

NELSON CITY COUNCIL

Nelson Resource Management Plan

Proposed Plan Change 21
Parking and Related Changes

Summary of Decisions Requested

Notification of Submissions Date
26 March 2011

Further Submissions Close
5pm Friday 8 April 2011



Introduction

This document contains a Summary of Decisions Requested by persons making submissions on the Nelson Resource Management Plan, Proposed Plan Change 21 (Parking and Related Changes). In total 18 submissions were received. The summary is in accordance with the requirements of Schedule 1, Clause 7, Public notice of submissions, Resource Management Act 1991 (RMA).

Format

The decisions sought by each party in their submissions are listed by topic rather than by submitter (an index is provided to enable submitters to locate their individual submission points by topic). Where possible the words are those of the submitter. The original submissions should be referred to for a full understanding of the particular points raised by each submitter.

Further Submissions

Further submissions are invited and may be made in accordance with Schedule 1, Clause 8, Clause 8A and Form 6, RMA. A guide to making a further submission is included on the following page. A further submission form is available to ensure that your further submission meets these requirements.

Closing Date

The closing date for further submissions is **5pm Friday 8 April 2011**.

Contact Person

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Guide to Making a Further Submission

Important Information:

- Any person representing a relevant aspect of the public interest, or who has a greater interest than the general public, can make a further submission.
- A further submission may only be made in support of, or in opposition to an original submission to Plan Change 21.
- A further submission must state whether you support or oppose an original submission (or part thereof) and whether or not you wish to be heard on your further submission.
- A copy of your further submission must be served on the original submitter to which your further submission relates, within five working days of making your further submission to the Nelson City Council.
- Further submissions must be received by Nelson City Council prior to 5pm, Friday 8 April 2011.

The Summary of Decisions Requested summarises the decisions that have been requested in the original submissions received. If you intend to make a further submission, it is recommended that you read the full original submission.

Full copies of the original submissions are available by contacting Reuben Peterson at the details below.

Copies of this Summary of Decisions Requested document are available for viewing at Civic House and at Nelson, Tahunanui and Stoke Libraries, by contacting Reuben Peterson on 5460295 or reuben.peterson@ncc.govt.nz, or online at www.nelsoncitycouncil.co.nz (search phrase = Plan Change 21). Further submission forms are also available at these locations.

When preparing your further submission, please use the **Submission Number** and **Statement Number** in the tables below to indicate what submission point you are referring to.

Clearly state whether you support or oppose the decision requested you are making a further submission on.

Give the reasons for your support or opposition.

Use the **Further Submission Form** to help set out your further submission. It is in your best interests to make your further submission as clear as possible. If you have any questions regarding how to prepare a further submission, please contact Reuben Peterson on 5460295.

One copy of the further submission must be sent to Council and a second copy sent to the original submitter within 5 working days of providing Council with the further submission.

The postal addresses of submitters for the purpose of service of further submissions, as per Schedule 1, Clause 8A, Service of further submissions, RMA, is provided at the end of this document.

Summary of Decisions Requested

Plan Change 21 (Parking and Related Changes)

Topic/ Submitter Name	Submission Number	Statement Number	Decision Sought
PC21 General			
Viastrada	4	2	Retain the reduced parking standards.
Viastrada	4	6	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.
Ben Winnubst	9	1	Require on-site parking in residential areas.
Ben Winnubst	9	2	Consider removing street parking and replacing it with cycle lanes in many areas.
John Malcolm Fitchett	13	1	Delete Plan Change 21, pages 5 – 20 entirely.
Plan Change 21.1 a). DO10.1.6A Policy - On-site parking – reductions in required levels			
Viastrada	4	5	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.
Tasman Medical Syndicate	10	1	Retain proposed Plan Change section DO10.1.6A.
NZ Transport Agency	14	1	Retain new policy DO10.1.6A - on-site parking - reductions in required levels, specifically a), b), c) and d).
Progressive Enterprises Limited	17	1	Retain proposed Plan Change section 21.1 a).

