Appendix 10 including manoeuvring and queuing areas, and
- d) no reverse manoeuvring is permitted onto the ring road from any site.

21.4 b) Add the following text to the end of discretionary rule ICr.31.3:

Where the parking proposed is more than 15 spaces, and exceeds the maximum in ICr.31.1a) ii) by more than 20%, the application must be accompanied by a Travel Management Plan that addresses the matters in Assessment Criterion ICr.31.4 h).

21.4 c) Add the following new assessment criteria to ICr.31.4, after existing criterion c):

In terms of exceeding the parking maximum:

- d) the effects of any additional parking on Council's objectives to enhance the appearance and the pleasantness of the City Centre, and to encourage use of public transport, cycling and walking.
- e) the timing of any planned public transport improvements serving the City Centre.
- f) evidence from similar developments in comparable circumstances with a similar quality of access by non-car modes, justifying a higher parking provision than permitted by the maximum rate. This should clearly distinguish between long stay/employee parking (if any) and visitor parking.
- g) the cumulative impacts from a number of activities providing additional parking.
- h) Where the parking proposed for an activity is more than 15 spaces, and exceeds the maximum by more than 20%, consideration of a Travel Management Plan is required. This Plan shall include the following, taking into account the increase in parking spaces being sought:
 - i. The nature and scale of the activity and associated parking demands from employees and visitors/customers;
 - ii. Proposed means of managing parking demands, such as:
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies.
 - Sharing parking spaces between complementary uses and spreading peak loads
 - Encouraging more use of public transport, walking and cycling
 - iii. Proposed means of monitoring outcomes.

21.4 d) Add the following new text after existing paragraph two in ICr.31.5 (Explanation):

It **Parking** must not exceed the maximum level determined from Appendix 10. This is to discourage congestion within the City Centre and on the roads to it, and to enhance the amenity within the City Centre.

21.4 e) Add the following new text after the last paragraph in ICr.31.5 (Explanation):

Reversing onto the ring road is not allowed for safety and efficiency reasons. These are busy roads with higher traffic volumes and vehicle speeds.

See also Policies IC1.6, DO10.1.6 and DO10.1.6A.

Plan Change 21.5 –Parking i) in area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St, and ii) reduction in mandatory parking by resource consent (restricted discretionary activity)

21.5 a) Amend rule ICr.76.1 (parking and loading, permitted column) in the City Fringe Area part of the Inner City Rule Table, as follows:

ICr.76.1

Parking, loading, manoeuvring, and queuing areas must be provided and maintained on each site in accordance with the standards set out in Appendix 10 (standards and terms for parking and loading),

Except:

- a) for sites in the area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St where rules ICr.31 and ICr.31A apply as if the area were City Centre, and
- b) no reverse manoeuvring is permitted onto the ring road from any site.

21.5 b) Delete existing controlled activity rule ICr.76.2 (parking and loading, controlled activity for Short Term Living Accommodation) in its entirety, replacing the text with the following (and make the same change to Residential Zone (REr.38.2), Suburban Commercial Zone (SCr.31.2), Industrial Zone (INr.35.2), Open Space & Recreation Zone (OSr.34.2) and Rural Zone (RUr.35.2)):

Parking for Short Term Living Accommodation units (excluding any loading zones for coaches and parking for managers units) and which complies in all other respects with the relevant standards in Appendix 10, is a controlled activity if:

- a) a minimum of 0.8 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1.5 spaces must be provided per unit.

21.5 c) Amend rule ICr.76.3 (parking and loading, discretionary/non-complying column) in the City Fringe Area part of the Inner City Rule Table, as follows:

ICr.76.3

Discretionary / Non-complying column:

Activities that contravene a permitted condition or a controlled standard are discretionary, except that an application to reduce the parking requirements in Appendix 10 is a restricted discretionary activity if:

- a) for short term living accommodation a minimum of 0.6 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1 space must be provided per unit,

or

- b) for other activities :

- i. the proposed reduction in parking spaces is not more than ~~40%~~ 20% of the number required in Appendix 10, and
- ii. where the reduction in parking spaces exceeds five spaces, the application is accompanied by a Travel Management Plan that addresses the matters in Assessment Criterion ICr.76.4 c).

