

Gore Proposed District Plan

Hearing Stream 5

Part 2: Transport

Section 42A of the Resource Management Act 1991

Table of Contents

Interpretation	4
Abbreviations.....	4
Submitters and Further Submitters Names Abbreviations	5
List of Submitters and Further Submitters	6
1. Executive Summary.....	7
2. Introduction	9
2.1 Author and qualifications	9
2.2 Code of Conduct	10
3. Scope of report and topic overview	11
4. Statutory considerations and planning framework.....	11
4.1 Resource Management Act 1991	11
4.2 National Planning Instruments and other Relevant Plans and Policies	12
4.3 Section 32AA evaluation	16
5. Background	16
5.1 Technical Reports	18
6. Consideration of submissions	18
6.1 Structure of the report	18
6.2 Overview of submissions.....	19
6.3 Format for consideration of submissions.....	19
6.4 Submissions on rules with legal effect	20
6.5 General submissions.....	20
6.6 Additional provisions sought.....	23
6.7 Definitions	29

6.8	Overview and maps	35
6.9	Objectives TRANS-O1, TRANS-O2, TRANS-O3, TRANS-O4, TRANS-O5 and TRANS-O6	37
6.10	Policies TRANS-P1, TRANS-P2, TRANS-P5, TRANS-P6, TRANS-P7 and TRANS-P9	39
6.11	Policies TRANS-P3, TRANS-P4, TRANS-P8 and TRANS-P10	39
6.12	Policies TRANS-P11, TRANS-P12 and TRANS-P13	43
6.13	Rule TRANS-R1	46
6.14	Rule TRANS-R2	50
6.15	Rule TRANS-R4	52
6.16	Standards TRANS-S1, TRANS-S3, TRANS-S4	55
6.17	Standard TRANS-S5	58
6.18	Standards TRANS-S6, TRANS-S7 and TRANS-S8 and Waka Kotahi NZ Transport Agency (S112.052) in relation to GIZ-S6 Landscaping	61
6.19	Standards TRANS-S9	64
6.20	Standards TRANS-S10 and TRANS-S11	67
6.21	Appendix - APP1-TRANS-APP	71
7.	Consequential and Minor Amendments	73
8.	Conclusions and Closing Recommendation	73
8.1	Conclusions	73
8.2	Closing Recommendation	74

Appendices

Appendix A – Track change amendments to chapter

Appendix B – Recommended response to submissions and further submissions

Appendix C – Transport specialist’s recommendations with Road Asset Manager’s comments

Interpretation

Abbreviations

Resource Management Act 1991	RMA or 'the Act'
Gore District Council	GDC or 'the Council'
Operative District Plan	ODP
Proposed District Plan	PDP
National Planning Standards 2019	PS
Southland Regional Policy Statement 2017	RPS
National Policy Statements	NPS
National Policy Statement on Highly Productive Land	NPS-HPL
National Policy Statement for Freshwater Management	NPS-FM
National Policy Statement for Urban Development	NPS-UD
National Environmental Standards	NES
National Environmental Standard for Freshwater 2020	NES-F
National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011	NES-CS
Permitted Activity	PA
Controlled Activity	CA
Restricted Discretionary Activity	RDA
Discretionary Activity	DA
Non-complying Activity	NCA

Submitters and Further Submitters Names Abbreviations

Contact Energy Limited	Contact Energy
Department of Conservation	DOC
Fire and Emergency New Zealand	FENZ
Hokonui Rūnanga Incorporated	Hokonui Rūnanga
Kāinga Ora – Homes and Communities	Kāinga Ora
KiwiRail Holdings Limited	KiwiRail
Mercury New Zealand Limited	Mercury
Ministry of Education	MOE
New Zealand Agricultural Aviation Association	NZAAA
New Zealand Helicopter Association	NZHA
New Zealand Transport Agency Waka Kotahi	NZTA
Royal Forest and Bird Protection Society of New Zealand inc	Forest & Bird
Southland District Council	SDC
Southland Federated Farmers of New Zealand	Federated Farmers

List of Submitters and Further Submitters

Submitter No.	Submitter Name
S16	Fuel Companies
S60	Ronald Crispin
S63 and FS18	New Zealand Helicopter Association
S68	John Baynes
S74 and FS5	Hamish Weir
S99 and FS22	Clark Fortune McDonald & Associates
S109	Department of Conservation
S110	Royal Forest and Bird Society of NZ Inc
S112 and FS14	Waka Kotahi NZ Transport Agency
S115	Kevin Robertson
S124	Fire and Emergency NZ
S125	Ministry of Education
S126	Southland Federated Farmers of New Zealand
S132	KiwiRail Holdings Ltd
S139	Hokonui Rūnanga Inc
S140	Robina Johnston
S143	Rural Ratepayers Group
S144 and FS24	Contact Energy Limited
S146	Southland District Council
S148	Alistair & Bernadette Hunt
S152	Nigel Cowburn
FS4	New Zealand Agricultural Aviation Association (NZAAA)
FS26	Mercury Ltd
FS28	Kainga Ora

1. Executive Summary

1. The Proposed District Plan (“PDP”) for Gore District was publicly notified on 31 August 2023. The PDP includes a district wide Transport chapter.
2. The transport network is an essential physical resource that contributes to the social and economic wellbeing of the district. It includes all transport routes and infrastructure, including state highways, roads, pedestrian and cycle pathways, rail corridors and flight paths at the airfields. The transport network enables the movement of goods, the provision of services and for people to travel between home, work, educational, recreational, cultural, commercial and other activities, both within and beyond the district.
3. The PDP recognises the critical ongoing function transport networks have within the district. The PDP provides for their ongoing operation, maintenance, and upgrade while managing the adverse effects of transport networks on surrounding land-uses and the environment. The PDP should also ensure that the efficient operation, maintenance, repair or upgrading of the transport network is not constrained or compromised by other activities.
4. The PDP provisions address a broader range of transport activities and introduce transport construction and design standards. There is greater policy direction and emphasis on managing high trip generators, active and alternative modes of transport, achieving a more integrated transport network, and better accessibility. The roading hierarchy is updated consistent with the One Network Framework¹ street categories based on the type of movement, location, use and function of the road. The provisions also recognise the role of roads in the efficient provision of other infrastructure services, functions and activities that benefit the community and contribute to the amenity and character of the streetscape.
5. 132 submission points and 30 further submission points were received for the Transport topic. The submissions were broadly supportive with amendments or additional provisions sought. Some of the key issues are identified below:
 - Whether Council transport standards should align with Waka Kotahi NZ Transport Agency minimum standards, or not apply to state highways.
 - The removal of transport construction standards covered by the Subdivision and Land Development Bylaw 2019 from the district plan.

¹ [One Network Framework | NZ Transport Agency Waka Kotahi \(nzta.govt.nz\)](https://nzta.govt.nz)

- Additional provisions sought in relation to the effects of climate change and carbon emissions.
 - Additional provisions sought relating to sight lines at railway level crossings.
 - Additional provisions sought to manage reverse sensitivity effects.
 - General broad support for the transport objectives and policies.
 - Amendments sought to be more specific about the Ngāi Tahu cultural values of importance in relation to transport.
 - Greater allowances sought for establishment of electric vehicle charging infrastructure.
 - Greater restrictions for the establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure in relation to sensitive natural environments.
 - Rule restrictions for access on to all state highways regardless of the street category
 - Additional reference and matters of discretion in relation to consultation with Waka Kotahi NZ Transport Agency and KiwiRail.
 - Lowering of the threshold for high trip generating activities to 100 Equivalent Car Movements Per Day.
 - Amendments to transport construction standards including in relation to surfacing, vehicle movements, crossing standards and gradients, along with road and private access design.
6. The report has been prepared in accordance with Section 42A of the RMA and outlines recommendations in response to the issues that have been identified through submissions. The report is intended to assist the Hearings Panel to make decisions on the submissions and further submissions on the PDP, and to provide submitters with an opportunity to understand how their submissions have been evaluated and the recommendations made by officers, prior to the hearing.
7. As a result of submissions, a range of recommended changes have been made which are broadly summarised as follows:
- More specific references to the Ngāi Tahu cultural values of importance in the policies.
 - Additional rule restrictions for the establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure in a highly mobile fauna area.
 - Rule restrictions for access on to all state highways regardless of the street category.

- Additional matters of discretion in relation to the outcome of any consultation with the rail or road controlling authority.
- An additional rule to ensure protection of sightlines at railway level crossings.
- Lowering of the threshold for high trip generating activities to 100 Equivalent Car Movements Per Day.
- Amendments to transport construction standards including for;
 - on-site parking,
 - vehicle crossings,
 - access gradients,
 - structures and vegetation near level crossings and road intersections,
 - access surfacing and stormwater management controls,
 - provision for passing, and
 - design requirements for pedestrian connections and cyclists.
- Greater direction for the design requirements that apply for local roads and state highways.

2. Introduction

2.1 Author and qualifications

8. My name is Tina Carlson-McColl, I am the author of this report. I am employed by The Property Group as a Senior Planner. I hold a Bachelor of Arts Sociology major, Planning minor from LaTrobe University, Australia. I have practiced as a Planner for 9 years in New Zealand and Australia in both district and regional Councils and in the private sector. I am an associate member of the New Zealand Planning Institute (NZPI), which brings with it obligations with regard to continuing professional development.
9. I have been engaged as a contractor by Gore District Council to assist in the District Plan review and prepare the draft and proposed District Plans. I have been the lead planner on

the preparation of the following chapters of the PDP, including the drafting of the Section 32 Evaluation reports² and the Designations Overview Report³:

- Transport
- Historical Heritage
- Activities on the Surface of Water
- Earthworks
- Commercial Centre Zones
- Designations

10. My experience includes work on strategic and policy projects as well as consent hearings. I have been involved in Council initiated Plan Changes and variations for Towong Shire Council and Gore District Council.

11. In forming my opinions on the Transport chapter I have had input from Mr. Murray Hasler, Gore District Council Road Asset Manager and specialist recommendations by Mr. Mark Gregory, WSP Principal Transport Planner and Team Leader Christchurch, and in part subject to legal review by Mr. Michael Garbett from Anderson Lloyd.

2.2 Code of Conduct

12. I confirm that I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and that I have complied with it when preparing this report. Having reviewed the submissions and further submissions relevant to this topic I advise there are no conflicts of interest that would impede me from providing independent advice to the Hearings Panel. The opinions expressed in this evidence are based on my qualifications and experience and are within my area of expertise. If I rely on the evidence or opinions of another my evidence will acknowledge that position.

13. I am authorised to give this evidence on the Council's behalf to the Proposed District Plan hearing commissioners ("Hearings Panel").

² [Section 32 Reports | Let's Talk Gore District \(goredc.govt.nz\)](https://goredc.govt.nz/section-32-reports-let-s-talk-gore-district)

³ [Proposed District Plan - Designations | Let's Talk Gore District \(goredc.govt.nz\)](https://goredc.govt.nz/proposed-district-plan-designations-let-s-talk-gore-district)

3. Scope of report and topic overview

14. This report considers the submissions and further submissions that were received by the Council in relation to the Transport chapter of the PDP. In addition, the provisions in the following chapters relating to the management of Transport and mapping are also addressed:

- Part 1: Interpretation – Definitions
- Planning maps
- Appendix 1 – Transport Standard Construction Drawings

15. The assessment of submissions will generally follow this format:

- Submission information
- Analysis of submissions
- Recommendation and any amendments
- Where an amendment is recommended a section 32AA assessment is provided.

16. Recommendations are made to either retain provisions without amendment, or delete, add to or amend the provisions which are shown by way of strikeout and underlining. **Appendix A** of this report contains a copy of the Transport chapter, Appendix 1 Transport Standard Construction Drawings and the relevant parts of the Interpretation chapter with all recommended amendments being shown by way of strikeout and underlining.