Plan Change 21.1 b). DO10.1.6A.i Explanation and Reasons			
Tasman Medical Syndicate	10	2	Retain proposed Plan Change section DO10.1.6A.i.
Plan Change 21.1 c). DO10.1.6A.v Methods			
Tasman Medical Syndicate	10	3	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."
Jungle Payne	18	1	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.
Plan Change 21.1 a). IC1 Objective - Form and Access			
Tasman Medical Syndicate	10	4	Retain proposed Plan Change section 21.2 a).
Progressive Enterprises Limited	17	2	Retain proposed Plan Change section 21.2 a).
Plan Change 21.2 b). IC1.6 Policy - Parking			
Tasman Medical Syndicate	10	5	Retain proposed Plan Change section 21.2 b).
Progressive Enterprises Limited	17	3	Retain proposed Plan Change section 21.2 b).
Plan Change 21.2 c). IC1.6.i Explanation and Reasons (Policy - Parking)			
Tasman Medical Syndicate	10	6	Retain proposed Plan Change section 21.2 c).
NZ Transport Agency	14	2	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."
Progressive Enterprises Limited	17	4	Retain proposed Plan Change section 21.2 c).

Plan Change 21.2 d). IC1.6.iii - vi Methods (Policy - Parking)			
Tasman Medical Syndicate	10	7	Retain proposed Plan Change section 21.2 d).
NZ Transport Agency	14	3	Retain new method IC1.6.iiiA - Rules setting maximum parking ratios within the City Centre.
Progressive Enterprises Limited	17	5	Retain proposed Plan Change section 21.2 d).
Plan Change 21.3 a). ICr.31A Private car parking - rule - general car parking			
Viastrada	4	1	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.
Tasman Medical Syndicate	10	8	Retain proposed Plan Change section 21.3 a).
Plan Change 21.3 b). ICr.31A.4 Private car parking - assessment criteria and ICr.31A.5 Explanation.			
Tasman Medical Syndicate	10	9	Retain proposed Plan Change section 21.3 b).
NZ Transport Agency	14	4	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 below: 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.
Plan Change 21.4 a). ICr.31.1 Parking and loading - permitted rule			
Tasman Medical Syndicate	10	10	Retain proposed Plan Change section 21.4 a).

Plan Change 21.4 b). ICr.31.3 Parking and loading - discretionary rule			
Tasman Medical Syndicate	10	11	Retain proposed Plan Change section 21.4 b).
NZ Transport Agency	14	5	Retain the text added to the end of discretionary rule ICr.31.3.
Plan Change 21.4 c). ICr.31.4 Parking and loading - assessment criteria			
Tasman Medical Syndicate	10	12	Retain proposed Plan Change section 21.4 c).
NZ Transport Agency	14	6	Retain the text added to the Assessment Criteria ICr.31.4
Plan Change 21.4 d) and 21.4 e). ICr.31.5 Parking and loading - Explanation			
Tasman Medical Syndicate	10	13	Retain proposed Plan Change section 21.4 d).
Tasman Medical Syndicate	10	14	Retain proposed Plan Change section 21.4 e).
NZ Transport Agency	14	7	Retain the text added after paragraph two of Explanation ICr.31.5
Plan Change 21.5. ICr.76 Parking and loading rule - general (City Fringe)			
Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean	1	3	<p>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.</p> <p>b) As second preference, remove the mandatory parking requirements from the sites identified in Fig 4 (submitter's property) and as recommended in the Heart of Nelson Strategy and the 2009 Parking Study.</p> <p>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.</p>
John Black	3	1	Amend to include areas as recommended in Heart of Nelson Strategy ie.

			Lower Vanguard Street and the Triangle. OR b) Reduce parking requirements for Lower Vanguard St and The Triangle (Rutherford, Vanguard, Hardy) by 50%.
The Free House Ltd	5	1	Retain proposed Plan Change section 21.5.
Irving Smith Jack Architects Ltd	6	1	Retain the removal of on-site parking requirement for the city fringe (ICr.76)
Nelson Marlborough Institute of Technology (NMIT)	8	1	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.
Plan Change 21.5 a). ICr.76.1 Parking and loading - permitted rule			
Levenbach Ltd	2	1	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"
John Graham Abbott	7	1	Retain ICr.76.1 in relation to the city fringe extension and parking.
Tasman Medical Syndicate	10	15	Retain proposed Plan Change section 21.5 a).
Gibbons Holdings Limited	12	1	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. Repeated in Plan Change Section 21.5 c) due to overlap.
Plan Change 21.5 b). ICr.76.2 Parking and loading - controlled rule			
3 Grove Street Limited	15	1	Delete proposed Plan Change section 21.5 b).
Munro Hotels Developments Limited	16	1	Delete proposed Plan Change section 21.5 b).

