

**Queenstown Lakes District Operative and Proposed District Plans  
Section 32 Evaluation**

**For:**

**Variation to Proposed District Plan Chapter 29 Transport  
Plan Change to Operative District Plan Section 14 Transport**

**On:**

**Amendments to Accessible Parking Provisions Required as a  
Consequence of Implementing the National Policy Statement on Urban  
Development 2020**

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## 1. EXECUTIVE SUMMARY

- 1.1 The National Policy Statement on Urban Development 2020 (**NPS-UD**) prevents District Plans from requiring a minimum number of car parks and directs that all provisions that have this effect be removed from District Plans.
- 1.2 The NPS-UD does not direct the removal of accessible parking requirements, which are currently expressed in both the Operative District Plan and Proposed District Plan as a ratio of the minimum parking standards.
- 1.3 This proposal amends the way accessible parking standards are expressed in the Operative District Plan (**ODP**) and Proposed District Plan (**PDP**) to ensure that the mandated removal of the minimum parking standards does not alter the current requirements for accessible parking.

## 2. INTRODUCTION

- 2.1 This proposal amends the following provisions of the PDP:

Chapter 29 Transport (**Chapter 29**)

- i. Standard 29.5.5                      Mobility Parking Spaces

- 2.2 This proposal amends the following provisions of the ODP:

Section 14 Transport (**Section 14**)

- i. Site Standard 14.2.4.1 (viii)      Car Spaces for People with Disabilities

### **The Proposal**

- 2.3 The purpose of this proposal is to ensure that the mandated removal of the minimum parking standards does not alter the current requirements for accessible parking.
- 2.4 Policy 11(a) of the NPS-UD separates accessible parking from other car parks, stating that local authorities need not remove provisions for accessible parking from district plans. They are an important part of ensuring accessibility for people who have restricted mobility.

- 2.5 However, because they are currently set in the PDP and ODP as a proportion of the total number of parks to be provided by the activity, if the accessible parking provisions remained in their current form, whilst the minimum parking requirements were removed, there would be no guarantee that any accessible car parks would be provided.
- 2.6 The Ministry of the Environment's Car Parking factsheet<sup>1</sup>, states (p.3) that *"to provide for situations where car parking is not supplied, territorial authorities should consider setting an absolute minimum of accessible car parks."*
- 2.7 The proposal sets an absolute minimum number of accessible car parks for the land use and activities currently identified in PDP Standards 29.8.1-29.8.40. Proposed PDP Chapter 29 provisions are detailed in **Appendix 1**.
- 2.8 This proposal sets an absolute minimum number of accessible car parks for the land use and activities currently identified in ODP Site Standard 14.2.4(i). Proposed ODP Section 14 provisions are detailed in **Appendix 2**.
- 2.9 **Appendix 3** is a report prepared by Candor3, consultant services engaged by council, which reviewed Council's proposed provisions to accurately translate existing minimum mobility parking requirements. The appendices to this report are not attached to this evaluation but are available on request.

#### **Amendments required to implement the NPS-UD**

- 2.10 Policy 11 of the NPS-UD prevents district plans from requiring minimum parking rates and encourages the use of parking management plans. Under Section 55(2D) of the Act, current minimum parking requirements are to be removed from all district plans by 20 February 2022 (18 months after the NPS-UD's date of commencement). This removal is mandated, and must not go through the consultation processes in Schedule 1 of the Resource Management Act (**RMA**).

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<sup>1</sup> Ministry of the Environment (2020). Car parking factsheet.

2.11 **Appendix 4** contains the non-schedule 1 changes to provisions, however these provisions are provided for information purposes only and these changes do not form part of the notified proposal.

### 3. CONTEXT

3.1. The District Plan review is being undertaken in stages. Chapter 29 (Transport) of the PDP was a component of Stage 2 of the District Plan. It has been through subsequent Council hearings and Environment Court appeals have been largely resolved. The Decision Version of the chapter has been updated with the consent order changes. There is a small outstanding matter relating to High Traffic Generating Activities still under appeal, however this is not considered relevant to the proposal.

