

**IN THE MATTER** of the Resource Management Act 1991 (the Act)

**AND**

**IN THE MATTER** of a hearing in relation to Variation 1 to the  
Proposed Hamilton City District Plan

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**Statement of Evidence of Dylan Andrew Gardiner for the Waikato Regional  
Council (Planning Evidence)**

Dated 15 July 2016

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## QUALIFICATIONS AND EXPERIENCE

1. My full name is Dylan Andrew Gardiner.
2. I hold the position of Principal Planning Consultant at GMD Consultants Ltd. I have held this position since June 2015. GMD Consultants specialises in resource management planning and strategy development, primarily working with and on behalf of local authorities and other government organisations.
3. I hold a Master of Science degree with first class honours from the University of Waikato majoring in resource and environmental planning.
4. I have 12 years of experience in the field of resource and environmental planning which includes local government work at a district and regional level in New Zealand and abroad.
5. Prior to being employed by GMD Consultants, I held the position of Regional Integration Manager at the Waikato Regional Council (**the Regional Council**). I was employed by the Regional Council from June 2010. My responsibilities included drafting and supporting submissions on statutory processes run by other agencies, and assisting with the development and implementation of policy and plans for the Waikato Region. I was involved in the development of the Proposed Waikato Regional Policy Statement throughout my time at the Regional Council. My role included the preparation and reporting of the s42A officer's report, and more recently managing and providing planning expertise on behalf of the Regional Council for the 37 appeals received.
6. During my time with the Regional Council I was the Regional Council representative on the Future Proof Technical Implementation Group. This group was established to provide technical support and advice to executive management and governance groups in relation to the implementation of the Future Proof Growth Strategy and Implementation Plan 2009 (**Future Proof Strategy**).
7. While at the Regional Council I was also involved in the Board of Inquiry (**BOI**) process for the Ruakura development. My involvement included the preparation of the Regional Council submission, expert planning witness caucusing, and preparation and delivery of evidence at the hearings.
8. I am also familiar with the Proposed Hamilton District Plan (**PDP**) which was notified by the Hamilton City Council in December 2013. I assisted in the preparation of a submission to the PDP on behalf of the Regional Council, and prepared and presented evidence on the PDP at the

hearings, including on the topics of the strategic framework, transportation, the natural environment and industrial and commercial land.

9. I have been engaged by the Regional Council to present expert planning evidence on their behalf.

#### **CODE OF CONDUCT**

10. While I acknowledge this is not an Environment Court hearing, I consider it good practice to have prepared evidence in accordance with the current Environment Court Practice Note (2014). I have complied with the Code, and will follow the Code when presenting evidence to the hearing panel. I also confirm that the matters addressed in this Statement of Evidence are within my area of expertise, except where relying on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

#### **SCOPE OF EVIDENCE**

11. I have been asked by the Regional Council to prepare evidence that addresses the Ruakura Variation from a planning perspective.
12. The Regional Council made a submission on the Variation.
13. My evidence will focus on the key matters of interest to the Regional Council. Those key matters are:
  - i. Industrial land allocation and staging;
  - ii. Commercial development; and
  - iii. Affected party status for activities generating >1500 vehicles per day.
14. I note that between the notified version of the Variation, and the s42A officer's report, a number of provisions have been renumbered. Except where specifically stated otherwise, my evidence refers to the numbering in the notified version.

#### **WAIKATO REGIONAL COUNCIL INTEREST IN THE VARIATION**

15. Waikato Regional Council has a particular interest in the Variation as the Regional Council's function of integrated management of natural and physical resources under Section 30 of the

Resource Management Act (**RMA**) requires appropriate management of growth. Under Section 30 of the RMA the Waikato Regional Council also has a general overview role in terms of identifying and setting policy in relation to any effects of the use, development or protection of land which are of regional significance.