Discretion restricted to:

- i) number of parking spaces (and any loading spaces) provided, and
- ii) the surfacing of the area, and
- iii) the location, dimensions and layout of parking, loading, manoeuvring and queuing areas, and
- iv) conditions relating to any parking off-site or any other methods or arrangements that are to be put in place to facilitate the reduction in parking.

Resource consent applications for restricted discretionary activities under this rule will be considered without notification and without service of notice.

21.5 d) Add new assessment criteria to ICr.76.4 in the City Fringe Area part of the Inner City Rule Table, as follows:

b) for sites in the area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St the assessment criteria for rules ICr.31 and ICr.31A apply.

c) where a Travel Management Plan is required under ICr.7.6.3, it shall include the following, taking into account the reduction in parking spaces being sought:

- i. The nature and scale of the activity and associated parking demands from employees and visitors/customers:
- ii. Proposed means of reducing parking demands, such as:
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies.
 - Sharing parking spaces between complementary uses and spreading peak loads
 - Encouraging more use of public transport, walking and cycling
- iii. Proposed means of monitoring outcomes.

21.5 e) Amend the Parking and Loading rule in the following Zones – Residential (REr.38.3), Suburban Commercial Zone (SCr.31.3), Industrial Zone (INr.35.3), Open Space & Recreation Zone (OSr.34.3), Rural Zone (RUR.35.3), as follows:

[insert rule number for relevant zone].

Controlled activity column

Parking for Short Term Living Accommodation units (excluding any loading zones for coaches and parking for managers units) and which complies in all other respects with the relevant standards in Appendix 10, is a controlled activity if:

- b) a minimum of 0.8 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1.5 spaces must be provided per unit.

Discretionary / Non-complying activity column:

Activities that contravene a permitted condition or controlled standard are discretionary, except that an application to reduce the parking requirements in Appendix 10 is a restricted discretionary activity if:

- b) for short term living accommodation a minimum of 0.6 spaces per unit is provided, except where the unit can accommodate more than 6 guests, in which case a minimum of 1 space must be provided per unit,

or

- b) for other activities :

- i) the proposed reduction in parking spaces is not more than 10% of the number required in Appendix 10, and
- ii) where the reduction in parking spaces exceeds 5 spaces, the application is accompanied by a Travel Management Plan that addresses the matters in Assessment Criterion [insert rule number for relevant zone].

Discretion restricted to:

- i) number of parking spaces (and any loading spaces) provided, and
- ii) the surfacing of the area, and
- iii) the location, dimensions and layout of parking, loading, manoeuvring and queuing areas, and
- iv) conditions relating to any parking off-site or any other methods or arrangements that are to be put in place to facilitate the reduction in parking.

Resource consent applications for restricted discretionary activities under this rule will be considered without notification and without service of notice.

21.5 f) Add a new assessment criterion at the end of the list in Residential (REr.38.4), Suburban Commercial Zone (SCr.31.4), Industrial Zone (INr.35.4), Open Space & Recreation Zone (OSr.34.4) and Rural Zone (RUr.35.4), as follows, and renumber accordingly:

where a Travel Management Plan is required under the restricted discretionary rule it shall include the following, taking into account the reduction in parking spaces being sought:

- i. The nature and scale of the activity and associated parking demands from employees and visitors/customers:
- ii. Proposed means of reducing parking demands, such as:
 - Managing the number of motor vehicle trips to and from the activity by encouraging higher vehicle occupancies.
 - Sharing parking spaces between complementary uses and spreading peak loads
 - Encouraging more use of public transport, walking and cycling
- iii. Proposed means of monitoring outcomes.