4. Statutory considerations and planning framework

4.1 Resource Management Act 1991

17. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:

- Section 74 – Matters to be considered by territorial authorities; and
- Section 75 – Content of District Plans.

18. As set out in the Section 32 Evaluation Report for Transport there are a number of higher order planning documents and other relevant plans which have provided direction and guidance for the preparation of the PDP. These documents and a comprehensive assessment of all relevant consultation and statutory considerations prior to public notification of the PDP are outlined in that Section 32 Report. The Section 42A Introduction, General Provisions and Strategic Direction Report for Hearing Stream 1 also provides an overview of the relevant Statutory considerations, higher order planning documents and other relevant plans and policies.

19. It is not considered necessary to repeat the detail of the relevant RMA sections and higher order documents in this report as these are covered within the relevant Section 32 Evaluation Report. However, where a higher order document is considered particularly relevant to the assessment of submissions or where there have been amendments to higher documents relevant to this topic these are discussed below.

4.2 National Planning Instruments and other Relevant Plans and Policies

National Policy Statement on Urban Development 2020 (NPSUD)

20. There has been no change to the NPSUD since the notification of the PDP, however the policy statement has specific relevance to The Transport topic, as outlined below:
21. NPS-UD objectives and policies include the need to ensure decisions integrate infrastructure planning with funding, and that urban environments support reductions in greenhouse gas emissions and are resilient to current and future effects of climate change. The policies encourage urban environments to have good accessibility for all people between jobs, housing, community services, natural and open spaces, including by way of public or active transport. The density of urban form needs to be commensurate to the level of accessibility by existing or planned active or public transport and the relative demand for housing and business use. Engagement with providers of development infrastructure to achieve integrated land use and infrastructure planning is also required along with the removal of minimum car parking rates by 2022. Councils are strongly encouraged to manage the effects associated with supply and demand of car parking through comprehensive parking management plans.
22. The Gore District is a Tier 3 Council under the NPS-UD, and the combined urban areas of Gore and Mataura fulfil the requirements for an Urban Environment as defined by the NPSUD. Car parking requirements within the Urban Environment were removed and the operative plan updated in 2022 as directed by the NPSUD.
23. The NPS-UD includes and defines the term active transport to mean forms of transport that involve physical exercise, such as walking or cycling, and includes transport that may use a mobility aid such as a wheelchair.

National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB)

24. The NPS-IB came into effect on 4 August 2023, and it provides direction to councils to protect, maintain and restore indigenous biodiversity requiring at least no further reduction nationally. The NPS-IB requires the creation of a regional biodiversity strategy and the identification and protection of Significant Natural Areas. This is to be achieved by working with communities, key stakeholders, landowners, and mana whenua. Moreover, the NPS-IB requires an integrated approach in the management of indigenous biodiversity and that local authorities must consider the social, economic, and cultural wellbeing of people and communities, promote the resilience of indigenous biodiversity to climate change, and adopt a precautionary approach.

The Resource Management (Freshwater and Other Matters) Amendment Bill (no legal effect)

25. The Resource Management (Freshwater and Other Matters) Amendment Bill was introduced in May 2024 and among other things seeks to:
- Exclude the hierarchy of obligations in the National Policy Statement for Freshwater Management (NPS-FM) from resource consenting.
 - Repeal the stock exclusion regulations in relation to sloped land.
 - Repeal National Environmental Standard for Freshwater (NES-F) restrictions around winter grazing.
 - Align the provisions for coal mining with other mineral extraction activities across the NPS-IB, NPS-FM and NES-F.
 - Suspend and extend timeframes under the NPS-IB, in particular for the identification of Significant Natural Areas (SNAs) and include them in district plans.
 - Amend the process for preparing and amending national direction documents.

Southland Regional Policy Statement 2017

26. The Southland Regional Policy Statement 2017 (RPS) sets out the framework and priorities for resource management in the region. The RPS identifies the regionally significant issues around the management of the Region's natural and physical resources and sets out what needs to be achieved (objectives) and the way in which the objectives will be achieved (policies and methods). The PDP is required to give effect to the regional policy statement as required by Section 75(3) of the RMA.

Chapter 15 of the RPS specifically focuses on Infrastructure and Transport. The specific Transport objectives relate to transport and land use, and policies are around decision making, strategic planning, integration of existing and future transport infrastructure and the protection of health and environmental values.

Local authorities are required by the RPS to include objectives, policies and methods in district plans which:

- (a) identify existing and proposed strategic transport infrastructure;
- (b) make provision for the establishment and continuing operation and maintenance of transport infrastructure;
- (c) avoid, remedy or mitigate the adverse effects, including reverse sensitivity, on transport infrastructure arising from subdivision, use and development of land;
- (d) ensure the safe and efficient operation of the transport network is not adversely affected by subdivision, land use and development;
- (e) avoid, remedy or mitigate the adverse effects of transport infrastructure and associated activities on the environment;
- (f) make provision for development which enables all transport modes to be well connected and provides for public transport, walking and cycling;
- (g) ensure public health and environmental values are considered;
- (h) promote the use of energy efficient transport modes and technologies.

Local authorities are also encouraged to:

- Identify the strategic land transport network in the Southland Regional Land Transport Strategy.

- Promote, inform and encourage the farming industry and transport operators to adopt good practices, including the avoidance of stock effluent being deposited on roads during transportation.
- Apply a regionally consistent and coordinated approach to the development, establishment, operation, maintenance and upgrade of local, regional and national infrastructure.
- Work collaboratively with road controlling authorities, infrastructure providers, the Southern District Health Board, contractors, affected landowners, and tangata whenua during transport decision making processes and when developing strategic transportation documents and to identify an appropriate buffer area or corridor for sensitive activities.
- Monitor and report the environmental effects of infrastructure, development, maintenance and operation.

Otago Southland Regional Land Transport Plans 2021 - 2031 (mid-term review)

27. The Otago Southland Regional Land Transport Plans, collectively refer to as the Plan, sets the strategic direction for transport across the two regions. The Plan was developed in a collaborative manner by the Otago and Southland Regional Transport Committees on behalf of the respective regional councils. The district plan must not be inconsistent with the regional plan as directed by Section 75(4) of the Act.

The plan sets the strategic direction for land transport in Otago and Southland with the goal of providing a safe and sustainable transport system that supports and enhances regional development. This acts as the application method for national transport funding.

Regional Transport Committees prepare a Regional Land Transport Plan for their regions on a six yearly cycle. A mid-term review is also required. Following consultation and considering of the submissions, the Plan was updated in 2024. Key aspects of the revised Plan include:

- The Plan has been strengthened concerning the need for increased funding for the transport networks to increase resilience, safety, productivity, and community wellbeing.
- The importance of the need for alternative transport options has been emphasised. Alternative transport options will be investigated during the duration of this Plan.
- Greater emphasis has been placed on promoting the development and connection of walking and cycling trails.
- An increased emphasis has been placed on the importance of an accessible transport system for people with disabilities.
- Minor changes have been made to reflect the direction set out in the draft Government Policy Statement on land transport released in March 2024.
- More detail has been included about the strategic corridors between the regions and across the South Island.
- Changes have been made to the activity tables as requested by the road controlling authorities.

One Network Framework (ONF)

28. The One Network Framework (April 2021) has been established by Local Government NZ and Waka Kotahi to provide guidance to Road Controlling Authorities about how to move from a vehicle volume approach to a network function approach.

The One Network Framework replaces the existing roading hierarchy based on vehicle movements and is a new approach to classify our transport networks. It enables better design, planning and delivery of a modern transport system to meet the increasing needs of people, businesses, communities and our climate. The ONF organises transport corridors by their 'place' and 'movement' roles into road and street types within the Urban and Rural environments, as set out below:

Rural

- Interregional Connectors
- Stopping Places
- Rural Connectors
- Peri-urban Roads
- Rural Roads

Urban

- Transit Corridors
- Urban Connectors
- City Hubs
- Civic Spaces
- Main Streets
- Activity Streets
- Local Streets

Subdivision and Land Development Bylaw 2019

29. The Gore District Council Subdivision and Land Development Bylaw 2019 sets out requirements for the design and construction of roads for land use, development and subdivision in the district. The bylaw includes design and construction standards for private ways, vehicle crossings including surfacing and drainage requirements, and required sight distances at the access. The bylaw also includes standard construction drawings for roads, kerb and channel, crossings, footpaths and crossings, vehicle access, access separation and sight lines, and vehicle tracking. Diagrams for parking space design and layout requirements, accessway and railway sight line requirements are also included.

The issues and options relating to having transport standards within the district plan or within the bylaw has previously been workshopped with the Council District Plan Review Committee. The Committee direction was to convert to managing these matters within the District Plan and with a supporting Engineering Code of Practice or Development Manual. Not having development standards managed through the district plan is an uncommon approach nationally, and it is anticipated to have improved effectiveness, monitoring and enforcement outcomes through incorporating them into the RMA District Plan provisions. In the transition phase the bylaw needs to be kept active until the proposed plan becomes operative, however within the proposed transport provisions there is no direct reference to the bylaw to avoid process duplication.

4.3 Section 32AA evaluation

30. Any recommended amendments to provisions since the initial section 32 evaluation was undertaken are evaluated in accordance with section 32AA. Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) further evaluation required under this Act-

- (a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and*
- (b) must be undertaken in accordance with section 32(1) to (4); and*
- (c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and*
- (d) must—*
 - (i) published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or*
 - (ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.*

(2) To avoid doubt an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

(3) In this section, proposal means a proposed statement, national planning standard, plan, or change for which a further evaluation must be undertaken under this Act.

31. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the topics of this report is contained within the assessment of the relief sought in submissions in section 3, as required by s32AA(1)(d)(ii).
32. The Section 32AA further evaluation contains a level of detail that corresponds to the scale and significance of the anticipated effects of the changes that have been made. Recommendations on editorial, minor, and consequential changes that improve the effectiveness of provisions without changing the policy approach are not re-evaluated.

5. Background

33. The Section 42A Introduction, General Provisions and Strategic Direction Report, prepared for Hearing Stream 1, includes details of the PDP notification, submission statistics and a general overview of the background to the PDP. In addition, the report provides an overview of National Planning Instruments and other Policies and Plans relevant to the PDP as a whole.

34. The Section 32 Evaluation Report for Transport⁴ assesses and considers the relevant higher order planning documents and any strategic plans which provide direction and guidance for the preparation and content of the Transport chapter. Where relevant these documents are considered in more detail in the assessment of submission points.
35. The transport network is an essential physical resource that contributes to the social and economic wellbeing of the district. It covers all transport routes and infrastructure, including state highways, roads, pedestrian and cycle pathways, rail corridors and flight paths at the airfields. The transport network enables the movement of goods, the provision of services and for people to travel between home, work, educational, recreational, cultural, commercial and other activities, both within and beyond the district.
36. The PDP provisions recognise the critical ongoing function transport networks have within the district, and provides for their ongoing operation, maintenance, and upgrade while managing the adverse effects of transport networks on surrounding land-uses and the environment. The PDP provisions seek to ensure that efficient operation, maintenance, repair or upgrading of transport networks is not constrained or compromised by other activities. There is also policy direction and emphasis on managing high trip generators, active and alternative modes of transport and achieving an integrated transport network and better accessibility. The roading hierarchy is consistent with the One Network Framework street categories based on the type of movement, location, use and function of the road. The provisions also recognise the role of roads in the efficient provision of other infrastructure services, functions and activities that benefit the community and contribute to the amenity and character of the streetscape. The PDP provisions address a range of transport activities and introduce transport construction and design standards.
37. The engineering standards in the Transport chapter are in most cases directly transferred from the Subdivision Development Bylaw 2019, although it was discovered through the district plan review process and draft plan consultation that there are inconsistencies and omissions within the current bylaw and these were corrected in consultation with Council's Roding Asset Manager. Moreover, in some instances there are differences between the bylaw and the notified plan to align with current best practice and based on key stakeholder advice from for example NZTA, KiwiRail and FENZ.