3.2. On 29 September 2016 the Council approved the commencement of Stage 2 of the review of the ODP. As part of the 29 September 2016 resolutions, the Council addressed what the plan outcome would be at the end of the partial review. It approved the separation of the District Plan into two volumes, Volume A and Volume B. Volume A consists of the Proposed District Plan chapters notified in Stages 1, 2 and 3 of the PDP, and all the land as identified in the layer 'PDP Stage 1 2 3 Decisions' of the District Plan web mapping application. All other land currently forms Volume B of the District Plan. This includes zones that have not yet been reviewed and notified (i.e. land along Gorge Road, land included in Plan Change 50 Queenstown Town Centre Expansion to the ODP and various Special Zones). These will be addressed later in the District Plan Review.

3.3. Most applications for resource consents are now assessed under the PDP, although applications in Volume B land are assessed under the ODP, and where appeals on the PDP have yet to be resolved the provisions of the ODP continue to have weight when evaluating resource consent applications.

3.4. PDP Chapter 29 will apply to:

- (i) Volume A land – all zones and roads
- (ii) Volume B land – all roads, but not zones

Activities undertaken outside of roads in a volume B zone are subject to the provisions in the ODP.

- 3.5. Because parking provisions are applied across the District (although requirements vary between different zones and activity types) it has been necessary to review both the ODP Section 14 (Transport) and the ODP zones still in use and PDP Chapter 29, and all PDP zones, to ensure that policies and provisions addressing other aspects of parking, such as safety, screening and usability, are still able to be applied where accessible parking is required, and when other parking is provided.

#### **4. STRUCTURE OF THE REPORT**

- 4.1. This report provides an analysis of the policy response proposed by the variation as required by s32 of the Resource Management Act (RMA), using the following sections:

- a) An overview of the applicable **Statutory Policy Context**.
- b) A description of the **Resource Management Issue** being addressed by the proposal.
- c) An assessment of the **scale and significance** of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposal.
- d) An **Evaluation** against s32 of the RMA, including
  - Whether the objectives of the proposal are the most appropriate way to achieve the purpose of the RMA (Section 32(1)(a)).
  - Whether the provisions (policies and methods) are the most appropriate way to achieve the objectives of the proposal (Section 32(1)(b)), including:
    - (i) identifying other reasonably practicable options for achieving the objectives;
    - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives, including consideration of risk of acting or not acting; and
    - (iii) summarising the reasons for deciding on the provisions.

#### **5. CONSULTATION**

##### **Legislative Requirements**

- 5.1 Clause 3(1)(d) of Schedule 1 of the RMA sets out the requirements for local authorities to consult with iwi authorities during the preparation of a proposed plan.
- 5.2 Clause 3(1) also requires local authorities to consult with (a) the Minister for the Environment; and (b) those other Ministers of the Crown who may be affected by the policy statement or plan; and (c) local authorities who may be so affected; and (e) any customary marine title group in the area, that may be affected by changes made to the District Plan.
- 5.3 Clause 4A requires the District Council to provide a copy of a draft proposed plan to iwi authorities consulted, before notification, and have particular regard to any advice received.
- 5.4 This proposal has a limited scope as the reformatting of accessible parking provisions is necessary due to the directives of the NPS-UD. Broad community-wide consultation has not been undertaken in this instance.
- 5.5 In summary, prior to public notification of the proposal, consultation was undertaken as outlined below:
- a) statutory consultation under Clause 3(1) of Schedule 1;
  - b) without undertaking discretionary consultation under Clause 3(2) of Schedule 1 of the RMA; and
  - c) statutory consultation with iwi authorities as per Clause 4A of Schedule 1 of the RMA.
- 5.6 This section summarises the consultation feedback/advice received from the iwi authority relevant the proposed amendments to accessible parking provisions, and the Council's consideration of, and response to (as required by Section 32(4A)(b) of the RMA), that feedback/advice.