Plan Change 21.5 c). ICr.76.3 Parking and loading - discretionary rule			
Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean	1	2	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
John Black	3	2	Increase the parking reduction to at least 20%. Perhaps as much as 40% as granting a reduction is at Council's discretion.
Irving Smith Jack Architects Ltd	6	3	The 10% conditional dispensation for parking levels could be clarified on its application where small numbers of car parks are provided.
Nelson Marlborough Institute of Technology (NMIT)	8	2	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)".
Tasman Medical Syndicate	10	16	Retain proposed Plan Change section 21.5 c).
Gibbons Holdings Limited	12	1	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. Repeated in Plan Change Section 21.5 a) due to overlap.
3 Grove Street Limited	15	2	Delete proposed Plan Change section 21.5 c). (not stated in submission, decision confirmed with submitter 19th Feb 2011 - email)

Munro Hotels Developments Limited	16	2	Delete proposed Plan Change section 21.5 c). (not stated in submission, decision confirmed with submitter)
Progressive Enterprises Limited	17	6	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.
Plan Change 21.5 d). ICr.76.4 Parking and loading - assessment criteria			
Tasman Medical Syndicate	10	17	Retain proposed Plan Change section 21.5 d).
NZ Transport Agency	14	8	Retain the new Assessment Criteria ICr.76.4, in particular c).
Plan Change 21.5 e). REr.38.3, Parking and loading - discretionary rule - Other zones SCr.31.3, INr.35.3, OSr.34.3 and RUr.35.3.			
Tasman Medical Syndicate	10	18	Retain proposed Plan Change section 21.5 e).
Plan Change 21.5 f). REr.38.4, Parking and loading - assessment criteria - Other zones SCr.31.4, INr.35.4, OSr.34.4 and RUr.35.4.			
Tasman Medical Syndicate	10	19	Retain proposed Plan Change section 21.5 f).
NZ Transport Agency	14	9	Retain new Assessment Criteria, as shown in Plan Change section 21.5 f).
Plan Change 21.6. ICr.73A Design and external appearance - Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St.			
The Free House Ltd	5	2	Retain proposed Plan Change section 21.6
Irving Smith Jack Architects Ltd	6	2	Retain accompanying obligations for improved building design (ICr.73A).
Plan Change 21.6 a). ICr.73A Design and external appearance - Collingwood St, Riverside, Malthouse Lane, Harley St and Hardy St – Rule			
Tasman Medical Syndicate	10	20	Replace proposed Plan Change section 21.6 a) with a rule that applies equally and fairly over the entire Inner City.

Plan Change 21.6 b). ICr.73A.4 Design and external appearance - assessment criteria			
Tasman Medical Syndicate	10	21	Replace proposed Plan Change section 21.6 b) with a rule that applies equally and fairly over the entire Inner City.
Plan Change 21.7. Table 10.3.1 Parking table - General			
Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean	1	1	Retain the reduced parking requirements in Appendix 10.
John Black	3	3	Specify the floor area required for one car park, rather than number required per 100m2.
Plan Change 21.7 a). AP10.2, Appendix 10 Definitions - Large format retail/Bulk retail			
Strategic Property Group Limited	11	1	Amend proposed Plan Change section 21.7 a) as follows. "Means a retail store with a minimum gross floor area of 500m2...."
Progressive Enterprises Limited	17	7	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.
Plan Change 21.7 b). AP10.2, Appendix 10 Definitions - Shopping Centre/Shopping Mall			
Viastrada	4	3	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.