Plan Change 21.6 – Design and External Appearance of buildings in area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St

21.6 a) Add a new rule ICr.73A to the City Fringe Area part of the Inner City Rule Table, as follows:

<u>Item</u>	<u>Permitted</u>	<u>Controlled</u>	<u>Discretionary/Non-complying</u>
<u>ICr.73A</u> <u>Design and External Appearance</u> <u>Area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St</u>	<u>ICr.73A.1</u> <u>The erection or substantial exterior alteration of a building in the area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St is not a permitted activity.</u>	<u>ICr.73A.2</u> <u>The erection or substantial exterior alteration of a building in the area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St is a controlled activity if:</u> a) <u>the building is, or when altered will be, setback no more than 3m from the road boundary, and</u> b) <u>no car parking or loading is located between the road boundary and building frontage (or a line extended from the building frontage to the side boundaries of the site).</u> <u>Control reserved over:</u> i) <u>the design and external appearance of the building, and</u> ii) <u>the width and location of access to and from the site, and the direction of traffic flow (including the control of reverse manoeuvring onto roads), and</u> iii) <u>landscaping and maintenance of the site.</u>	<u>ICr.73A.3</u> <u>Activities that contravene a controlled standard are discretionary.</u>

21.6 b) Add new Assessment Criteria ICr.73A.4 and Explanation ICr.73A.5 to the City Centre Area part of the Inner City Rule Table, as follows:

<u>Assessment Criteria</u>	<u>Explanation</u>
<u>ICr.73A.4</u> a) <u>the extent to which the building relates positively to the street.</u> b) <u>the maintenance of an existing pattern of setback from the street, or the need to establish a new pattern which is more consistent with good</u>	<u>ICr.73A.5</u> <u>The area bounded by Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St is signalled in the Heart of Nelson Strategy to become part of the City Centre. As an interim measure ahead of a more</u>

<p><u>urban design principles.</u></p> <p>c) <u>the ability through planting or other landscaping to enhance the appearance of the site as seen from the street, having regard to the effectiveness of this in the longer term with respect to enforcement, maintenance, durability, and potential vandalism.</u></p> <p>d) <u>the safety of vehicles entering or leaving the site, and potential impacts on pedestrian and other road users.</u></p> <p>e) <u>the width of the vehicle access and potential impacts on the continuity of building facades and on the streetscape.</u></p> <p>f) <u>whether the configuration of the site, existing buildings, or other significant factors limit the ability to develop the site in a way that makes the greatest contribution to the streetscape.</u></p> <p>g) <u>the extent to which the building design and site layout promotes public safety by avoiding entrapment spots or areas with the potential to be used for anti-social behaviour (i.e. Crime Prevention Through Environmental Design).</u></p>	<p><u>comprehensive review of the zoning to apply to the area, and the design rules and controls that are to apply to the City Centre, some design control has been reserved over the external appearance of new or significantly altered buildings, and layout of the site.</u></p> <p><u>In the past rules required significant levels of parking to be provided in this area (see ICr.76.5). This, coupled with a lack of control over building location and design, was resulting in buildings that often did not contribute positively to the streetscape, and that would affect this area long term. Sometimes buildings were setback a long way from the street with parking dominating the frontage, and in other cases the required parking was accommodated under the building. This can provide a poor, and sometimes unsafe, frontage to the street.</u></p> <p><u>Resource consent applications, where considered necessary, will be referred to the Council's Urban Design Panel for consideration and advice.</u></p>
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Plan Change 21.7 – Amendments to Appendix 10 Standards & Terms for parking and loading

21.7 a) Add a new definition of Large Format Retail/Bulk Retail to AP10.2 (definitions) of Appendix 10 (standards for parking and loading) as follows:

Large Format Retail/Bulk Retail:

means a retail store with a minimum gross floor area of ~~4000~~ 500m², excluding any outdoor display area. Any outdoor display area associated with a retail activity in a building with a minimum gross floor area of ~~4000~~ 500m² will be included in the parking calculations as per parking table 10.3.1.

This definition excludes Large Format Retailing in Schedule N (Quarantine Road Large Format Retail), which is defined separately in Schedule N (N.3) and has specific parking provisions under Table 10.3.1.