16. There is increasing involvement by the Regional Council in matters relating to growth and development of the built environment. From 2009 new RMA amendments required regional councils to provide objectives, policies and methods for the integration of land use and infrastructure (Section 30(1)(gb) of the RMA). This role is becoming more important due to central government's recognition of the importance of efficient infrastructure for economic development, and the current economic climate, which makes it even more important that we make the best use of current infrastructure and minimise the need for new infrastructure.
17. The Proposed National Policy Statement on Urban Development Capacity also reflects and confirms key responsibilities for Regional Councils in urban growth planning. For high growth urban areas, Regional Councils are required to set (and review every three years) minimum targets for the supply of residential development capacity, and incorporate these targets into their regional policy statements.
18. The Regional Council is responsible for review and administration of the RPS.
19. The RPS was made fully operative on 20 May 2016.
20. In my view the RPS is a crucial document for consideration as part of this Variation, as district plans must give effect to an operative RPS. Furthermore, the RPS has a number of relevant and directive provisions that relate specifically to development at Ruakura, including identification of industrial land allocations that I will address in evidence below.
21. The RPS sets the broad direction for growth management in the Waikato region. There are currently no legislative tools other than the RPS under the RMA that do or can provide an overarching direction for growth management across a sub-region or region. The RPS also provides district plans with policy direction in key areas, including the strategic integration of infrastructure with land use.
22. The provisions of the RPS mark a shift in terms of the role that the Region takes in the development of urban growth and development of the built environment. The RPS provides a very clear direction to integrate growth management with the provision of infrastructure. This implements the Regional Council function of strategic integration of infrastructure and land use found in section 30(1)(gb) of the RMA. The objectives and policies, methods of implementation

provisions establish and direct how this issue should be managed throughout the region, including explicit direction for the matters that should be addressed in district plans.

23. The RPS stipulates a largely regulatory approach to managing growth in the sub-region by directing district plans to manage development in accordance with the RPS policies. Based on historical development and somewhat ad hoc growth in Hamilton City, this regulatory approach is necessary to manage the key growth issues facing Hamilton City, and ultimately achieve efficient land use and infrastructure integration.
24. The RPS gives statutory effect to the Future Proof sub-regional settlement pattern through the use of urban limits, outlining growth allocations, providing for target residential densities, and the identification of growth areas and associated timing
25. I have sought to identify the provisions which are most relevant to the Variation. In my view these are the built environment provisions contained primarily in Chapter 6 of the RPS, which aim to ensure that development (including transport and infrastructure), and associated land use, occurs in an integrated, sustainable and planned manner. This includes a set of provisions that specifically aim to manage growth in the Future Proof sub-region.
26. The Regional Council also has an important role in planning and funding land transport in the Waikato Region. Under the Land Transport Management Act, the Regional Council approved the Regional Land Transport Plan 2015-2045 (**RLTP**) (put forward by the Regional Transport Committee) which establishes the region's transport objectives and programme of major works for the next 30 years. In accordance with sections 66 and 74 of the RMA, a district plan shall have regard to any management plans and strategies prepared under other Acts.
27. The RLTP identifies the completion of the Waikato Expressway as being the highest priority in the region. This is a critical piece of infrastructure for realising the development potential of industrial land at Ruakura, as I will describe in further detail below. The RLTP also recognises Ruakura as a key industrial and residential growth node, playing an important future role in the region as an inter-regional freight and logistics service hub. Policies and implementation measures in the RLTP aim to ensure that there is efficient access to future key industrial nodes, such as the Ruakura inland port development. Equally, policies and methods aim to ensure land use development does not compromise the function of the transport network, particularly its efficiency, effectiveness and safety. As with the RPS, the overarching objective here is to achieve integration of land use with infrastructure.

28. The Regional Council also has an important role in terms of managing the public transport network in the City, which includes consideration of services to new and developing areas, and the extent to which new development may affect public transport services.

#### INDUSTRIAL LAND ALLOCATION IN THE RPS

29. The Regional Council submission supported the industrial allocation provisions of the Variation, and the extent to which the development would integrate with existing and planned infrastructure. The submission asserts that the approach to industrial land allocation and integration promulgated in the Variation gives effect to the RPS.
30. The RPS sets out to manage industrial development through:
- General built environment policies and methods aimed at co-ordinating development and infrastructure;
  - A set of development principles that seek to achieve ‘best practice’ development of the built environment
  - Policies specifically relating to industrial development in the Future Proof sub-region
31. In relation to the last point, the RPS has used the concept of ‘strategic industrial nodes’ in order to identify industrial land areas that are considered to be significant from a growth management perspective. These are nodes which are important to the economic development of the sub-region, are of such a scale that significant infrastructure planning and investment is required, and where the effects may occur across district boundaries meaning that regional-level input is required.
32. Seven strategic nodes are identified in Table 6-2 of the RPS:

<i>Strategic Industrial Nodes located in Central Future Proof area (based on gross developable area)<sup>1</sup></i>	<i>Industrial land allocation and staging (ha)</i>			<i>Total Allocation</i>
	<i>2010-2021</i>	<i>2021-2041</i>	<i>2041-2061</i>	<i>2010-2061(ha)</i>
<i>Rotokauri</i>	85	90	90	265
<i>Ruakura</i>	80	115 <sup>2</sup>	210 <sup>2</sup>	405
<i>Te Rapa North</i>	14	46	25	85
<i>Horotiu</i>	56	84	10	150
<i>Hamilton Airport</i>	74	50	0	124
<i>Huntly and Rotowaro</i>	8	8	7	23
<i>Hautapu</i>	20	30	46	96
<b><i>Total Ha</i></b>	<b><i>337</i></b>	<b><i>423</i></b>	<b><i>388</i></b>	<b><i>1148</i></b>

<sup>1</sup>Gross Developable Area includes land for building footprint, parking, landscaping, open space, bulk and location requirements and land for infrastructure including roads, stormwater and wastewater facilities.

<sup>2</sup>Development beyond the 2021 period is subject to completion of the Waikato Expressway.

33. Table 6-2 is implemented through Policy 6.14 of the RPS, which states:

*Within the Future Proof area:*

....

*(c) new industrial development should predominantly be located in the strategic industrial nodes in Table 6-2 (section 6D) and in accordance with the indicative timings in that table except where alternative land release and timing is demonstrated to meet the criteria in Method 6.14.3;*

....

*(e) new industrial development outside the strategic industrial nodes or outside the allocation limits set out in Table 6-2 shall not be of a scale or location where the development undermines the role of any strategic industrial node as set out in Table 6-2;*

34. Policy 6.14 and Table 6-2 are a critical part of the Future Proof settlement pattern. They identify the strategic industrial nodes and ensure that these are appropriately staged to coincide with development of key pieces of infrastructure. This provides the type of land use certainty required for integration with infrastructure as set out in section 30(1)(gb) of the RMA 1991. In my view it also gives the market and infrastructure funders some confidence as to where and when these large developments will take place.

35. In relation to industrial land my view is that the RPS has very clear and directive policy. In particular I note that the RPS is unequivocal in its expectation that industrial development will occur in the locations identified. This is reinforced by policy that not only seeks to direct industrial development into these areas, but seeks to protect their role as industrial nodes through management of industrial development elsewhere.

36. This regional policy framework provides direction for District Councils to adopt their own objectives, policies and rules which enables proactive management of the location, composition and scale of industrial development across the sub-region. In my view positive implementation of the RPS (giving effect to the RPS) is achieved in this manner through the PDP.

## RPS INDUSTRIAL ALLOCATION FOR RUAKURA

37. Table 6-2 provides for development at Ruakura, with a total allocation of 405ha staged across three time periods.
38. In my view derivation of the 405ha allocation, and the way in which it is staged across the three time periods, provides important context for consideration of the Variation. There are key elements of its history that in my view ultimately support and justify industrial development of this type, in this location.
39. I am aware the Mr Tremaine, on behalf of the Future Proof Implementation Committee, is providing an overview of the industrial land allocations as they were arrived at through a series of investigations by the Future Proof partners. Rather than duplicate that material I will complete the picture by picking up the history at the point of notification of the RPS.
40. The RPS was notified with a total of 130ha allocated to Ruakura. 30ha was allocated to the first period 2010 to 2021. At this point in time the concept of an inland port and associated logistics was known, but work had not progressed to the point where an increased allocation could be justified in a statutory document. Importantly then, the notified allocations at Ruakura were for 'general industrial' determined on the basis of managing business as usual industrial growth (ensuring that land supply in the sub-region did not exceed the forecast of 805 ha).
41. Submissions to the RPS by Tainui Group Holdings, Chedworth Properties Ltd, and the Future Proof partners sought an increase to the allocation at Ruakura on the basis that evidence could be provided to justify the increase. At this stage it was clear that submissions were referring to 'Ruakura' as being the land generally to the west of the new Waikato Expressway designation, recently transferred to within the Hamilton boundary and known as 'R1'.
42. The decision to increase the total to 405ha of industrial land at Ruakura was the result of comprehensive evidence provided by Tainui Group Holdings and the Future Proof Implementation Committee at the RPS hearings. I was not privy to the subsequent decision making process of the Committee, but having been present throughout the RPS hearings and having reviewed the written decisions of the Committee, it is my view that evidence accepted by the Committee consisted of three key elements:
  - i. Whereas the quantum in Table 6-2 as notified were based on managing supply based on demographic projections, the decision to increase the Ruakura allocation was substantively predicated on the type of development at Ruakura largely being 'new'.