⁴ [Section 32 Reports | Let's Talk Gore District \(goredc.govt.nz\)](https://www.goredc.govt.nz/section-32-reports/)

5.1 Technical Reports

38. In forming my opinions on the Transport chapter I have had input from Mr. Murray Hasler, Gore District Council Roadway Asset Manager and specialist recommendations by Mr. Mark Gregory, WSP Principal Transport Planner and Team Leader Christchurch, their respective responses to relevant submissions are attached as **Appendix C** to this report, and the bylaw assessment and recommendation have been subject to legal review by Michael Garbett from Anderson Lloyd.

6. Consideration of submissions

6.1 Structure of the report

39. Submissions on transport matters have raised a number of issues which have been grouped by Plan provision within this report, where there are limited submissions on Plan provisions these have been grouped if there are common themes. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.
40. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on both an issues and provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the layout of chapters of the PDP as notified.
41. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in **Appendix B**.
42. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in **Appendix B**. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have provided a marked-up version of the relevant provisions with recommended amendments in response to submissions as **Appendix A**.
43. This report only addresses definitions and submissions on mapping specifically relevant to this topic. In general, definitions that relate to more than one topic and broad mapping submissions have been addressed in the Section 42A Introduction, General Provisions and Strategic Direction Report prepared for Hearing Stream 1.

6.2 Overview of submissions

44. 132 submission points and 30 further submission points were received for the Transport topic. The submissions were broadly supportive with amendments or additional provisions sought. Some of the key issues are identified below:

- Whether Council transport standards should align with Waka Kotahi NZ Transport Agency minimum standards, or not apply to state highways.
- The removal of transport construction standards covered by the Subdivision and Land Development Bylaw 2019 from the district plan.
- Additional provisions sought in relation to the effects of climate change and carbon emissions.
- Additional provisions sought relating to sight lines at railway level crossings.
- Additional provisions sought to manage reverse sensitivity effects.
- General broad support for the transport objectives and policies.
- Amendments sought to be more specific about the Ngai Tahu cultural values of importance in relation to transport.
- Greater allowances sought for establishment of electric vehicle charging infrastructure.
- Greater restrictions for the establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure in relation to sensitive natural environments.
- Rule restrictions for access on to all state highways regardless of the street category
- Additional reference and matters of discretion in relation to consultation with Waka Kotahi NZ Transport Agency and KiwiRail.
- Lowering of the threshold for high trip generating activities to 100 Equivalent Car Movements Per Day.
- Amendments to transport construction standards including in relation to surfacing, vehicle movements, crossing standards and gradients, road and private access design.

45. A list of submitters and further submitters relating to the Transport topic is provided at the start of this report.

6.3 Format for consideration of submissions

46. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- Where relevant a Section 32AA assessment.

47. The recommended amendments to the relevant chapters are set out in **Appendix A** of this report where all text changes are shown in a consolidated manner.

6.4 Submissions on rules with legal effect

48. The Transport Chapter contains rule TRANS-R1(3)(a)(b) and (d) that have immediate legal effect. This relates to the establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure within an area or site identified as Historic Heritage site or setting, the root protection area of a Notable Tree or a Significant Natural Area.
49. The rule will continue to have legal effect as notified until a decision is made and any changes to the rule is made operative.

6.5 General submissions

Matters raised by submitters

50. Contact Energy Limited (S144.005) generally supports the transport chapter and seeks that it is retained.
51. Fire and Emergency NZ (S124.013) generally support the transport chapter and seeks that the objective and policy framework is retained as notified.
52. The Department of Conservation (S109.041) generally support the transport chapter but seeks that it is retained with amendment to Note 1 to be more specific about the other chapters of the plan that apply.
53. Waka Kotahi NZ Transport Agency (S112.039) supports the inclusion of Note 3 for clearly identifying the road controlling authority is Waka Kotahi New Zealand Transport Agency for all State highways and seeks that it is retained as notified.
54. Hamish Weir (S74.002) generally opposes the transport chapter and seeks the removal of all rules relating to matters covered by the Subdivision and Land Development Bylaw 2019 as duplication will cause conflict and add significant costs to the consent process and it is simpler to refer to the Bylaw. Clark Fortune McDonald & Associates (FS22.056) support the submission and agree that Bylaw matters should not be duplicated in the District Plan, and that the District Plan is not the appropriate mechanism for engineering standards. However, Kāinga Ora (FS28.022) oppose the submission and seeks that it is disallowed as subdivision and development is better managed through the district plan process.
55. Waka Kotahi NZ Transport Agency (S112.043) seeks that an assessment should be undertaken as whether to align all the transport rule standards and associated drawings with the requirements set out in the New Zealand Transport Agency's 'Planning and Policy Manual' (PPM, 2007) and current internal practice. NZTA is concerned that where design standards do not align, plan users may expect that transport infrastructure connecting on to state highways can be designed to district plan standard.
56. Southland District Council (S146.013) generally support the transport chapter but seeks that key routes, that are not state highways, between the two districts are classified as rural

connectors, and that the two District Councils should work together to ensure these routes are prioritised.

57. Robina Johnston (S140.009) seeks that consideration is given to the effects on third parties from increased vehicle movements or movements associated with land use change and intensification. Developers sharing in cost also needs to be investigated.

Assessment

58. The general support of Contact Energy Limited (S144.005), Fire and Emergency NZ (S124.013), Department of Conservation (S109.041), Southland District Council (SDC - S146.013) and Waka Kotahi NZ Transport Agency (S112.039) is acknowledged and accepted as the chapter is recommended to be generally retained as notified.
59. In terms of the notes to the chapter, no changes are recommended to these. In relation to Note 1 and the Department of Conservation submission (S109.041), the plan is meant to be read as a whole, and to specify some chapters and not others may lead plan users to think that those not specified are not relevant.
60. In relation to the Hamish Weir (S74.002) and Clark Fortune McDonald & Associates (FS22.056) submissions in relation to the merits of having engineering standard in the district plan or the Subdivision and Land Development Bylaw 2019, this is a recurrent theme by the submitters, and has previously been addressed in in the Section 32 report for Transport⁵ and in Hearing Stream 1⁶. Thus I do not wish to comment in much length on the reasons for using the regulatory function of the Resource Management Act district plan process instead of the Local Government Act bylaw process. In summary, using the district plan avoids process duplication and improves enforcement, monitoring and implementation efficiency and effectiveness and aligns with common national practice. I agree with the Kāinga Ora further submission (FS28.022) that subdivision and development is better managed through the district plan process as proposed. It should also be noted that within the Southland region Invercargill City Council and SDC have recently notified plan changes for their District Plans to refer to a joint Code of Practice instead of their respective subdivision and land use bylaws.

As outlined above, the district plan process is the common approach to manage subdivision and land use development, however some district plans make direct rule references to the

⁵Section 32 Report - Transport [Section 32 Reports | Let's Talk Gore District \(goredc.govt.nz\)](https://www.goredc.govt.nz/section-32-reports/)

⁶ paragraphs 153 and 167 of Section 42A Report: Introduction, General Provisions and Strategic Direction, and paragraph 39 Statement of supplementary planning evidence of Matt Heale on behalf of Gore District Council
Date: 5 June 2024

relevant engineering standards (for example a Code of Practice) as an external document that form part of the plan, rather than having the engineering standard details within the district plan. However, it is not desirable for the district plan to make a direct rule reference to a bylaw as this would create process duplication. The engineering standards in the PDP Transport chapter are in most cases directly transferred or adapted from the Subdivision Development Bylaw 2019, and it is acknowledged that process duplication with the bylaw will exist for a period of time once the PDP becomes operative, however it is anticipated that the bylaw will be revoked and converted to a Code of Practice shortly after and this duplication will not remain in the long-term.

My advice has been the subject of legal review by Mr. Michael Garbett from Anderson Lloyd who is satisfied with the above assessment and recommendation.

61. In relation to the Waka Kotahi NZ Transport Agency (S112.043) submission whether to align all the transport rules, standards and associated drawings with NZTA standards for state highways, the specifics around the provisions are considered in the relevant section of this report. However, in general terms Council's specialist advisor Mr Gregory recommends⁷ the use of NZTA standards, although considers that under some circumstances they could be too onerous, and Council's Roding Asset Manager recommends⁸ that in some instances notes should be included to say construction standards do not apply to state highways. I consider that the two approaches can be combined and some standards may be applicable only to local roads as outlined in the relevant sections of this report.

62. SDC's (S146.013) general support is acknowledged. The key routes highlighted by SDC in their submission are identified as follows:

- Pyramid Waiparu Road – Rural Road
- Wyndham Road – Rural Road
- Waimea Valley Road – Rural Connector
- Waimumu Road /Te Tipua School Road (on either side of SH 96) – Rural Connector (Waimumu Road)

The identification of the ONF category of the roads in the district has been undertaken GDC's Roding team, and the submission has been considered by GDC's Roding Asset Manager who agrees with the submission and considers that the appropriate and mutually agreed ONF classification is applied to boundary or cross boundary roads, and I accept his advice and recommend that the category of the above routes are reviewed.

⁷ See Appendix C of this report

⁸ See Appendix C of this report

63. In relation to Robina Johnston (S140.009) submission that consideration should be given to third parties from increased vehicle movements or types associated with land use change and intensification. These matters are typically considered as part of a resource consent process, and the proposed plan provisions allows for consideration of effect on the safety of other users and amenity values, there is also a rule in relation to high trip generating activities (TRANS-R4). A development contribution policy is currently being investigated by the Council outside of the district plan to address the cost of maintaining and upgrading Council infrastructure, including the transport network, to support growth.

Recommendation

64. I recommend for the reasons given above that the ONF road classifications for key routes between the Gore District and Southland District are reviewed. In general, I recommend that the Transport Standards and Transport Standard Construction Drawings do not apply to state highways and that amendments and notes are generally included to clarify that to plan users. My recommendations are shown in **Appendix A**. The assessment, recommendation and evaluation of specific changes to rules, standards and drawings are included in the relevant sections of this report.
65. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6.6 Additional provisions sought

Matters raised by submitters

66. Waka Kotahi NZ Transport Agency (S112.026) seek an additional objective to address the function and resilience of the transport network from the effects of climate change and natural hazards, as below:

TRANS-OX

A resilient transport network is provided that recognises the adverse effects of climate change and natural hazards and the need to adapt to the changes associated with those effects.

67. Royal Forest and Bird Society of NZ Inc (S110.021) seek an additional policy in relation climate change to address carbon emissions in the efficient planning, construction and use of the transport network to address, as below:

TRANS-PX

Seek to minimise carbon emissions in planning, construction, maintenance and ongoing use of the transportation network.

68. KiwiRail Holdings Ltd (S132.035) (S132.039) seeks the inclusion of a new transport policy in relation to reverse sensitivity effects and a new rule in relation to sight lines at level crossings, as below:

TRANS-PX

Reverse sensitivity effects are avoided, remedied or mitigated where activities are adjacent to the transport network.

TRANS-RX Sight lines at railway level crossings

All zones

Activity status: Permitted

Where:

Compliance is achieved with TRANS-S8.

Activity status where compliance is not achieved: Restricted Discretionary

Matters of discretion:

1. The potential for adverse effects on the safety and efficiency of the rail network.
2. Applications under this rule must provide, in addition to the standard information requirements, evidence of engagement with KiwiRail.