#### **Consultation with iwi authorities**

- 5.7 Aukaha and Te Ao Mārama Incorporated were consulted with on the proposed amendments to the accessible parking provisions as per Clause 4A of Schedule 1 of the RMA, between 8 July

and 22 July inclusive, whereby a set of draft provisions were provided to iwi representatives for consideration and comment.

5.8 Aukaha have no issue with the proposed approach, stating that it “seems an appropriate response to the requirements of the NPS-UD”. No changes were requested to the draft provisions.

5.9 Te Ao Mārama Incorporated did not provide any specific comment.



## 6. STATUTORY POLICY CONTEXT

6.1. The relevant sections of the RMA, NPS-UD, the Partially Operative Regional Policy Statement for Otago 2019, Operative District Plan and the Proposed District Plan are discussed below:

### **Resource Management Act**

6.2. Section 5 sets out the purpose of the RMA, which requires an integrated planning approach and direction to promote the sustainable management of natural and physical resources. Guidance as to how the overall sustainable management purpose is to be achieved is provided in the other sections, including sections 6, 7 and 8 of Part 2 of the RMA:

#### ***5 Purpose (emphasis added)***

- 1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- 2) *In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, **which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety** while—*
  - a) *sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
  - b) *safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
  - c) *avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

6.3. The assessment contained within this report considers the proposed provisions in the context of advancing the purpose of the RMA to achieve the sustainable management of natural and physical resources.

6.4. People who are eligible for mobility parking permits require parking spaces close to businesses, services and amenities to meet their access needs. These are wider than standard parking spaces, making it easier to get in and out of a vehicle with a wheelchair or mobility aid<sup>2</sup>. The correct use of accessible parking allows permit holders to travel more freely within

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<sup>2</sup> CCS Disability Action Website (a)

their community and in doing so, meet some of their social, economic, and cultural well-being needs, which they may otherwise may not be able to do so<sup>3</sup>.

#### **Other National Legislation or Policy Statements**

- 6.5. When preparing district plans, district councils must give effect to any National Policy Statement (NPS) or National Environmental Standard (NES). Additionally, the National Planning Standards 2019 must also be implemented within prescribed timeframes (discussed in more detail below).
- 6.6. The following NPS are currently in effect:
- NPS on Urban Development 2020 (NPS-UD)
  - NPS for Freshwater Management (NPS-FW)
  - NPS for Renewable Electricity Generation (NPS-REG)
  - NPS on Electricity Transmission (NPS-ET)
  - New Zealand Coastal Policy Statement
- 6.7. Work is currently underway on the proposed NPS for Indigenous Biodiversity.
- 6.8. The NES that are currently in effect are:
- a) NES for Air Quality;
  - b) NES for Sources of Drinking Water;
  - c) NES for Telecommunication Facilities;
  - d) NES for Electricity Transmission Activities;
  - e) NES for Assessing and Managing Contaminants in Soil to Protect Human Health; and
  - f) NES for Plantation Forestry.
- 6.9. The proposal does not seek to change the overall policy direction of the PDP or ODP and does not introduce provisions that would be inconsistent with any of the NES or NPS. The NPS-UD is discussed in detail below.

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<sup>3</sup> CCS Disability Action Website (b)

**National Policy Statement on Urban Development 2020 (NPS-UD)**

- 6.10. The NPS-UD is a national policy statement under the RMA which came into effect on 20 August 2020.
- 6.11. National policy statements allow central government to prescribe objectives and policies for matters of national significance relevant to achieving 'sustainable management' – set out as being the 'purpose' of the RMA within section 5. Under section 75(3) of the RMA, district plans are required to give effect to any national policy statement.
- 6.12. Policy 11 (and clause 3.38) of the NPS-UD prevents district plans from prescribing a minimum number of on-site car parks and encourages the use of comprehensive parking management plans.