21.7 b) Note: proposed addition of PC21.7 b) deleted by this decision

21.7 c) Add a new definition of Supermarket to AP10.2 (definitions) of Appendix 10 (standards for parking and loading) as follows:

Supermarket

means an individual retail shop with a gross floor area of not less than 500m² (or an equivalent area, including related back of house unloading, storage, preparation, staff and equipment space, within a larger store) and selling a comprehensive range of:

- a) fresh meat and produce, and
- b) chilled, frozen, packaged, canned and bottled foods and beverages, and
- c) general household and personal goods,

Note: Schedule N, Industrial Zone includes a differing definition of Supermarkets which is only relevant to the Schedule N area.

21.7 d) Add a new definition of Unit to AP10.2 (definitions) of Appendix 10 (standards for parking and loading) as follows:

Unit

In the case of Short Term Living Accommodation means:

- a) a room for sleeping guests let for a single tariff (for example, in a studio motel, hotel room, studio apartment, cabin), or a dormitory style room let to multiple parties generally for individual tariffs (for example, some backpacker or hostel accommodation), or
- b) a collection of rooms for sleeping guests which form an entity and which are usually let together for a single tariff (for example, a multi bedroom motel, hotel suite, or apartment).

Add new statement to AP10.3.iii below existing second box:

When the parking requirement is stated as the number of parks required per 100m² or similar, the number of parks required is to be calculated on a proportional basis.

For example: At a required parking rate of 4 parks per 100m² gross floor area a 455m² development will require (455/100) x 4 parks, this equals 18.2 parks. Using the rounding provisions explained above the development is required to provide 18 car parks.

21.7 e) Amend the title of Table 10.3.1 as follows:

Car parking and queuing space requirements (and car parking reductions where bicycle parking is provided)

21.7 f) In Table 10.3.1, add a new row for Large Format Retail/Bulk Retail, as follows:

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
Large Format Retail / Bulk Retail <u>(other than within Schedule N – Quarantine Road)</u>	3.5 spaces per 100m ² gross floor area <u>+ 1 space per 100m² for outdoor display areas</u> <u>(For Schedule N, - see ‘Activities defined in N.3 for Schedule N’ above)</u>

21.7 g) In Table 10.3.1, amend the Recreation Area row as follows:

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
Recreation Areas a) Passive Recreation Areas b) Cemeteries (also see Crematoriums under “Places of Worship”) c) Sports Courts d) Sports Fields (including Golf Courses) e) Swimming Pools f) Golf Courses	a) nil b) 10 parking spaces + 2 carparks for staff parking c) 1 space/ 50m ² of court area + 1 space/ 200m ² court area for staff parking. d) 15 spaces/ha of pitch area + 1 space for staff parking. e) 1 space/10m ² pool area + 1 space/ 200m ² pool area for staff parking f) <u>4 spaces per 100m² of gross floor area clubrooms</u>

21.7 h) In Table 10.3.1, amend the Restaurant and Taverns row as follows (proposed new text is underlined), and insert new text (underlined) for ‘Car Parking or Queuing Spaces Required’:

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
Restaurants, Cafes and Taverns	<u>4 spaces per 100m² of gross floor area including all outdoor areas, garden bars (covered or uncovered), kitchen and toilet areas, but excluding storage rooms</u> <u>1 space/40m² of gross floor area (where short-term living accommodation, or another activity is also provided, the parking requirements for these activities will also apply).</u>

21.7 i) In Table 10.3.1, amend the Retail Activities and Retail Services row as follows:

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
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Activity	Car Parking or Queuing Spaces Required
<p>Retail Activities, and Retail Services (other than shopping centres / shopping malls, supermarkets and large format retail / bulk retail)</p> <p>(for illustrative purposes, retail services includes personal or household services such as hairdressers, dry cleaners, servicing or repair of appliances or equipment and businesses and professional services such as lawyers and accountants. Retail activity includes things such as vehicle sales).</p>	<p>4 spaces per 100m² gross floor area <u>+ 1 space per 100m² for outdoor display areas</u></p> <p>Premises or sites <1000m² gross floor area: 1 space/30m² of gross floor area + 1 space/40m² gross floor area for outdoor display area, except for vehicle sales yards where 1 space/80m² gross floor area is required + 1 staff space/100m² gross floor area.</p> <p>Premises or sites >1000m² gross floor area: 1 space/25m² of gross floor area + 1 space/40m² gross floor area for outdoor display area, except for vehicle sales yards where 1 space/80m² gross floor area is required + 1 staff space/100m² gross floor area.</p>