Assessment

Objectives and policies in relation to climate change

69. Waka Kotahi NZ Transport Agency (S112.026) seek and additional objective in relation to resilience of the transport network to the effects of climate change and natural hazards, and Royal Forest and Bird Society of NZ Inc (S110.021) seek and additional policy in relation to climate change to address carbon emissions.
70. Although I agree that the climate change adaptation is a relevant consideration in providing for a resilient transport network and it is a RMA Section 7 matter that decision makers should have particular regard to, it is unclear from the information provided how the objective and policy would be achieved through the policy framework and methods and rules, and no Section 32A evaluation has been provided by Waka Kotahi NZ Transport Agency or the Royal Forest and Bird Society of NZ Inc.
71. The Section 32 report for the transport chapter⁹ provides details of how the effects of climate change have been given regard to in respect of transport, including providing for a compact urban form around good transport connections, which is consistent with strategic plan objective as set out in UFD-O1. The objectives and policies in the notified transport chapter that relate to climate change primarily relate to the reduction of carbon emissions and the

⁹ Page 20, 3.10 Climate change, Section 32

provision of energy efficient transport options, such as TRANS-O5 and TRANS-P6, as shown below:

TRANS-O5

Opportunities for energy efficient transport options and socially inclusive transport choices that are safe and accessible for all users are enhanced, including public transport, and modes of transport that are non-motorised or which utilise renewable energy sources.

TRANS-P6

Encourage modes of transport that provide lower emissions options, such as public transport or vehicles that uses renewable energy sources, and provide for *active transport* modes, such as cycling and walking, that encourages a reduced reliance on motorised vehicles, by requiring associated land infrastructure to be planned and provided for in the design of the *transport network*.

72. Moreover, there are objectives and policies in the natural hazards chapter in relation to land use development and the effects of climate change and the location of infrastructure, which includes roads, and critical infrastructure which includes key routes such as state highways, including the examples shown below:

NH-O1 Identify and manage the risks associated with *natural hazards* to human health, property, *infrastructure* and the wider *environment*.

NH-O4 Regionally significant *infrastructure* is located outside hazard risk areas where practicable.

NH-P1 Identify and map areas subject to *natural hazards*, taking into consideration the effects of *climate change* and updated information, and apply through zoning and rules, a risk-based approach to the management of *subdivision*, use and development based on the following:

1. the type of *natural hazard* that applies; and
2. the level and severity of risk from *natural hazards*, preventing risk to people and managing risk to property; and
3. the sensitivity of activities to loss of life or damage to property from a *natural hazard*; and
4. the ability for communities to recover after a *natural hazard* event.

NH-P6 Avoid the placement of *critical infrastructure* in areas at risk from *natural hazards*, unless:

1. there is no reasonable alternative due to the *operational* or *functional need* for the location; and
2. it will be designed to maintain its integrity and function during and after a *natural hazard* event, or can be readily re-instated after a *natural hazard* event; and
3. any significant adverse *effects* on people, cultural values, and property will be avoided.

As detailed above there are objectives and policies in the PDP that relate to natural hazards and the adverse effects of climate change, and climate change adaptation and the reduction of carbon emissions. Although I am not adverse to including additional objectives and plan direction around the effects of climate change, at this point I would not recommend further changes as the methods and policies around how to give effect to the proposed policy and achieve the proposed objective are unclear and potentially may be more appropriate in the natural hazards chapter, or to amend an existing transport objective or policy. However, if Waka Kotahi NZ Transport Agency or the Royal Forest and Bird Society of NZ Inc provides additional evidence around this my position may change.

Policy for reverse sensitivity effects

73. In relation the KiwiRail Holdings Ltd (S132.035) submission to include a new transport policy in relation to reverse sensitivity effects. The Section 32 report for the transport chapter¹⁰ details how reverse sensitivity effects are managed in relation to transport. The following objective and policy for the transport chapter are in relation to protecting the transport network from reverse sensitivity effects:

TRANS-O2

The function and operation of the *transport network* is not compromised by land use activities and *subdivision* development.

TRANS-P2

Recognise and protect the function of the transport network based on the identified street category and their local, regional or national significance by managing nearby land use, subdivision and development. Ensure that incompatible or sensitive activities, buildings and structures do not impact on the safe and efficient operation of the transport network by requiring appropriate separation or design to minimise adverse noise, amenity and/or reverse sensitivity effects.

74. Noise effects, including reverse sensitivity, are also managed in the Noise chapter and the PDP has adopted a noise control overlay around the Main South Line rail corridor and state highways that require acoustic treatment within buildings used for noise sensitive activities, including:

NOISE-O3

¹⁰ Page 20, 3.10 Climate change, Proposed Gore District Plan Section 32 Report - Transport

Require noise sensitive activities to be located, designed and constructed to achieve reasonable indoor noise levels, minimise conflict and manage potential reverse sensitivity effects.

NOISE-P3

Require acoustic treatment within buildings used by noise sensitive activities in the following locations:

1. Adjacent to the State Highway and arterial networks: and
2. Within Industrial, Mixed Use, Local Centre and Town Centre Zones

As detailed above there are objectives and policies and methods in the PDP that relate to reverse sensitivity effects both in the transport chapter and noise chapter and I do not therefore consider that an additional policy in relation to this is required and disagree with the KiwiRail Holdings Ltd (S132.035) submission.

Rule for sight lines at level crossings

75. KiwiRail Holdings Ltd (S132.039) submission seek the inclusion of a new rule in relation to sight lines at level crossings. The rule is proposed to refer to transport standard TRANS-S8 which relates to structures and vegetation near level crossings. The existing rules in the transport chapter that requires compliance with the transport standards are TRANS-R1 (The establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure), and TRANS-R2 (Vehicle access to a formed road), as detailed below.

TRANS-R1 The establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure.

Activity status: Permitted

1. Where the *land* is:
 - (a) legal *road* and the work is being undertaken by, or on behalf of, a *road controlling authority*; or
 - (b) within a legally established rail corridor and the work is being undertaken by, or on behalf of, the railway owner or operator.
2. The *transport network* and *land transport infrastructure* are designed, formed, surfaced and drained in accordance with all Transport Standards; and
3. The *land* is not within an area or *site* identified as:
 - (a) *Historic Heritage site* or setting; or
 - (b) *root protection area* of a *Notable Tree*; or
 - (c) Outstanding Natural Feature or Outstanding Natural Landscape; or
 - (d) *Significant Natural Area*.

TRANS-R2 Vehicle access to a formed road

Activity status: Permitted

Any new *access* or an increase in use of and existing *access* is permitted where:

1. The *access* is not:
 - (a) to an *interregional Connector*, *Rural Connector* where it is a State Highway, *Urban Connector*, Main or *activity Street*; or

- (b) connecting to a *heavy vehicle bypass route*; or
 - (c) within 30m of an at-grade railway crossing.
2. The layout of activities on the *site* provides for the manoeuvring of vehicles to enable their forward movement onto and from the *site* without utilising that portion of a *road* available to traffic moving in the opposite direction.
Note: Refer to swept path and design for 90th percentile car in the TRANS-APP Standard Construction Drawings.
 3. The vehicle access is designed, formed, surfaced and drained in accordance with Transport Standards TRANS-S3, TRANS-S4, TRANS-S5, TRANS-S6, TRANS-S7, TRANS-S8 and TRANS-S9.

Although there is a reference to standard TRANS-S8 in rule TRANS-R2, the ongoing protection of sightlines at level crossings is not in relation to vehicle access, and does not relate to the design and construction of transport network and land transport infrastructure (TRANS-R1). TRANS-S8 is in relation to restricting structures and plantings around level crossings in areas outside of the transport network which is not provided for in the rule framework, and I therefore accept the KiwiRail submission and recommend to include a specific rule that relates to TRANS-S8.

Recommendation

76. I recommend, for the reasons given above, that a new rule in relation to protecting sightlines around level crossings is included as shown below and the transport chapter amended as shown in **Appendix A**.

TRANS-R4 Sightlines at railway level crossings

All Zones

Activity status: Permitted

Where:

1. Compliance is achieved with TRANS-S8

Activity status where compliance is not achieved: Restricted Discretionary

Matters of discretion:

1. The potential for adverse effects on the safety and efficiency of the rail network.

Note: Applications under this rule must provide, in addition to the standard information requirements, evidence of engagement with KiwiRail.

77. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

78. The following evaluates the recommendation to include an additional TRANS-Rule under section 32AA of the RMA.

Effectiveness and efficiency

The proposal will assist with giving effect to the RPS by making provision for the continuing operation of transport infrastructure, and by ensuring the safe and efficient operation of the transport network is not adversely affected by development. The proposal is consistent with the strategic objectives of the plan including UFD-O7 in relation to urban environments that have connected and efficient transport networks, and to more efficiently and effectively achieve the transport objectives and policies, including:

TRANS-O1 A transport network is provided that is safe, effective, and efficient in moving people and commodities within, to, through and from the Gore District.

TRANS-O2 The function and operation of the transport network is not compromised by land use activities and subdivision development.

TRANS-P8 Provide for a safe and efficient *transport network* by ensuring location, design and construction standards for *land transport infrastructure* are met that require:

1. *vehicle crossings* to be located and have appropriate separation and sight distances for the type of *road*, speed environment and proximity to intersections and/or existing *vehicle crossings*;
2. visibility to be maintained at railway crossings and *road* intersections;
3. minimum dimensions and formation standards for the category and type of *road*, intersection, *access* or crossing;
4. surfacing and drainage of *roads*, private *access* ways and *vehicle crossings*;
5. manoeuvring space for vehicles *access* and parking areas.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

There is the potential for the standard in relation to protecting visibility around level crossing not being applied if the proposed amendment is not made, which could have implications on health and safety of rail users and the public, and the efficiency of the transport network.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP and will enable the Council to effectively administer the PDP in a clear and consistent manner

6.7 Definitions

Matters raised by submitters

79. Southland Federated Farmers of New Zealand and a number of identical submissions, as detailed in the table below, seek the inclusion of new definitions for “vehicle movements” and “Collector Road” including any necessary consequential amendments.

	Include new definition of Collector Road	Include new definition for vehicle movements
Southland Federated Farmers of New Zealand	\$126.012	\$126.050
Kevin Robertson	\$115.013	\$115.051
Ronald Crispin	\$60.015	\$60.053
Rural Ratepayers Group	\$143.024	\$143.062
Alistair & Bernadette Hunt	\$148.025	\$148.063
John Baynes	\$68.133	\$68.171

80. The PDP definition for “land transport infrastructure” is shown below.

land transport infrastructure	means any <i>infrastructure, building</i>, equipment or devices that support the movement of people and goods by <i>land</i>, including: (a) Cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands; (b) <i>Pedestrian</i> facilities and accessways, including <i>footpaths</i>, footways and foot bridges; (c) Railway tracks, bridges, tunnels, signalling, <i>access</i> tracks and facilities; (d) <i>Roads</i> including <i>carriageways</i>, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms; (e) Lighting, signals, <i>signs</i> and control <i>structures</i> and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting; (f) Safety devices including handrails, bollards, cameras, <i>road</i> markings, rumble strips, barriers, <i>fences</i>, speed tables and speed cushions and traffic separators; (g) Other traffic control devices including traffic islands, level crossings, <i>pedestrian</i> crossings, roundabouts and intersection controls, traffic and cycle; (h) monitoring devices; (i) Parking control devices; (j) <i>Site access</i> including <i>vehicle crossings</i>; (k) Street and rail furniture, artworks, passenger shelters and ticketing and tolling facilities; (l) Ancillary equipment and <i>structures</i> associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets; (m) <i>Stormwater</i> management facilities, ventilation <i>structures</i>, drainage devices and erosion control devices; and (n) Equipment, <i>structures</i> and <i>infrastructure</i> associated with charging of electric vehicles.
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The above definition is supported by the Fuel Companies (\$16.027) as it recognises electric vehicles charging under n).