*Policy 11: In relation to car parking:*

- a) *the district plans of tier 1, 2<sup>4</sup>, and 3 territorial authorities do not set minimum car parking rate requirements, other than for accessible car parks;*
- b) *and tier 1, 2, and 3 local authorities are strongly encouraged to manage effects associated with the supply and demand of car parking through comprehensive parking management plans.*

Subpart 8 lists what local authorities must do to give effect to Policy 11 (emphasis added):

*Subpart 8 – Car Parking*

*3.38 Car parking*

- (1) *If the district plan of a tier 1, 2, or 3 territorial authority contains **objectives, policies, rules, or assessment criteria that have the effect of requiring a minimum number of car parks to be provided** for a particular development, land use, or activity, the territorial authority **must change its district plan to remove that effect, other than in respect of accessible car parks.***
- (2) *Territorial authorities must make any changes required by subclause (1) without using a process in Schedule (1) of the Act.*
- (3) *Nothing in this National Policy Statement prevents a district plan including objectives, policies, rules, or assessment criteria:*
- a) *requiring a minimum number of accessible car parks to be provided for any activity; or*
- b) *relating to parking dimensions or manoeuvring standards to apply if:*

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<sup>4</sup> QLDC is a tier 2 authority

- (i) a developer chooses to supply car parks; or*
- (ii) when accessible car parks are required*

### **National Planning Standards**

- 6.13. In April 2019 the Government released a set of National Planning Standards (**planning standards**) that require all regional policy statements, regional plans and district plans to have a consistent structure and format. The planning standards also prescribe certain definitions, noise and vibration metrics and requirements for electronic functionality and accessibility. The planning standards have been introduced to improve the efficiency and effectiveness of the planning system, rather than seeking to alter the outcomes of policy statements or plans.
- 6.14. The planning standards prescribe various timeframes for implementation. QLDC is required to comply with specified planning standards by April 2026, by either making amendments to the district plan or by notifying an entirely new proposed plan within this timeframe. As the provisions being reviewed are an individual plan change proposal, rather than a full proposed district plan, the planning standards are not required to be implemented at the present time. The planning standards are silent on the matter of accessible parking.

### **Partially Operative Regional Policy Statement 2019**

- 6.15. Section 74 of the Act requires that a district plan prepared by a territorial authority must “give effect to” any operative Regional Policy Statement and “have regard to” any proposed Regional Policy Statement.
- 6.16. The Partially Operative Regional Policy Statement 2019 (**PORPS 2019**) has by and large been made operative. Certain provisions<sup>5</sup> relating to port operations are still under appeal and remain operative, whilst the remainder of the RPS 1998 has been revoked. With no port operations in the District, the PORPS is the relevant document to consider at the time of this evaluation.

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<sup>5</sup> Policy 4.3.7 Recognising port activities at Port Chalmers and Dunedin; Method 3.1.6; Method 3.1.10; Method 3.1.18; Method 4.1.3; Method 4.1.22; Method 5.1.2; Glossary: Port activity; Glossary: Ship

- 6.17. Policy 4.5.6: Designing for public access, states the requirement to “design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.”
- (a) Method 4.1.7: (City and District Plans) include subdivision and infrastructure design standards to recognise the access needs of different sections of the community, including the mobility impaired, the elderly and children.
- 6.18. Policy 4.5.6 and Method 4.1.7 are clear that district plans should recognise and design for the reasonable access and mobility needs of all, which includes ensuring appropriate provision of accessible car parks. This proposal is to amend the way that accessible parking standards are expressed in the ODP and PDP, in such a way to ensure the ongoing provision of accessible car parks at current rates, thus giving effect to the PORPS 2019.