21.7 j) Note: proposed addition of PC21.7 j) Deleted by this decision

21.7 k) In Table 10.3.1, amend the Short Term Living Accommodation row as follows:

Activity	Car Parking or Queuing Spaces Required
<p>Short Term Living Accommodation (see Meaning of Words) (see definition of 'unit' in this appendix)</p>	<p>Parking (including coach parking) for Short Term Living Accommodation is a Controlled Activity</p> <p><u>Permitted Activity:</u> <u>1 space per unit, except where the unit can accommodate more than 6 guests, 2 spaces must be provided.</u> <u>1 space for a one bedroom manager's residence or 2 spaces where there are two or more bedrooms</u> <u>A loading zone for coaches if there are more than 30 units.</u></p> <p><u>(A double, queen or king bed counts as 2 guests)</u></p>

21.7 l) In Table 10.3.1, add a new row for Supermarket, as follows:

Activity	Car Parking or Queuing Spaces Required
Supermarket	5 spaces per 100m ² gross floor area

21.7 m) In Table 10.3.1, add a new row for Reduction in carparking where bicycle parking is provided, as follows:

Activity	Car Parking or Queuing Spaces Required
Reduction in carparking where bicycle parking is provided	<p>The <u>total</u> required carparking for an activity can be <u>is</u> reduced where on-site bicycle stands are provided, the reduction being:</p> <p>a) 1 car parking space for every 5 bicycle spaces provided.</p>

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
	i) For employee parking, where the bicycle stand(s) is secure and well-lit, and shower facilities for staff are provided, the above dispensation rate can be doubled (i.e. 2 spaces per 5 bicycle spaces provided). ii) The maximum reduction in car parking spaces under these provisions is 10% of the number of car parking spaces otherwise required (the rounding provisions in AP10.3 apply), or 10 spaces, whichever is the lesser.

21.7 n) In Table 10.3.1, amend the Tertiary Education Facilities row as follows:

<u>Activity</u>	<u>Car Parking or Queuing Spaces Required</u>
Tertiary Education Facilities a) Nelson Marlborough Institute of Technology b) Other tertiary education facilities	a) 350 parking spaces; or 1 space per 7 EFTS (Equivalent Full Time Staff and Students) whichever is the greater (reducible by up to 10% as a <u>restricted</u> discretionary activity subject to a <u>travel</u> management plan <u>in accordance with Rule ICr.76.3</u> satisfactory to Council to reduce parking demand). <u>Note: for the avoidance of doubt the above provision for a maximum 10% reduction takes precedence over the provisions of rule ICr.76.</u> b) 1 space per 5 EFTS

21.7 n) Add the following at the end of AP10.4:

AP10.4.ii These requirements apply when parking spaces are provided voluntarily for an activity in accordance with ICr.31 or SCr.31.

21.7 o) At the end of AP10.15.2a) (assessment criteria – parking, queuing and loading provision) add the following:

- xvi) Whether any reduction in the amount or parking would help support or achieve urban design, streetscape or heritage objectives, or objectives in relation to walking, cycling or public transport.
- xvii) Whether parking demand is so infrequent that it is impractical and an inefficient use of land to provide for all the demand on-site.

21.7 p) Amend AP 10.15.2 c as follows:

In considering a controlled or restricted discretionary activity....

21.7 q) Add the following at the end of AP10.16.1.iii (reasons for rules – parking and loading requirements):

Also, some parking demand may be so occasional that it is not efficient or practical to meet all of the parking demand on-site. This can be particularly relevant to public entertainment activities, for example at Trafalgar Park or theatres. There may also be heritage, streetscape, amenity or other factors that come into play.

Plan Change 21.8 – Amendments to Appendix 20 Signs and Outdoor Advertising

21.8 In Appendix 20 (signs and outdoor advertising,) under AP20.1 (definitions), add the following to the list of exclusions from the definition of a sign:

g) any directional sign or information sign or panel erected on roads or public land by or on behalf of the Nelson City Council.