Waka Kotahi NZ Transport Agency (\$112.004) support the above definition in part and seek an amendment to include:

(d) Roads, including carriageways, pavements, bridges, culverts, erosion protection structures, defences against water, tunnels, retaining walls, underpasses, overpasses, verges and berms;

(e) Lighting, signals, official signs and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting;

(f) safety devices including handrails, bollards, road markings, rumble strips, barriers, fences, speed tables, speed cushions, and traffic separators, raised safety platforms, turnaround bays, intersection speed zones, and skid resistance.

KiwiRail Holdings Ltd (\$132.006) generally supports the PDP definition but seek amendments to c) to include:

(c) Railway Network including, tracks, bridges, culverts, erosion protection structures, defences against water, tunnels, retaining walls, underpasses, overpasses, verge and berms;

(e) Lighting, signals, official signs and control structures and devices associated with intelligent transport systems including vehicle detection systems (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting;

Southland Federated Farmers of New Zealand (S126.030) and a number of identical submissions, as detailed in the list below:

- Kevin Robertson (S115.031)
- Ronald Crispin (S60.033)
- Rural Ratepayers Group (S143.042)
- Alistair & Bernadette Hunt (S148.043)
- John Baynes (S68.151)

support the definition in part but seeks that m) is deleted as follows, as it does not support the movement of people and goods by land.

m) ~~Stormwater management facilities, ventilation structures, drainage devices and erosion control devices~~

81. The definition of “movement lane” is supported in part by Waka Kotahi NZ Transport Agency (S112.005) but seeks the reference to play is deleted as follows as it is not considered the appropriate space within the road for that activity.

Means that part of the formed and sealed road that serves the link function in a road. It may have a shared use for other activities such as walking, cycling, and parking ~~and play~~.

82. The definition of “street furniture” is shown below, and is supported in part by Waka Kotahi NZ Transport Agency (S112.008). Amendments are sought for consistency with the One Network Framework (ONF) as follows:

Means equipment within the footpath such as signal poles, lighting columns, signs, parking meters, seats, benches, bollards, drinking fountains, rubbish and recycling bins, cycle parking and landscaping etc.

83. KiwiRail Holdings Ltd (S132.012) seeks amendment to the definition of “transit corridor” to refer to rail networks rather than heavy rail networks as follows:

Means transit corridors that provide for the fast and efficient long-distance movement of people and goods within the urban realm. This includes motorways and urban expressways. By definition all dedicated, high movement and mode specific transport corridors such as ~~heavy~~ rail networks and busways are included in this classification.

84. Waka Kotahi NZ Transport Agency (S112.009) support in part the edition of “transport network” with amendments to refer to cyclists as follows:

Means any transport route that support the movement of people and goods and includes trains, motorised vehicles, non-motorised modes of transport, ~~and~~ pedestrians and cyclists.

Assessment

Collector Road

85. A number of submissions, including Southland Federated Farmers of New Zealand (S126.012) are seeking a definition of “Collector Road”. However, the term is from the One Network Road Classification (ONRC) hierarchy that has been superseded by the One Network Framework (ONF) street categories. Broadly speaking collector roads are referred to as connector roads under the ONF categories. As the street categories have been updated, I do not consider it is appropriate to include the definition of collector road and I reject the submissions.

Vehicle movements

86. Southland Federated Farmers of New Zealand (S126.050) and a number of identical submissions seek a definition of “vehicle movements”. Vehicle movement is referred to in the transport chapter and I therefore agree with the submissions, however “movement” which can relate to vehicles and other modes of transport is defined in the PDP as follows:

Movement - Means a single journey to or from a particular site that is either an arrival or departure but not both. A return journey equates to two movements.

Moreover “vehicle trip” is a defined term that refers back to the movement definition above, and I consider that the same approach should be adopted for “vehicle movement”.

Land transport infrastructure

87. In terms of the definition of “land transport infrastructure”, I accept the Fuel Companies (S16.027) support for (n) and no changes are proposed to this clause. KiwiRail (S132.006) and Waka Kotahi NZ Transport Agency (S112.004) have both sought that only official signage is included under (e), and I agree with the change as it fits better within the intent of the definition to specify infrastructure that supports the transportation network. I also agree with the Waka Kotahi NZ Transport Agency submission to detail additional commonly used safety devices.
88. Both KiwiRail and Waka Kotahi NZ Transport Agency have sought that culverts, erosion protection structures, and defences against water are included respectively under (c) and (d) in relation to roads a rail. However, Southland Federated Farmers of New Zealand (S126.030) and a number of identical submissions are seeking the deletion of (m) in relation to drainage infrastructure and devices. I agree that drainage infrastructure does not directly support the movement of people and goods by land and should therefore not have a separate clause. However drainage infrastructure is part of road and rail networks and essential to their function, and therefore indirectly support the movement of people and goods, and should therefore more appropriately be included under the respective road and rail clauses.

Movement lane

89. The definition of movement lane includes a reference to play and I agree with Waka Kotahi NZ Transport Agency (S112.005) submission that although roads and streets have a shared place function, the movement lane is not the appropriate space within the road for playing from a traffic safety and transport efficiency perspective.

Street furniture

90. I agree with Waka Kotahi NZ Transport Agency (S112.008) amendments to the definition of “street furniture” for consistency with the ONF, and with the additional examples of street furniture.

Transit corridor

91. KiwiRail Holdings Ltd (S132.012) seeks amendment to the definition of “transit corridor” to refer to rail networks rather than specifically heavy rail networks. The definition is from the ONF street categories and I agree with the KiwiRail submission as far as that the rail network more broadly would appear to align with the street category definition, and there is no specific mention of rail in the other categories. However, Waka Kotahi NZ Transport Agency has not further submitted on the submission and their position is therefore unclear, and I would only recommend amendments to the ONF definitions with their support.

Transport network

92. Waka Kotahi NZ Transport Agency (S112.009) seek a specific reference to cyclists within the definition of “transport network”, and although cyclists could be considered as a ‘non-motorised mode of transport’ I agree with the amendment as cyclists are together with pedestrians the most common form of an alternative and active transport mode, which are sought to be encouraged through the transport objectives and policies.

Recommendation

93. I recommend, for the reasons given above, that the definitions in the interpretation chapter are amended as follows and as shown in **Appendix A**.

Land transport infrastructure

means any *infrastructure, building, equipment or devices* that support the movement of people and goods by *land*, including:

- (a) Cycle facilities including cycleways, cycle parking, cycle hire stations and cycle maintenance stands;
- (b) *Pedestrian* facilities and accessways, including *footpaths*, footways and foot bridges;
- (c) Railway tracks, bridges, culverts, erosion protection structures, defences against water tunnels, signalling, *access* tracks and facilities;
- (d) *Roads* including *carriageways*, pavements, bridges, tunnels, retaining walls, underpasses, overpasses, verge and berms, culverts, erosion protection structures, defences against water;
- (e) Lighting, signals, official signs and control *structures* and devices associated with intelligent transport systems including vehicle detection systems

- (electronic vehicle identification and infra-red vehicle occupancy counters), incident detection, emergency telephones, cables and ducting;
- (f) Safety devices including handrails, bollards, cameras, *road* markings, rumble strips, barriers, *fences*, speed tables and speed cushions and traffic separators raised safety platforms, turnaround bays, intersection speed zones, and skid resistance;
- (g) Other traffic control devices including traffic islands, level crossings, *pedestrian* crossings, roundabouts and intersection controls, traffic and cycle;
- (h) monitoring devices;
- (i) Parking control devices;
- (j) *Site access* including *vehicle crossings*;
- (k) Street and rail furniture, artworks, passenger shelters and ticketing and tolling facilities;
- (l) Ancillary equipment and *structures* associated with public transport systems including seats, shelters, real time information systems and ticketing facilities, bicycle storage and cabinets;
- ~~(m) Stormwater management facilities, ventilation structures, drainage devices and erosion control devices; and~~
- (n) Equipment, *structures* and *infrastructure* associated with charging of electric vehicles.

Movement lane

Means that part of the formed and sealed road that serves the link function in a road. It may have a shared use for other activities such as walking, cycling and parking ~~and play~~.

Street furniture

Means equipment within the footpath such as signal poles, lighting columns, signs, parking meters, seats, benches, bollards, drinking fountains, rubbish and recycling bins, cycle parking and landscaping ~~etc.~~

Transport network

Means any transport route that support the movement of people and goods and includes trains, motorised vehicles, non-motorised mode of transport, ~~and~~ pedestrians and cyclists.

94. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

95. The following evaluates the recommendation to amend the above definitions under section 32AA of the RMA.

Effectiveness and efficiency

The proposed amendments provide greater guidance for plan users and will enable the Council to effectively administer the PDP in a clear and consistent manner. The amendments align with national and regional transport direction and will assist in achieving the transport objectives of the plan.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

Although the risk generally is low with not acting as the amendments are clarifications rather than substantial changes, the amendments are considered to improve the clarity around the application of the defined terms.

Conclusion as to the most appropriate option

The proposed amendments are considered to be a more appropriate way to achieve the Objectives of the plan than the notified version of the PDP.

6.8 Overview and maps

Matters raised by submitters

96. Waka Kotahi NZ Transport Agency (S112.187) support in part the Street Category map layer but seeks a reassessment in that all the ONF 'street categories' listed in the definition in the Interpretation chapter are not included and amend the map legend and map accordingly to correct any omissions.
97. KiwiRail Holdings Ltd (S132.026) seeks an amendment to the transport chapter overview to remove the reference to the rail corridor for the co-location of other infrastructure as it is not considered appropriate due to the associated health and safety risks.
98. New Zealand Helicopter Association (S63.001) support in part the transport chapter overview but seeks that consideration is given in this section for the Commercial aspects of aviation not just those to do with agricultural activities. New Zealand Agricultural Aviation Association (NZAAA) (FS4.81) support the submission and seeks that it is allowed as these are important infrequent activities supporting the community. The New Zealand Helicopter Association (FS18.9) also support their own submission and seek that it is allowed.

Assessment

99. In relation to the Waka Kotahi NZ Transport Agency (S112.187) submission regarding the ONF street category map layer, it is acknowledged that not all categories are included in the layer and legend, however this is because there are no *Transit Corridors*, *City Hubs*, *Civic Spaces* or *Stopping Places* identified in the Gore District. Although these categories are available for future use I reject the submission as I do not consider it appropriate to include them on the map legend until such time that they are applicable to the district.
100. KiwiRail Holdings Ltd (S132.026) seek to amend the overview as they do not consider that the rail corridor is appropriate for the co-location of other infrastructure due to the

associated health and safety risks. I accept their submission and advice in relation to this as the rail controlling authority.

101. New Zealand Helicopter Association (S63.001) and NZAAA (FS4.81) seeks acknowledgment of commercial aspects of aviation in addition to those to do with agricultural activities in the overview. The submission does not provide amended wording, however it is assumed that commercial aviation activities would be related to the airfield operations or within rural areas. The private use of aircraft in rural areas is already recognised in the overview, and directs plan users to the Rural Zone chapter. Consequently I accept that the overview can be amended to better guide plan users to the relevant chapters in relation to the airfields, but I do not consider it practical or appropriate to include all the specific details of the different commercial aviation operations in the overview.

Recommendation

102. I recommend, for the reasons given above, that the overview of the Transport Chapter is amended as follows and as shown in **Appendix A**:

...