#### **Proposed Otago Regional Policy Statement 2021**

- 6.19. The direction of the Partially Operative Regional Policy Statement 2019 is mirrored in the Proposed Otago Regional Policy Statement 2021 (notified 26 June 2021) which directs that “*territorial authorities* must prepare or amend and maintain their *district plans* to: include *subdivision* and *infrastructure* design standards to minimise private vehicle use, enable public transport networks to operate and recognise the accessibility needs of the community, including the mobility impaired, the elderly and children” (EIT-TRAN-M8).
- 6.20. It is clear that the recognition and provision for those with additional mobility requirements, such as the need to use accessible parking is to continue, in line with these regional-level policies, and that District Plans still need to set requirements for the adequate provision of such. This proposal to amend the way that accessible parking standards are expressed in the ODP and PDP, in such a way to ensure the ongoing provision of accessible car parks at current rates, therefore gives effect to the Proposed Otago Regional Policy Statement 2021.

#### **Proposed District Plan (PDP)**

- 6.21. The following objectives and policies of the PDP are relevant and have been given due regard in the identification of resource management issues and evaluation (emphasis added):

Plan Reference	Provision
Strategic Objective 3.2.6	The District's residents and communities are able to provide for their social, cultural and economic wellbeing and their health and safety.
Strategic Objective 3.2.6.1	The accessibility needs of the District's residents and communities to places, services and facilities are met.
Policy 29.2.2.1(a)	Manage the number, pricing, location, type and design of parking spaces, queuing space, access and loading space in a manner that:  <b>Is safe and efficient for all transport modes and users, including those with restricted mobility,</b> and particularly in relation to facilities such as hospitals, educational facilities and day care facilities.

- 6.22. Strategic Objective 3.2.6 and 3.2.6.1 have no outstanding appeals and can be treated as operative. This proposal will assist with implementing the above objectives and policies.

#### Operative District Plan (ODP)

- 6.23. The following objectives and policies of the ODP are relevant and have been given due regard in the identification of resource management issues and evaluation (emphasis added):

Plan Reference	Provision
Section 14 Objective 2	<b>Safety and Accessibility</b> Maintenance and improvement of access, ease and safety of pedestrian and vehicle movement throughout the District.
Policy 2.3	To ensure access and movement throughout the District, and more particularly the urban areas, <b>for people with disabilities</b> is not unreasonably restricted.
Section 14 Objective 5	<b>Parking and Loading - General</b> Sufficient <b>accessible</b> parking and loading facilities to cater for the anticipated demands of activities while controlling adverse effects.
Policy 5.3	To ensure car parking is available, convenient and accessible to users including people with disabilities.

- 6.24. This proposal will assist with implementing the above objectives and policies.

### **Iwi Management Plans**

- 6.25. When preparing or changing a district plan, Section 74(2A)(a) of the RMA states that Councils must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the District.
- 6.26. No issues, objectives or policies, relevant to accessible car parking were identified in either the Kāi Tahu ki Otago Natural Resource Management Plan 2005 or Te Tangi a Tauria - The Cry of the People, Ngāi Tahu Ki Murihiku, Natural Resource and Environmental Iwi Management Plan 2008.

## **7. NON-STATUTORY POLICY CONTEXT**

### **Otago Regional Public Transport Plan 2021-2031 (adopted 23 June 2021)**

- 7.1. The Regional Public Transport Plan (RPTP) outlines the current public transport situation in the Otago region (including in the Wakatipu Basin), the strategic direction and objectives for public transport in the region, and the programme of projects to achieve the objectives.
- 7.2. The Otago RPTP recognises that there are those with reduced mobility who have difficulty with, or who are unable to use, scheduled public transport services.
- 7.3. The Total Mobility scheme assists eligible people with impairments to access appropriate transport to enhance their community participation. The assistance is provided in the form of a subsidy for approved door to door transport services. Within the Queenstown Lakes District, the scheme is limited to Queenstown and Wānaka<sup>6</sup>.
- 7.4. For such schemes to be successfully implemented, the provision of mobility parking plays an important role in ensuring that the whole journey is accessible. Therefore, the provision of sufficient mobility parking across the district needs to be ensured.