Rather than competing with industry in other strategic nodes it was firmly established in evidence that development at Ruakura would be demand driven growth.

A significant evaluation of Ruakura in the context of increasing the industrial land provision for this site in the RPS was completed for Tainui Group Holdings (and ultimately presented to the RPS hearing committee in evidence). This work found that the proposed development of Ruakura as an integrated logistics hub is more likely to attract employment and income than other proposed land developments which passively respond to business conditions. The work concluded that an increase in the provision of industrial land for Ruakura was justified on this basis.

This evaluation was peer review by BERL on behalf of the Regional Council, who concluded that the Ruakura development has economic value as an addition to the Waikato Region's economy. Importantly the BERL report found that as Ruakura will be bringing a new activity and function to the region, it will be largely creating an additional demand for land. BERL also concluded that Ruakura has most of the characteristics found necessary for successful inland ports and logistics hubs internationally.

- ii. The increased allocation could be supported by infrastructure, but only where the release of land was staged in accordance with the provision of that infrastructure. This was particularly relevant for the transport network, and the construction of the Hamilton section of the Waikato Expressway. Industrial development in this location also increases the benefit-cost ratio of key national infrastructure such as the Waikato Expressway and East Coast Main Trunk Line.
  - iii. The ability to achieve maximum benefits from the unique characteristics of Ruakura largely depends on the ability of the developer to masterplan the entire site. A substantial area of land is required for the inland port operations and the logistics component of the development in order for these key features to work effectively. This land area is needed early on, and therefore it was important that the allocation was increased in the early stages.
43. These matters are reflected in what ultimately became the explanation that accompanies Table 6-2 in the RPS:

*“The Ruakura Industrial Node is part of an 820ha parcel of land that has been identified by Hamilton City for future urban growth, known as the R1 growth cell. The 405ha identified in Table 6-2 comprises the Ruakura inland port and logistics zone*

*(approximately 195ha) and general industrial land (approximately 210ha) to be advanced through a district plan structure planning process and subsequent Resource Management Act First Schedule process. The staging and timing identified in Table 6-2 provides for Stage 1 of the inland port and logistics zone, and up to 30 hectares of general industrial development to 2021. The Ruakura Structure plan is linked to the development of the Hamilton section of the Waikato Expressway. Further development after 2021, beyond the initial 80ha identified for the 2010-2021 period, should not occur until the Hamilton section of the Waikato Expressway is completed and connected to the Ruakura land in a manner that does not undermine the efficient functioning and safety of the transport network, or another infrastructure solution has been demonstrated to satisfy the relevant criteria for alternative land release in Method 6.14.3.”*

44. Overall it is my view that the Variation demonstrates an approach that positively implements the relevant provisions of the RPS that I have described above. In particular I note:
- i. Proposed 3.7(i) reproduces RPS Table 6.2 and the RPS explanation for Ruakura in its entirety. While this provides a high degree of consistency with the RPS, interpretation of the provisions packaged as the Variation objectives, policies and rules are even more important. This is because they interpret the RPS as it will specifically apply to land at a property level.
  - ii. Proposed Objectives 3.7.2.3 and 3.7.2.4 and associated Policies focus on ensuring development at Ruakura integrates with infrastructure in a manner that protects the efficient, effective and safe use and function of the infrastructure. This is a key premise of the RPS and RLTP, appropriately and positively reinforced in the Variation.
  - iii. Proposed Rule 3.7.3.2.1 which requires resource consent for a Land Development Plan for specified areas of Ruakura. Land Development Plans are an effective mechanism to achieve integrated management of natural and physical resources throughout the whole Ruakura Structure Plan area. Along with the staging and traffic rules (3.7.3.3) this will ensure future development is aligned with the provision of Ruakura Strategic Infrastructure and associated network connections.
  - iv. Proposed Rules 3.7.3.3.1 – 3.7.3.3.2 set out the staging requirements for Ruakura in accordance with the allocations in Table 6-2, also recognising the completion of the Hamilton Section of the Waikato Expressway is critical for enabling development beyond 80ha.

- v. Proposed Rule 3.7.3.3.1 provides for 30 hectares of 'general' industrial development in the first stage. This is an important distinction to have included, as the RPS was notified with 30ha of general industrial land in the first stage. Development beyond that 30ha was predicated on it being 'new' development to the sub-region.
45. I support the industrial provisions of the Variation on the basis that they positively implement the provisions of the RPS, and in my view would give effect to the RPS.