The use of *aircraft* within the Gore District gives rise to a number of different issues. The Council recognises the importance of agricultural aviation services and private use of *aircraft* in *rural areas*, and these activities are considered in the General Rural Zone chapter. The ground operations at the Mandeville and Charlton airfields, including for commercial aviation activities, are considered in the Settlement and Airport Zones respectively, while the *height* of *structures* in close proximity to the airspace used for the take-off and landing of *aircraft* at these airfields is included in the Transport chapter. Agricultural aviation is managed in the General Rural Zone chapter, and *noise* from *aircrafts* is managed within the Noise Chapter. Private and commercial motorised water vessels and non-motorised *commercial activities* are also subject to the provisions of the Activities on the Surface Water chapter.

In addition to their primary function of providing for the movement of people and commodities, *road and rail* corridors are also suitable for the co-location of communication and other infrastructure services, including water supply, drainage and power. National Environmental Standards under the Resource Management Act 1991, and other legislation (for example, the Electricity Act and Telecommunications Act), enable a range of *structures* to be situated on legal *roads*. Activities and *structures* not provided for by these other legislative means are considered in the Infrastructure chapter.

...

103. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

104. The following evaluates the recommendation to amend the Transport chapter overview under section 32AA of the RMA.

Effectiveness and efficiency

The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and provides greater direction for plan users.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for plans users to consider that co-location of infrastructure within the rail corridor may be appropriate if the proposed amendment is not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the objectives of the plan than the notified version of the PDP.

6.9 Objectives TRANS-O1, TRANS-O2, TRANS-O3, TRANS-O4, TRANS-O5 and TRANS-O6

Matters raised by submitters

105. KiwiRail Holdings Ltd (S132.027), the Ministry of Education (S125.011) and Waka Kotahi NZ Transport Agency (S112.019) support TRANS-O1 and seeks that it is retained as notified.
106. KiwiRail Holdings Ltd (S132.028) and Waka Kotahi NZ Transport Agency (S112.020) support TRANS-O2 and seeks that it is retained as notified.
107. KiwiRail Holdings Ltd (S132.029), the Department of Conservation (S109.039) and Waka Kotahi NZ Transport Agency (S112.021) (S112.022) support TRANS-O3 and seeks that it is retained as notified.
108. KiwiRail Holdings Ltd (S132.030) and Waka Kotahi NZ Transport Agency (S112.023) support TRANS-O4 and seeks that it is retained as notified.
109. Waka Kotahi NZ Transport Agency (S112.024) support TRANS-O5 and seeks that it is retained as notified.
110. Waka Kotahi NZ Transport Agency (S112.025) support TRANS-O6 and seeks that it is retained as notified. KiwiRail Holdings Ltd (S132.031) supports the intention of the objective, however, due to associated health and safety risks seeks that the reference to rail corridor is deleted in relation to co-location, as follows:

TRANS-O6

Infrastructure and other compatible activities that benefit the community are located, where practicable, within road ~~and rail~~ corridors.

Assessment

111. The support for the objectives from KiwiRail Holdings Ltd (S132.027) (S132.028) (S132.029) (S132.030), the Ministry of Education (S125.011) and Waka Kotahi NZ Transport Agency (S112.019) (S112.020) (S112.021) (S112.022) (S112.023) (S112.024) (S112.025), and the Department of Conservation (S109.039) is acknowledged and no changes to the objectives are proposed.
112. KiwiRail Holdings Ltd (S132.031) are seeking an amendment the TRANS-O6 objective as they do not consider that the rail corridor is appropriate for the co-location of other infrastructure due to the associated health and safety risks. I accept KiwiRail's submission and advice in relation to this as the rail controlling authority.

Recommendation

113. I recommend, for the reasons given above, that TRANS-O6 is amended as shown below and as per **Appendix A**.

TRANS-O6

Infrastructure and other compatible activities that benefit the community are located, where practicable, within road ~~and rail~~ corridors.

114. It is recommended that submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

115. The following evaluates the recommendation to amend TRANS-O6 under section 32AA of the RMA.

Effectiveness and efficiency

The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and provides greater direction for plan users.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for plans users to consider that co-location of infrastructure within the rail corridor may be appropriate if the proposed amendment is not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the purpose of the Act than the notified version of the PDP.

6.10 Policies TRANS-P1, TRANS-P2, TRANS-P5, TRANS-P6, TRANS-P7 and TRANS-P9

Matters raised by submitters

116. Waka Kotahi NZ Transport Agency (S112.027) (S112.028) (S112.030) (S112.031) support TRANS-P1 TRANS-P2 TRANS-P6 TRANS-P7 and TRANS-P9 and seeks that they are retained as notified. New Zealand Helicopter Association (S63.002) support TRANS-P5, and KiwiRail Holdings Ltd (S132.034), and the Ministry of Education (S125.012) support TRANS-P7 and seeks that it is retained as notified.

Assessment

117. Waka Kotahi NZ Transport Agency (S112.027) (S112.028) (S112.030) (S112.031) support TRANS-P1 TRANS-P2 TRANS-P6 TRANS-P7 and TRANS-P9, New Zealand Helicopter Association (S63.002) support TRANS-P5 and KiwiRail Holdings Ltd (S132.034), and the Ministry of Education (S125.012) support TRANS-P7 is acknowledged and no changes to the policies are proposed.

Recommendation

118. I recommend, for the reasons given above, that Transport policies TRANS-P1, TRANS-P2, TRANS-P5, TRANS-P6, and TRANS-P7 are retained as shown in **Appendix A**.

119. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

6.11 Policies TRANS-P3, TRANS-P4, TRANS-P8 and TRANS-P10

Matters raised by submitters

120. KiwiRail Holdings Ltd (S132.032) and the Fuel Companies (S16.030) support TRANS-P3 and seek that it is retained as notified. Waka Kotahi NZ Transport Agency (S112.036) support in part TRANS-P3 as it aligns with the Government Policy Statement on Land Transport however recommends that the wording of the policy include a specific reference to cyclists as follows:

TRANS-P3

Enable the establishment and maintenance of land transport infrastructure that connects current and future land uses with transport routes that support the movement of people and goods and includes trains, motorised vehicles, non-motorised modes of transport and pedestrians and cyclists.

121. Waka Kotahi NZ Transport Agency (S112.029) and the Fuel Companies (S16.031) support TRANS-P4 and seek that it is retained as notified. KiwiRail Holdings Ltd (S132.033) supports

the intention of TRANS-P4 but seek that the policy is amended seeks to delete the reference to rail corridor in relation to co-location due to associated health and safety risks, as follows:

TRANS-P4

Enable the location of land transport infrastructure, and where practical promote co-location of network utilities and other compatible infrastructure or activities, within road ~~and rail~~ corridors where the function, safety and efficiency of the transport network will not be compromised, while managing the scale and types of works and activities.

122. Waka Kotahi NZ Transport Agency (S112.032) and the Fuel Companies (S16.032) support TRANS-P8 and seek that it is retained as notified. KiwiRail Holdings Ltd (S132.241) generally supports TRANS-P8 but seek that the policy is amended to provide greater direction for development in relation to level crossings, as follows:

TRANS-P8

Provide for a safe and efficient *transport network* by ensuring location, design and construction standards for *land transport infrastructure* are met that require:

6. *vehicle crossings* to be located and have appropriate separation and sight distances for the type of *road*, speed environment and proximity to intersections and/or existing *vehicle crossings*;
7. vehicle crossings to be located and have appropriate separation and sight distances from level crossings;
8. visibility to be maintained at railway crossings and *road* intersections;
9. minimum dimensions and formation standards for the category and type of *road*, intersection, *access* or crossing;
10. surfacing and drainage of *roads*, private *access* ways and *vehicle crossings*;
11. manoeuvring space for vehicles *access* and parking areas.

123. Waka Kotahi NZ Transport Agency (S112.037) support in part TRANS-P10 and seek that it is amended as follows to improve clarity:

TRANS-P10

Manage high trip generating activities and the effects of vehicle movements on the transport network to ensure that:

...

3. the activity is ~~compatible with the character~~ consistent with the function and purpose of the street category and amenity of the surrounding area.

Assessment

TRANS-P3

124. Waka Kotahi NZ Transport Agency (S112.036) KiwiRail Holdings Ltd (S132.032) and the Fuel Companies (S16.030) support of TRANS-P3 is acknowledged, and the policy is generally retained as notified. However, as cyclists could be considered as a 'non-motorised mode of transport' I accept the Waka Kotahi NZ Transport Agency (S112.036) amendment as cyclists are together with pedestrians the most common form of an alternative and active transport mode which should to be encouraged in the transport objectives and policies.

TRANS-P4

125. Waka Kotahi NZ Transport Agency (S112.029) KiwiRail Holdings Ltd (S132.033) and the Fuel Companies (S16.031) support of TRANS-P4 is acknowledged, and the policy is generally retained as notified. However I accept KiwiRail Holdings Ltd (S132.033) submission and advice to amend TRANS-P4 as the rail corridor is not appropriate for the co-location of other infrastructure due to the associated health and safety risks.

TRANS-P8

126. Waka Kotahi NZ Transport Agency (S112.032) KiwiRail Holdings Ltd (S132.241) and the Fuel Companies (S16.032) support of TRANS-P8 is acknowledged. However, I reject the KiwiRail Holdings Ltd (S132.241) proposed amendment to add an additional clause in relation to level crossings, as the maintenance of visibility at railway crossings is included under TRANS-P8.2 and the location of vehicle crossings is included under TRANS-P8.1. It is acknowledged that there is no direct reference to separation to level crossings under TRANS-P8.1 and I accept that the clause should be amended for clarity as there is a separation requirement to level crossings under TRANS-R2.

TRANS-P10

127. Waka Kotahi NZ Transport Agency (S112.037) seek amendments to TRANS-P10.3 and I accept the change in relation to the reference to the purpose and function of street categories rather than the character. However, the compatibility with the character of the surrounding area are matters of discretion under TRANS-R4, and the clause should be restructured for clarity rather than the reference deleted.

Recommendation

128. I recommend, for the reasons given above, that Transport polices TRANS-P3, TRANS-P4, TRANS-P8 and TRANS-P10 are amended as shown in **Appendix A** and as follows:

TRANS-P3

Enable the establishment and maintenance of land transport infrastructure that connects current and future land uses with transport routes that support the movement of people and goods and includes trains, motorised vehicles, non-motorised modes of transport and pedestrians and cyclists.

TRANS-P4

Enable the location of land transport infrastructure, and where practical promote co-location of network utilities and other compatible infrastructure or activities, within road ~~and rail~~ corridors where the function, safety and efficiency of the transport network will not be compromised, while managing the scale and types of works and activities.

TRANS-P8

Provide for a safe and efficient transport network by ensuring location, design and construction standards for land transport infrastructure are met that require:

1. *vehicle crossings* to be located and have appropriate separation and sight distances for the type of *road*, speed environment and proximity to level crossings, intersections and/or existing *vehicle crossings*;
2. visibility to be maintained at railway crossings and *road* intersections;
3. minimum dimensions and formation standards for the category and type of *road*, intersection, *access* or crossing;
4. surfacing and drainage of *roads*, private *access* ways and *vehicle crossings*;
5. manoeuvring space for vehicles *access* and parking areas.

TRANS-P10

Manage high trip generating activities and the effects of vehicle movements on the transport network to ensure that:

1. the location and design of *vehicle crossings* and the *effects* of the type and level of traffic generated is appropriate for the capacity of the *transport network* in that locality;
2. the activity does not negatively impact on the safety of other users; and
3. the activity is ~~compatible with the character~~ consistent with the function and purpose of the *street category* and compatible with the character and amenity of the surrounding area.

129. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

130. The following evaluates the recommendation to amend the Transport policies under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes do not materially change the policies but provide greater direction and clarity to plan users of how the objectives are sought to be achieved. In particular TRANS-O1, TRANS-O2 TRANS-O3, TRANS-O5 and TRANS-O6, and the proposal will enable the Council to effectively administer the PDP in a clear and consistent manner. The changes are consistent with higher order documents such as the RPS, and rail and road transport authorities national guidance documents and advice.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about the suitability of the rail corridor for co-location of infrastructure, and the importance of safety and cycling infrastructure is not highlighted to plan users if the proposed amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.12 Policies TRANS-P11, TRANS-P12 and TRANS-P13

Matters raised by submitters

131. Waka Kotahi NZ Transport Agency (S112.034) support TRANS-P11 and seek that it is retained as notified. Hokonui Rūnanga Inc (S139.051) support TRANS-P11 in part and seeks amendments to be more directive and specific in terms of Ngāi Tahu cultural values.

TRANS-P11

Manage the actual or potential effects from the design, location and operation of the transport network on Ngāi Tahu cultural values and recognise the underlying relationship Ngāi Tahu hold with the natural environment by its design and location the natural environment including effects on mana whenua and the values they associate with the area, including whakapapa, the mauri of whenua and wai, access to mahinga kai, disturbance of wāhi tapu or other taonga, and encourage the urban design of a streetscape, with land transport infrastructure such as street furniture and artwork, ~~that contributes~~ which recognise and reflect the unique Ngāi Tahu cultural identity of the district.

132. Waka Kotahi NZ Transport Agency (S112.035), the Department of Conservation (S109.040) and the Fuel Companies (S16.033) support TRANS-P12 and seek that it is retained as notified. The Royal Forest and Bird Society of NZ Inc (S110.020) seeks amendments as follows:

TRANS-P12

Managing the adverse effects from the use, design and location of the transport network and land transport infrastructure on the natural environment by ensuring appropriate stormwater treatment and management, and ~~limiting the presence and~~ avoiding, remedying, or mitigating effects on outstanding natural features and landscapes, ecosystems and indigenous biodiversity ~~unless there are no practical alternatives.~~

Waka Kotahi NZ Transport Agency has further submitted (FS14.013) to oppose the changes sought by Forest and Bird as they consider it goes beyond the NPS-IB, which allows functional or operational need to be taken into account in determining practicable alternative locations.

133. Waka Kotahi NZ Transport Agency (S112.038) support in part TRANS-P13 and seek that it is amended as follows:

TRANS-P13

Prepare and implement a parking strategy for the Gore Town Centre Zone and Mataura Local Centre Zone that recognises and provides for the volume and nature of parking and deliveries required for activities to be safely and efficiently carried out in those areas.

Assessment

TRANS-P11

134. Waka Kotahi NZ Transport Agency (S112.034) support of TRANS-P11 is acknowledged, however, the policy relates to Ngāi Tahu cultural values, and in principle I consider it appropriate to adopt policy approaches that Hokonui Rūnanga as mana whenua deem most appropriate for managing impacts on their cultural values and kaitiaki responsibilities within the PDP. The Hokonui Rūnanga Inc (S139.051) submission was considered as part of Hearing Stream 3, and I consider it appropriate to apply a consistent approach to the submission. However, the proposed amendments to TRANS-P11 will change the policy to be in relation the effects on the natural environment including effects on mana whenua rather than the underlying relationship Ngāi Tahu hold with the natural environment, and the proposal will to some extent duplicate TRANS-P12. I therefore recommend that the proposed wording is amended as follows to focus on mana whenua values, or that Hokonui Rūnanga provide an alternative:

TRANS-P11

Manage the actual or potential effects from the design, location and operation of the transport network on Ngāi Tahu cultural values and recognise the underlying relationship Ngāi Tahu hold with the natural environment by its design and location the natural environment including effects on mana whenua and the values they associate with the natural environment and the area, including whakapapa, the mauri of whenua and wai, access to mahinga kai, disturbance of wāhi tapu or other taonga, and encourage the urban design of a streetscape, with land transport infrastructure such as street furniture and artwork, ~~that contributes~~ which recognise and reflect the unique Ngāi Tahu cultural identity of the district.

TRANS-P12

135. The support of Waka Kotahi NZ Transport Agency (S112.035), the Department of Conservation (S109.040) and the Fuel Companies (S16.033) of TRANS-P12 is acknowledged. The Royal Forest and Bird Society of NZ Inc (S110.020) seeks changes to use the wording from the purpose of the RMA in relation to avoiding, remedying, or mitigating effects¹¹ and the deletion of references to “limiting the presence ... unless there are not practical alternatives” in relation to outstanding natural features and landscapes, ecosystems and indigenous biodiversity. However, I consider that the proposed changes provide less direction to plan users as they merely repeat the purpose of the RMA rather than how it is sought to be

¹¹ Section 5(2)(c) Resource Management Act 1991

achieved and I therefore do not agree with the proposal. Moreover, Waka Kotahi NZ Transport Agency (FS14.013) opposes the Forest and Bird change as the NPS-IB allows functional or operational need to be taken into account in determining practicable alternative locations. I agree with the Waka Kotahi NZ Transport Agency further submission that the policy is consistent with the listed exceptions to managing adverse effects on SNAs of new subdivision, use, and development¹² and reject the (S110.020) submission.

TRANS-P13

136. Waka Kotahi NZ Transport Agency (S112.038) seek a minor change to TRANS-P13 so that it includes a reference so that parking and delivery can be carried out safely as well as efficiently. I accept the insertion which provides greater direction to achieve the objectives.

Recommendation

137. I recommend, for the reasons given above, that Transport polices TRANS-P11 and TRANS-P13 are amended as shown in **Appendix A** and as follows:

TRANS-P11

Manage the actual or potential effects from the design, location and operation of the transport network on ~~Ngāi Tahu cultural values and recognise the underlying relationship Ngāi Tahu hold with the natural environment by its design and location~~ mana whenua and the values they associate with the natural environment and the area, including whakapapa, the mauri of whenua and wai, access to mahinga kai, disturbance of wāhi tapu or other taonga, and encourage the urban design of a streetscape, with land transport infrastructure such as street furniture and artwork, ~~that contributes~~ which recognise and reflect the unique Ngāi Tahu cultural identity of the district.

TRANS-P13

Prepare and implement a parking strategy for the Gore Town Centre Zone and Mātaura Local Centre Zone that recognises and provides for the volume and nature of parking and deliveries required for activities to be safely and efficiently carried out in those areas.

138. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

¹² Clause 3.11 Exceptions to clause 3.10(2)

Section 32AA Evaluation

139. The following evaluates the recommendation to amend the Transport policies under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes do not materially change the policies but provide greater direction and clarity to plan users of how the objectives are sought to be achieved. In particular TRANS-O1, TRANS-O2 and TRANS-O3, and the proposal will enable the Council to effectively administer the PDP in a clear and consistent manner. The changes are consistent with higher order documents such as the RPS, rail and road transport authorities national guidance documents and advice, and has regard to Section 7 matters including kaitakitanga.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about mana whenua values, and the importance of safety around parking and deliveries not being highlighted to plan users if the proposed amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.13 Rule TRANS-R1

Matters raised by submitters

140. TRANS-R1 is shown in full below:

TRANS-R1 The establishment, construction, operation, maintenance and upgrading of the *transport network* and *land transport infrastructure*.

All zones

Activity status: Permitted

1. Where the *land* is:
 - (c) legal *road* and the work is being undertaken by, or on behalf of, a *road controlling authority*; or
 - (d) within a legally established rail corridor and the work is being undertaken by, or on behalf of, the railway owner or operator.
2. The *transport network* and *land transport infrastructure* are designed, formed, surfaced and drained in accordance with all Transport Standards; and

3. The *land* is not within an area or *site* identified as:
 - (e) *Historic Heritage site* or setting; or
 - (f) *root protection area* of a *Notable Tree*; or
 - (g) Outstanding Natural Feature or Outstanding Natural Landscape; or
 - (h) *Significant Natural Area*.

Activity status where compliance is not achieved: Discretionary

141. The Department of Conservation (S109.042) oppose TRANS-R1 and seek changes to extend the permitted activity condition criteria under TRANS-R1.3(d) to include or unmapped SNA that has been assessed as significant against the criteria in Appendix 4, highly mobile fauna area or within a riparian margin, and that the activity status for non-compliance is changed to non-complying. NZ Transport Agency Waka Kotahi (FS14.0010) and Contact Energy Ltd (FS24.024) has further submitted that the change to the activity status should be disallowed and should not apply to SNAs that have not been identified in the plan.
142. The Fuel Companies (S16.034) support TRANS-R1 in part but seek that a permitted activity is included under TRANS-R1.1(c) for equipment, structures and infrastructure associated with charging of electric vehicles not within legal road.
143. KiwiRail Holdings Ltd (S132.036) seek amendments to TRANS-R1.1(b) to apply to legal rail corridor rather than ~~legally established rail corridor~~ and that the rule should refer to the rail controlling authority instead of the ~~railway owner or operator~~. KiwiRail also seek that rail infrastructure should be excluded from construction standards under TRANS-R1.2

Assessment

144. In relation to the Department of Conservation (S109.042) submission point to include a reference to unmapped SNAs, the definition of *Significant Natural Area (SNA)*, shown in full below, already includes reference to unmapped SNAs

Has the same meaning as per the National Policy Statement for Indigenous Biodiversity and means:

- (a) Areas identified as SNA-1 (Waterfall Range) and SNA-2 (Pukerau Red Tussock Reserve) on the planning maps until a suitably qualified ecologist engaged by Gore District Council determines that it is not an SNA
 - (b) any area that is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 4
- SNA also includes areas meeting the criteria outlined in Appendix 4 including those identified at resource consent stage or as part of a Farm Environment Plan assessment or as part of a Biodiversity Covenant.

145. As unmapped areas are already included in the Significant Natural Area definition, I consider it unnecessary to include the reference in the rule, and as the definition is consistent with the NPS-IB, I disagree with NZ Transport Agency Waka Kotahi (FS14.0010) and Contact Energy Ltd (FS24.024) that it should not apply to unmapped areas. However, it should be noted that this may need to be changed as a consequential amendment following Hearing Stream 9, as we are awaiting the outcome of the Resource Management (Freshwater and Other Matters) Amendment Bill relating to the SNA mapping requirements under the NPS-IB.

146. In terms of including a reference to highly mobile fauna areas in the rule, these are defined separately to SNAs under the NPS-IB and are required to be mapped and identified. Furthermore, adverse effects of subdivision, use, and development must be managed consistent with the NPS-IB (Section 3.20). I therefore consider it appropriate to include reference to highly mobile fauna areas in the rule together with Significant Natural Areas.
147. In terms of riparian margins, although these areas may provide habitat for both indigenous flora and fauna, their identification and management is not a specific requirement under the NPS-IB. However, buildings, structures and earthworks in riparian margins are already managed in the PDP through setback standards with a matter of discretion in relation to indigenous biodiversity and habitats. In relation to the change sought to the activity status, the rule relates to a range of matters, of which indigenous biodiversity is only one aspect of the Transport rule and the overall policy direction to manage activities aligns with a Discretionary Activity status. Moreover, the Discretionary Activity status allows consideration of the objectives and policies of other chapters of the plan to provide direction, including the Ecosystems and Indigenous Biodiversity chapter.
148. I agree with the KiwiRail Holdings Ltd (S132.036) amendment to closer align the wording in TRANS-R1.1 for consistency between (a) and (b). However, I do not agree with excluding rail from transport standards as rail infrastructure and ancillary structures are included in the definition of *land transport infrastructure* and works with the rail corridor is enabled by the KiwiRail designation and permitted outside the designation under TRANS-R1.1. There is also a specific transport standard that relates to rail (TRANS-S8).
149. The Fuel Companies (S16.034) are seeking a change that would mean that structures and infrastructure associated with charging of electric vehicles beyond a legal road would be permitted regardless of transport standards. I do not consider it appropriate to exempt these from transport standards as such facilities would need vehicle access and could have an effect on the transport network.