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<sup>6</sup> ORC Website: Total Mobility Otago (2021)

7.5. The proposal has been developed with regard to the RPTP.

## **8. RESOURCE MANAGEMENT ISSUE**

### **Correctly expressing accessible parking requirements in the PDP and ODP**

8.1. The resource management issue that this proposal seeks to address has arisen as a result of the requirement of the NPS-UD to remove minimum parking requirements from district plans. The issue the proposal seeks to address is how to correctly express the requirements for accessible parking in the PDP and ODP when the current baseline on which they are set is required to be removed from all district plans.

## **9. SCALE AND SIGNIFICANCE EVALUATION**

9.1. The level of detailed analysis in this evaluation is **low**, to reflect the scale and significance of the effects of the implementation of the proposed provisions. The proposal seeks to ensure the continued the provision of accessible parking, throughout the District, by maintaining the requirement for accessible parking at current levels, when non-accessible parking minimums have been removed from District Plans. This is only a change to how accessible parking provisions are expressed in the Operative District Plan and Proposed District Plan, not a change to the number required.

## **10. EVALUATION OF PROPOSED OBJECTIVE**

10.1. Section 32(1)(a) requires an examination of the extent to which the proposed objectives are the most appropriate way to achieve the purpose of the Act.

10.2. Where there are no new objectives proposed, such as in this case, an examination of the extent to which the purpose of the proposal is the most appropriate way to achieve the purpose of the Act is required (s32(6)).



- 10.3. Consistent with the resource management issue identified in Section 8 above, the purpose of the proposal is correctly express accessible parking requirements so as to ensure their continued administration in light of the mandated removal of non-accessible minimum parking standards, to achieve Strategic Objectives 3.2.6 and 3.2.6.1 of the PDP (as listed in paragraph 6.21 of this report) and Objectives 2 and 5 in Section 14 of the ODP (as listed in paragraph 6.23 of this report).

## **11. EVALUATION OF THE PROPOSED PROVISIONS**

- 11.1. Section 32(1)(b) of the Act requires an assessment of whether the proposed provisions (policies and methods) are the most appropriate way to achieve the objective or purpose of the proposal. This assessment must:
- i. identify other reasonably practicable options for achieving the objectives (S32(1)(b)(i));
  - ii. assess the efficiency and effectiveness of the provisions in achieving the objectives (S32(1)(b)(ii)), including:
    - o identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions (S32(2)(a)); including opportunities for:
      - (i) economic growth that are anticipated to be provided or reduced, and
      - (ii) employment that are anticipated to be provided or reduced, and
    - o if practicable quantify the benefits and costs (S32(2)(b)); and
    - o assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions (S32(2)(c)); and
  - iii. summarise the reasons for deciding on the provisions (S32(1)(b)(iii)),
- 11.2. Section 32(3) requires that if the proposal is an amending proposal that will amend a plan that is already proposed, the examination under subsection (1)(b) must relate to:
- (a) the provisions and objectives of the amending proposal; and
  - (b) the objectives of the existing proposal to the extent that those objectives—
    - (i) are relevant to the objectives of the amending proposal; and
    - (ii) would remain if the amending proposal were to take effect.

- 11.3. The removal of non-accessible minimum parking requirements has been mandated by the NPS-UD, as discussed in paragraphs 6.10-6.12 of this report. Because the accessible parking provisions are currently set as a proportion of the total parks provided by the activity, this has necessitated a change to how accessible parking requirements are expressed in the District Plan. These provisions **cannot be used in their current format** once the mandated changes occur, and therefore must be able to be expressed as standalone provisions. In this instance, retaining the status quo is not an available option.

**Reasonably practicable options**

- 11.4. In this case, there are two reasonably practicable options; Option 1 being uncoupling the required minimum number of mobility parking spaces from the total number of car parks provided, and Option 2 being a comprehensive review of the accessible parking provisions. These options are evaluated as follows:

11.5. The following table considers the costs, benefits, efficiency and effectiveness of the two options identified: **(1)** uncoupling the required minimum number of mobility parking spaces from the total number of car parks provided; and **(2)** a comprehensive review of the accessible parking provisions.