Plan Change 21.7 c). AP10.2, Appendix 10 Definitions - Supermarket			
Progressive Enterprises Limited	17	8	Amend 21.7 c) as follows: "Means a retail shop with a gross floor area of not less than 500m ² (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."
Plan Change 21.7 d). AP10.2. Appendix 10 Definitions - Unit			
3 Grove Street Limited	15	3	Delete proposed Plan Change section 21.7 d).
Munro Hotels Developments Limited	16	3	Delete proposed Plan Change section 21.7 d).
Plan Change 21.7 e). Title, Table 10.3.1 Parking table.			
Tasman Medical Syndicate	10	22	Retain proposed Plan Change section 21.7 e).
NZ Transport Agency	14	10	Retain the amendment to Table 10.3.1 title (Plan Change section 21.7 e).
Plan Change 21.7 f). Table 10.3.1 Large format retail/Bulk retail			
Strategic Property Group Limited	11	2	Amend proposed Plan Change section 21.7 f) as follows. "3 spaces per 100m ² gross floor area".
Plan Change 21.7 h) Table 10.3.1 Restaurant/Tavern			
Tasman Medical Syndicate	10	23	Retain proposed Plan Change section 21.7 h).

Plan Change 21.7 i) Table 10.3.1 Retail Activities/Retail Services			
Tasman Medical Syndicate	10	24	Retain proposed Plan Change section 21.7 i).
Progressive Enterprises Limited	17	9	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.
Plan Change 21.7 k) Table 10.3.1 Short Term Living Accommodation			
3 Grove Street Limited	15	4	Delete proposed Plan Change section 21.7 k).
Munro Hotels Developments Limited	16	4	Delete proposed Plan Change section 21.7 k).
Plan Change 21.7 l) Table 10.3.1 Supermarket			
Progressive Enterprises Limited	17	10	Retain proposed Plan Change section 21.7 l).
Plan Change 21.7 m) Table 10.3.1 Reduction where cycle parking provided			
Tasman Medical Syndicate	10	25	Amend proposed Plan Change section 21.7 m) to use the word 'shall' rather than 'can' in the first line of the rule.
NZ Transport Agency	14	11	Retain the addition of the activity Reduction in car parking where bicycle parking is provided (Plan Change section 21.7 m).
Progressive Enterprises Limited	17	11	Retain proposed Plan Change section 21.7 m).
Plan Change 21.7 o) AP10.15.2a Assessment Criteria - parking			
Tasman Medical Syndicate	10	26	Retain proposed Plan Change section 21.7 o).

Plan Change 21.7 p) AP10.15.2c Assessment Criteria - short term living accommodation			
3 Grove Street Limited	15	5	Delete proposed Plan Change section 21.7 p).
Munro Hotels Developments Limited	16	5	Delete proposed Plan Change section 21.7 p).
Plan Change 21.7 q) AP10.16.iii Reasons for rules			
Tasman Medical Syndicate	10	27	Retain proposed Plan Change section 21.7 q).

Address for Service of Submitters
 Plan Change 21 (Parking and Related Changes)

Submitter Summary Report

Sub#	Name and Address
1	Gilrays No1, Fords Creek Farm, Town Paddock Ltd & M McLean Viastrada Nelson PO Box 1593 Nelson 7040
2	Levenbach Ltd PO Box 35 Nelson 7010
3	John Black 58 Nile St Nelson 7010
4	Viastrada PO Box 1593 Nelson 7040
5	The Free House Ltd PO Box 1975 Nelson 7040
6	Irving Smith Jack Architects Ltd PO Box 222 Nelson 7040
7	John Graham Abbott 169 Bridge St Nelson 7011
8	Nelson Marlborough Institute of Technology (NMIT) Staig & Smith Ltd PO Box 913 Nelson 7040
9	Ben Winnubst 11 Brook St Nelson 7010
10	Tasman Medical Syndicate CO/ Landmark Lile PO Box 343 Nelson 7040

11	Strategic Property Group Limited CO/ Landmark Lile Ltd PO Box 343 Nelson 7040
12	Gibbons Holdings Limited CO/ Landmark Lile Limited PO Box 343 Nelson 7040
13	John Malcolm Fitchett PO Box 580 Nelson 7040
14	NZ Transport Agency PO Box 5084 Lambton Quay Wellington 6145
15	3 Grove Street Limited CO/ Landmark Lile Limited PO Box 343 Nelson 7040
16	Munro Hotels Developments Limited CO/ Landmark Lile ltd PO Box 343 Nelson 7040
17	Progressive Enterprises Limited CO/ Jane Douglas, Zomac Planning Solutions Ltd PO Box 103 Whangaparaoa 0943
18	Jungle Payne PO Box 645 Nelson 7040