

**SUMMARY STATEMENT OF EVIDENCE OF AMANDA LEITH
ON BEHALF OF 2335, 2336 AND 2739
Ngai Tahu Property Limited and Ngai Tahu Justice Holdings Limited**

1. Ngai Tahu Property Limited and Ngai Tahu Justice Holdings Limited made two submissions on Stage 2 of the Proposed District Plan relating to Chapters 29 – Transport, Chapter 38 – Open Space and Recreation and the variation relating to Visitor Accommodation.
2. The relief sought by the submitters has largely been resolved by the recommendations made in the Council's s42A and rebuttal evidence with only a few transport related matters remaining.
3. The main concern I have is in relation to the application of Rule 29.4.10, as I do not consider that the addition of (a) (in Ms Jones' rebuttal chapter) results in a workable rule. The submitter's sought inclusion of consideration of the traffic generation by existing activities as an addition to Policy 29.2.1.3 (now recommended to be deleted by Ms Jones) or as a matter of discretion within Rule 29.4.10, which I consider to be more suitable.
4. I also have concerns with Ms Jones' rebuttal version of Rule 29.4.10 and the movement of the matters of discretion (a) – (e) to the assessment matters. I consider that leaving the "Effects on the transport network" as the only matter of discretion for the Restricted Discretionary rule is akin to having a Discretionary activity status, notwithstanding the recommended assessment matters, given that Section 29.8.1 states that Council is not limited by the listed assessment matters.
5. In light of the above, I have reviewed the rebuttal chapter 29 in its entirety and I consider that there is a level of inconsistency in the drafting which will make the chapter difficult to interpret and administer. Some of the matters of discretion for rules are located within the policies (eg. Policy 29.2.2.5 for Rule 29.5.1), some of the matters of discretion are very broad and then rely upon the assessment matters (above example) and other rules only rely upon the listed matters of discretion (eg Rule 29.4.6). I consider that the chapter would benefit from a consistent approach applied across the chapter.



Amanda Leith

17 September 2018