**Table 2: Evaluation of options**

<b>Purpose of the proposal:</b> Ensuring that the mandated removal of the minimum parking standards does not alter the current requirements for accessible parking.				
<b>Option</b>	<b>Most appropriate way to achieve proposal</b>	<b>Costs</b>	<b>Benefits</b>	<b>Efficiency &amp; Effectiveness</b>
1	<p>As the ODP is being phased out, and the PDP transport provisions (Chapter 29) have recently been through a Schedule 1 process, the existing mobility parking provisions are considered to be fit for purpose.</p> <p>The NPS-UD directed that the removal of non-accessible parking minimums occur as soon as feasible, and without the use of a Schedule 1 process. However, in order to ensure the continuation of the administration of accessible parking provisions in consenting processes once</p>	<p>Relative to the existing minimum accessible parking requirements, there are no costs of implementation associated with this option. The proposed amendments do not alter the amount of accessible parking required.</p> <p>No costs to economic activity or employment are identified for this reason.</p> <p>The only costs are those of preparing the proposal and undertaking consultation under Schedule 1 RMA.</p>	<p>Uncoupling the required minimum number of mobility parking spaces from the total number of car parks currently required would ensure that the current requirements for accessible parking in the Operative and Proposed District Plans continue after the mandated removal of non-accessible minimum parks has occurred.</p> <p>Setting accessible parking requirements as absolute minimums will provide greater clarity as to what is actually required for each activity in this regard. The proposal would be able to be implemented by 20 February 2022, which is the date</p>	<p>These provisions are considered to be efficient because the benefits would outweigh the costs.</p> <p>The amended provisions are considered to be effective because they will ensure that the Operative and Proposed District Plans align to give effect to the NPS-UD, whilst ensuring the continued provision of accessible car parks.</p>

	<p>other parking minimums have been removed, the PDP Standard 29.5.5 Mobility Parking Spaces, and the ODP Site Standard 14.2.4.1 (viii), have been reformatted from being prescribed as a minimum number determined by the total number of parks to be provided by the activities or activities on site, to an absolute minimum of accessible parks to be provided, for each activity.</p> <p>This option does not preclude option 2 from occurring at a later date.</p>		<p>by which the NPS-UD requirements for parking must be implemented.</p> <p>This option does not preclude option 2 from occurring at a later date.</p>	
2	<p>A comprehensive review of the accessible parking provisions would give greater scope for improvements to be made. However, this process would be lengthy, and there is no current indication that these provisions are not fit for purpose. It could not feasibly be completed before the deadline for removing non-accessible parking minimums</p>	<p>A comprehensive review would result in uncertainty for plan users if the review results in a significant change to the amended provisions.</p> <p>Council is in the initial stages of developing an overall Parking Strategy which will give rise to a Comprehensive Parking Management Plan. This is</p>	<p>The existing ODP and PDP policy framework in regards to parking would be critically assessed. This provides an opportunity to further refine and update parking provisions, and also more general transport policy, with supporting strategies in place.</p> <p>Such a review would also be able to assess how changes to parking provisions can better give effect to</p>	<p>Any comprehensive review of parking standards at this point in time would not be able to respond to any issues arising from the mandated removal of minimum parking standards, as this has not yet occurred.</p> <p>It would be prudent to wait until such effects can be monitored and assessed, so that any changes to district plan policy, in</p>

	<p>from district plans, and would leave a policy gap. For these reasons, the Council considers this is not the most appropriate way to achieve the purpose of the proposal.</p>	<p>expected to be delivered 2023-2024.</p> <p>If a comprehensive review were to occur now, there is a risk that it would not align with the Parking Strategy nor the Comprehensive Parking Management Plan.</p> <p>This option could not feasibly be completed before the requirement for parking minimums to be removed from District Plans by 20 February 2022, as mandated by the NPS-UD.</p>	<p>the other objectives and policies of the NPS-UD.</p>	<p>regard to accessible and other car parking, can respond to future issues, in an effective and efficient manner.</p>
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11.6. Having considered these options, **Option 1** is the preferred option.