#### **LARGE LOT RESIDENTIAL ENCLAVE**

46. The Regional Council submission supported the approach promulgated in the Variation to zone the Percival/Ryburn Road enclave as Large Lot Residential with a notation signalling a Logistics zoning in the future.
47. In addressing this issue I do not wish to detract from the concerns raised by residents. I recognise that this is a complex planning matter to address, and that more broadly it encompasses a range of considerations such as amenity and mitigation measures.
48. I have confined my views to a high level assessment of the appropriateness of the notation.
49. Notwithstanding the presence of the rural residential lots, the RPS confirms a staged allocation of industrial land at Ruakura. While the RPS is not specific in identifying land parcels to which the allocation applies, it has been clear since submissions and evidence were presented at the RPS hearings that long term development of the Ruakura Inland Port and associated Logistics would encompass the area in question.
50. Again drawing on my experience from the RPS hearings, it is my view that 405 ha of industrial land is required to take full advantage of the site. The ability to achieve maximum benefits from the unique characteristics of Ruakura largely depends on the ability to master plan the entire site, and subsequently ensure that land is managed to enable the master plan to be realised.
51. While uncertainty may exist around exactly when the area may develop for logistics, it is my view that signalling the long term intent for the area is an important measure to help safeguard the development of the Ruakura strategic industrial node.
52. However I do accept the view of Hamilton City Council staff that given the uncertainty it is reasonable (at this stage) to retain the Large Lot Residential Zoning. In my view the inclusion of the notation finds a suitable balance between protecting the interests of residents, and future proofing development of the Inland Port and Logistics area.

## COMMERCIAL DEVELOPMENT

53. The Regional Council submission supports the inclusion of a commercial centre within the Ruakura development on the basis that provisions exist to protect the Hamilton CBD from the adverse effects of commercial development outside of existing centres.
54. The RPS provides very clear and detailed direction for managing commercial development in the sub-region through Policy 6.16 which states:

### ***Policy 6.16 Commercial development in the Future Proof area***

*Management of the built environment in the Future Proof area shall provide for varying levels of commercial development to meet the wider community's social and economic needs, primarily through the encouragement and consolidation of such activities in existing commercial centres, and predominantly in those centres identified in Table 6-4 (section 6D). Commercial development is to be managed to:*

- a) support and sustain the vitality, and viability of existing commercial centres identified in Table 6-4 (section 6D);*
- b) support and sustain existing physical resources, and ensure the continuing ability to make efficient use of, and undertake long-term planning and management for the transport network, and other public and private infrastructure resources including community facilities;*
- c) recognise, maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre of the Future Proof area, by:*
  - i) encouraging the greatest diversity, scale and intensity of activities in the Hamilton Central Business District; and*
  - ii) avoiding or managing development within areas outside the Central Business District, to avoid adverse effects on the function, vitality or amenity of the Central Business District; beyond those effects ordinarily associated with trade competition on trade competitors; and*
  - iii) encouraging and supporting the enhancement of amenity values, particularly in areas where pedestrian activity is concentrated.*
- d) recognise that in addition to retail activity, the Hamilton Central Business District and towns centres outside Hamilton are also centres of administration, office and civic activity. These activities will not occur to any significant extent in Hamilton outside the Central Business District in order to maintain and enhance the Hamilton Central Business District as the primary commercial, civic and social centre;*
- e) recognise, maintain and enhance the function of sub-regional commercial centres by:*

- i) *maintaining and enhancing their role as centres primarily for retail activity;*
  - ii) *recognising that the sub-regional centres have limited non-retail economic and social activities;*
- f) *maintain industrially zoned land for industrial activities unless it is ancillary to those industrial activities, while also recognising that specific types of commercial development may be appropriately located in industrially zoned land; and*
- g) *ensure new commercial centres are only developed where they are consistent with a) to f) of this policy. New centres will avoid adverse effects, both individually and cumulatively on:*
- i) *the distribution, function and infrastructure associated with those centres identified in Table 6-4 (section 6D);*
  - ii) *people and communities who rely on those centres identified in Table 6-4 (section 6D) for their social and economic wellbeing, and require ease of access to such centres by a variety of transport modes;*
  - iii) *the efficiency, safety and function of the transportation network; and*
  - iv) *the extent and character of industrial land and associated physical resources, including through the avoidance of reverse sensitivity effects.*

55. Policy 6.16 is relevant to all commercial development in the sub-region. The RPS recognises the CBD as the primary centre of the sub-region, and includes policies to ensure that commercial development does not undermine its role. Supporting the primacy, vitality and viability of the Central City is a key pillar for achieving the strategic approach of the Future Proof Strategy. The Hamilton Central City has to be able to support the wider region by fulfilling its function as the primary centre for the Waikato.