11.7. **Table 3: Evaluation on proposed provisions**

<b>Purpose of the proposal:</b> Ensuring that the mandated removal of the minimum parking standards does not alter the current requirements for accessible parking.			
<b>Provisions</b>	<b>Costs</b>	<b>Benefits</b>	<b>Efficiency and Effectiveness</b>
<p>The amended provisions (detailed in Appendices 1 and 2) ensure the continued provision of accessible parking, after the baseline on which they are currently set, has been removed from the Operative and Proposed District Plans. A minimum number of accessible parks has been set for each activity type that previously had a minimum parking requirement.</p>	<p>The social cost would be neutral, in that there would be no change in the required minimum number of accessible parks.</p> <p>There are not considered to be any environmental, economic or cultural costs.</p>	<p>The key social benefit for society of the provisions would be the continued provision of accessible parks, through the translation from a proportion of the total number or parks provided, to an absolute minimum. This social benefit is considered to be high as it allows for those that require accessible parking meet their social, economic, and cultural well-being needs and for their health and safety through requiring an level of accessible parking – that has already been deemed appropriate – now and in the future.</p> <p>There are not considered to be any economic, environmental or social benefits.</p>	<p>The provisions are considered to be efficient and effective at achieving the purpose of the proposal and the objectives of the ODP and the PDP. They are efficient because they will have no additional potential cost on the landowner or developer for a high benefit to society generally (ensuring the continued provision of accessible carparks). They retain the same format as previous minimum parking standards, and plan users will be familiar with this approach.</p> <p>They are effective as they will achieve the purpose of the proposal and give effect to Objective 3.2.6.1 of the PDP, being meeting the accessibility needs of the District's residents and communities to places, services and facilities; and the Objective 2 (maintenance and</p>

			<p>improvement of access, ease and safety of pedestrian and vehicle movement throughout the District) and Objective 4 (Sufficient <b>accessible</b> parking and loading facilities to cater for the anticipated demands of activities while controlling adverse effects) in Section 14 of the ODP to provide sufficient accessible parking and loading facilities to cater for the anticipated demands of activities while controlling adverse effects.</p>
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11.9. Section 32(c) of the RMA requires an assessment of the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions. It is considered that, in this case, the information is certain and sufficient, and there is no need to assess the risk of acting or not acting, particularly in the context of the relatively low scale and significance of the proposal.

**Reasons for deciding on the provisions**

11.10. The proposed amendments to the provisions are considered the most appropriate way to achieve the purpose of the proposal because:

- (a) They are efficient and effective in terms of section 7(b) of the RMA while still achieving to achieve Strategic Objectives 3.2.6 and 3.2.6.1 of the Proposed District Plan and Objectives 2 and 5 in Section 14 of the Operative District Plan;
- (b) The provisions are in accordance with the relevant Strategic Direction objectives and policies of the Proposed District Plan (being the most recent statement of the community's expectations);
- (c) They are in accordance with the functions of territorial authorities in s31 of the RMA and the sustainable management purpose of Part 2 of the RMA.

## 12. REFERENCES

CCS Disability Action Website: Mobility Parking. 2021(a). <https://www.ccsdisabilityaction.org.nz/mobility-parking/>

CCS Disability Action Website: Mobility Parking. 2021(b). <https://www.ccsdisabilityaction.org.nz/assets/resource-files/Mobility-Parking-brochure-electronic.pdf>

ORC Website: Total Mobility Otago (2021) <https://www.orc.govt.nz/media/9669/total-mobility-operators.pdf>

Ministry for the Environment. 2020. "Car Parking Factsheet." <https://environment.govt.nz/assets/publications/files/car-parking-factsheet.pdf>