56. In my view Policy 6.16 provides District Councils with strong direction that district plans must contain provisions that actively seek to manage commercial development in a manner that supports the CBD.

57. To that extent, I note:

- i. Objective 8.2.5 and associated policies for the Knowledge Zone (the proposed location of the commercial centre) aim to ensure the scale and nature of activities and the rate of development are managed to avoid adverse effects on the primacy, function, vitality and amenity of the Central City and the function of other centres.

- ii. Activity Status Table 8.3.3 which sets out a range of activity status for activities, taking into account the extent to which the activity may have an adverse effect on the CBD.
  - iii. Proposed Information Requirement 1.2.2.22.1 which requires a Centres Assessment of the potential effects associated with a proposal for retail, office and other activities in terms of the specified restricted discretionary activity criteria set out in Appendix 1.3.3 N Ruakura.
58. I support the commercial provisions of the Variation on the basis that they positively implement the provisions of the RPS, and in my view would give effect to the RPS.

### **AFFECTED PARTY STATUS**

59. The BOI decision included three key areas where affected party approval would be required from the Regional Council. These were for all Land Development Plans (**LDP**), high traffic generating activities (>1500 vehicles per day), and for non-compliance with the staging of development. In instances where affected party approval is not acquired, these activities are to be limited notified. This is not reflected in the Variation because:
- i. Rule 3.7.3.2.3 only requires affected party approval from the Regional Council where LDP will result in >1500vpd; and
  - ii. Rule 3.7.3.3.7 does not require affected party approval from the Regional Council for activities generating >1500vpd.
60. For each of the instances described above, there is the potential for significant adverse effects on the transport network to occur (including the state highway network). The activities proposed to be generated by the Variation will be of a very large scale and, as a result, will generate large traffic volumes, and will require careful management with provisions for regular review.
61. With statutory obligations in relation to the efficient, effective and safe operation of the transport network, it is my view that the Regional Council should be considered an affected party in relation to the matters I raise in para 59 above. This is particularly the case given the extent to which cumulative effects of development may affect the network.
62. Any high traffic generating activities (>1500vpd) could also have significant impact on the efficient and effective operation of the public transport network. Affected party status would ensure the Regional Council had the opportunity to work with developers at the early stage to identify any potential issues (or opportunities) for public transport.

63. I note that the s42A officer's report recommends an amendment at 3.7.3.3.7 (c) that states affected party consent is not required for >1500vpd activities where:
- i. affected party approval has already been acquired at land development plan stage; and
  - ii. where trip generation was considered as part of the Integrated Transport Assessment.
64. In respect to item (ii), I do not disagree with the principle of the recommendation. However the primary issue I have is that LDP require consent for matters that are generally different to that of subsequent activity that may take place in the land development area. LDP focus on land preparation, including roading layout and connection to the wider network. Subsequent consent for activities focuses on the specific effects generated from those activities, some of which may be significant and independent of the effects assessment undertaken at land development stage (or unknown at the time of land development plan consent).
65. At LDP stage the precise nature of activities may not be known. Traffic generation from industrial activity can vary considerably, and therefore it may not be practical, nor possible, to have it considered as part of an LDP approval process.
66. I acknowledge that the proposed amendment allows discretion for Council to make the assessment that trip generation has not been appropriately dealt with at LDP stage. However in my view this places significant onus on the consent planner to make that assessment.
67. For that reason I support the Regional Council submission to be included as an affected party for all LDP (Rule 3.7.3.2.3), and subsequently for activities generating >1500vpd (Rule 3.7.3.3.7).

#### **SECTION 42 OFFICERS REPORT**

68. I have reviewed the s42A officer's report and recommendations. The Regional Council submission points have either been accepted, or accepted in part. Aside from the matter I raise in Paras 59-67, I support the reasons provided in the s42A report.
69. For completeness, I have also reviewed amendments made as a result of other submissions to provisions of interest to the Regional Council, and do not have any issues that I wish to raise.