Recommendation

150. I recommend, for the reasons given above, that the KiwiRail Holdings Ltd (S132.036) submission is accepted in part, the Department of Conservation (S109.042) submission is accepted in part and the Fuel Companies (S16.034) submission is rejected as shown in **Appendix B** with the amendments shown in **Appendix A** and below.

TRANS-R1 The establishment, construction, operation, maintenance and upgrading of the *transport network* and *land transport infrastructure*.

All zones

Activity status: Permitted

1. Where the *land* is:
 - (a) legal *road* and the work is being undertaken by, or on behalf of, a *road controlling authority*; or
 - (b) within a legally ~~established~~ rail corridor and the work is being undertaken by, or on behalf of the ~~rail controlling authority, the railway owner or operator.~~

2. The *transport network* and *land transport infrastructure* are designed, formed, surfaced and drained in accordance with all Transport Standards; and
3. The *land* is not within an area or *site* identified as:
 - (i) *Historic Heritage site* or setting; or
 - (j) *root protection area* of a *Notable Tree*; or
 - (k) Outstanding Natural Feature or Outstanding Natural Landscape; or
 - (l) *Significant Natural Area* or *highly mobile fauna area*.

Activity status where compliance is not achieved: Discretionary

151. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

152. The following evaluates the recommendation to amend TRANS-R1 under section 32AA of the RMA.

Effectiveness and efficiency

The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and is consistent with higher order documents such as the NPS-IB, and achieves the transport objectives including TRANS-O1, TRANS-O3 and gives effect to the transport policies including TRANS-P3 and TRANS-P12 and is consistent with ECO-O3 and ECO-P3 and will assist in giving effect to ECO-P8 and ECO-P9.

Costs and benefits

The proposal means that the effects of the transport network if proposed to be located within *highly mobile fauna areas* is managed as well as within Significant Natural Areas, with associated environmental benefits. The protection of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance, and is considered to have a social and cultural benefit to the broader community. There may be a limited economic opportunity cost associated with additional restriction, however it is considered that overall the benefits outweigh the costs.

Risk of acting or not acting

There is the potential for adverse effects from the transport network on *highly mobile fauna areas* if the proposed amendment is not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the objectives of the plan than the notified version of the PDP.

6.14 Rule TRANS-R2

Matters raised by submitters

153. Fire and Emergency NZ (S124.014) support TRANS-R2 Vehicle access to a formed road as it refers to TRANS-S4 and seek that it is retained.
154. Waka Kotahi NZ Transport Agency (S112.040) oppose TRANS-R2 in part and seeks that TRANS-R2(a) is amended to relate to all state highways notwithstanding their street category, and that an advisory note and a matter of discretion is added relating to consultation with Waka Kotahi New Zealand Transport Agency where the vehicle access connects to a State Highway, and notes a spelling correction to condition 1.
155. KiwiRail Holdings Ltd (S132.037) seeks amendments to TRANS-R2 matters of discretion to include an additional matter allowing consideration of the effects on the continued safe, effective, and efficient operation of a railway level crossing and an advice note relating to consultation with KiwiRail Holdings Limited where the vehicle access crosses a railway line (private or public crossing) or a railway level crossing. Hamish Weir (FS5.9) has further submitted to disallow the change in part to only relate to private crossings.

Assessment

156. Fire and Emergency NZ (S124.014) support of TRANS-R2 reference of standard TRANS-S4 is acknowledged and no change to the reference is TRANS-R2(3) is proposed.
157. In terms of Waka Kotahi NZ Transport Agency (S112.040) submission that relates to all state highways notwithstanding their street category, the PDP rule refers to “Interregional Connectors, and Rural Connector where it is a State Highway” and this would likely already capture all state highways. however I accept the submission point as it may be clearer to plan users to say state highways instead of their street category.
158. Both KiwiRail Holdings Ltd (S132.037) and Waka Kotahi NZ Transport Agency (S112.040) seek advisory notes and a matter of discretion in relation to the consultation with them about access to state highways or where it crosses a railway line. I accept this submission point as they are the rail and road controlling authorities in these instances. I reject Hamish Weir’s further submission (FS5.9) regarding consultation with KiwiRail, as a new access or increased use of an existing access within 30 meters of a railway crossing may affect the safety and operation of the railway. However, in terms of KiwiRail (S132.037) submission to include an additional matter of discretion in relation to this, I consider that the safety and efficiency of the transport network in matter 1 and 2 already covers this matter, as the railway is part of the transport network. I accept and agree with the spelling correction noted by Waka Kotahi NZ Transport Agency.

Recommendation

159. I recommend, for the reasons given above, that TRANS-R2 is amended as shown in **Appendix A** and below:

TRANS-R2 Vehicle *access* to a formed road

Activity status: Permitted

Any new *access* or an increase in use of an ~~existing~~ *access* is permitted where:

1. The *access* is not:
 - (a) connecting to a State Highway; or
 - (b) ~~(a)~~ to an ~~interregional Connector, Rural Connector where it is a State Highway, Urban Connector, Main or activity Street;~~ or
 - (c) ~~(b)~~ connecting to a *heavy vehicle bypass route*; or
 - (d) ~~(c)~~ within 30m of an ~~at-grade~~ railway level crossing.

Note: Advice should be sought from Waka Kotahi New Zealand Transport Agency where the vehicle access connects to a State Highway, or KiwiRail Holdings Limited where the vehicle access crosses a railway line (private or public crossing) or a railway level crossing.

2. The layout of activities on the *site* provides for the manoeuvring of vehicles to enable their forward movement onto and from the *site* without utilising that portion of a *road* available to traffic moving in the opposite direction.

Note: Refer to swept path and design for 90th percentile car in the TRANS-APP Standard Construction Drawings.

3. The vehicle access is designed, formed, surfaced and drained in accordance with Transport Standards TRANS-S3, TRANS-S4, TRANS-S5, TRANS-S6, TRANS-S7, TRANS-S8 and TRANS-S9.

Activity status where compliance is not achieved:

Restricted Discretionary.

Matters of discretion:

1. The *effects* on the safety of vehicles, and other users, on, entering or leaving the *transport network*.
2. Impacts on the efficiency of the *transport network*.
3. Availability of legal *access* to the *site* from other *roads*.
4. The matters of discretion in the infringed Standard(s).

160. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

161. The following evaluates the recommendation to amend TRANS-R2 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the rule do not materially change it but provides greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 and TRANS-O3. The proposal will enable the Council to

effectively administer the PDP in a clear and consistent manner and is consistent with rail and road transport authorities' advice in relation to the management of effects on the transport network.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about whether the rule would apply to all state highways regardless of the street category, and the general need to consult with the rail or road controlling authority, or specifically Waka Kotahi New Zealand Transport Agency in relation to state highways or KiwiRail for access near railway level crossings if the proposed amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.15 Rule TRANS-R4

Matters raised by submitters

162. Waka Kotahi NZ Transport Agency (S112.041) and KiwiRail Holdings Ltd (S132.038) seek amendments to TRANS-R4 High Trip generation at existing and proposed property accesses so that a threshold of 100 Equivalent Car Movements Per Day applies instead of 250 vehicle movements per day. Contact Energy Ltd (FS24.025) have further submitted that the change be disallowed as the decrease needs to be evidence based and Mercury Ltd (FS26.034) that the note that exempts temporary activities or construction activities should form part of the rule, and the application in relation to renewable electricity generation activities is clarified.
163. The Ministry of Education (S125.013) supports TRANS-R4 and seeks that it is retained as they consider that 250 vehicle movements per day is appropriate. Fire and Emergency NZ (S124.015) supports TRANS-R4 in that it does not apply to temporary activities and seeks that it is retained.
164. Waka Kotahi NZ Transport Agency (S112.042) also seeks that a matter of discretion is added to TRANS-R4 relating to consultation with Waka Kotahi New Zealand Transport Agency where the vehicle access connects to a State Highway, and KiwiRail (S132.038) that an additional matter allowing consideration of the effects in relation to railway level crossings is included.

Assessment

165. In relation to the submissions by Waka Kotahi NZ Transport Agency (S112.041) and KiwiRail Holdings Ltd (S132.038) to reduce the threshold for high trip generating activities to 100

Equivalent Car Movements (ecms) Per Day, this is consistent with Waka Kotahi national guidance documents and is supported by Council's Rooding Asset Manager as applicable to all roads. However, Council's transport specialist Mr Gregory notes that 250 car movements per day would be reasonably consistent with other triggers from other District Plans and consider that on balance, reducing the threshold to capture effects of heavy vehicles would also 'trigger' activities which would render no effects to the network. He considers that 100 ecms, which is the equivalent of 10 truck and trailer units, could be overly onerous in some instances, and that a compromise could be to include a requirement of 250 ecms per day, or 50 ecms per hour, which would better capture the effects of the intensity of movements. The alternative approach recommended by Mr Gregory is however not supported by Council's Rooding Asset Manager, and although I acknowledge the concerns raised with the threshold by Mr. Gregory, and agree that the alternative could be a more targeted approach and would allow for the traffic volumes considered appropriate by the Ministry of Education (S125.013), I accept the advice of the rail and road controlling authorities. In terms of the Contact Energy Ltd further submission (FS24.025), I consider that the rail and road controlling authorities advice constitutes a best practice approach and reject the submission.

166. In terms of the exemption for construction and temporary activities, this is supported by Fire and Emergency NZ (S124.015) and Mercury Ltd (FS26.034), and I accept the submissions and agree that the status of a note exemption may be ambiguous, and that the exception would be clearer as part of the rule. This approach is also supported by Council's Rooding Asset Manager. As temporary activities and construction activities are defined in the plan I consider that this provides sufficient clarity on the application of the exemptions.

167. In relation to the additional matter of discretions sought by Waka Kotahi NZ Transport Agency (S112.042) relating to consultation, I agree that the outcome of consultation with the road controlling authority regarding the effects on the transport network is a relevant consideration, and is included under Matter of Discretion 2, but that who to consult with is more appropriate as an advice note rather than a separate assessment matter. In terms of KiwiRail (S132.038) submission to include an additional matter of discretion in relation to the effects on the efficiency and safety of a railway level crossing, I consider that the safety and efficiency of the transport network in Matter of Discretion 2 already covers this matter, as the railway is part of the transport network.

Recommendation

168. I recommend, for the reasons given above, that TRAN-R4 is amended as shown in **Appendix A** and below:

Activity status: Restricted Discretionary

Where:

- Any new activities or an increase of existing activities, individually or collectively on a site, generate more than 250 vehicle movements per day
100 Equivalent Car Movements Per Day in accordance with the table below

<u>Vehicle Type</u>	<u>Light vehicle equivalent</u>	<u>Movements Constituting 100 trips</u>

<u>Light</u>	<u>1</u>	<u>100</u>
<u>Truck</u>	<u>3</u>	<u>33.3</u>
<u>Truck and trailer</u>	<u>5</u>	<u>20</u>

Except that this Note: The rule does not apply to vehicle movements associated with *temporary activities* or *construction activities* where these activities are either authorised by a resource consent or are permitted by plan rules.

Note: Advice should be sought from Waka Kotahi New Zealand Transport Agency where the vehicle access connects to a State Highway.

Matters of discretion:

1. The extent to which the number, pattern and/or timing of traffic movements is likely to adversely affect the *amenity values* and character of the immediate and surrounding area.
2. The impacts on the efficiency and safety of the *transport network* and the suitability of the location for the intensity and scale of the activity, and *effects* on the safety of vehicles, and other users.
3. The location, design and construction standard of the access, and any *road* upgrading works required and ongoing *effects* on *road* maintenance as a result of the activity, and the financial contribution to them.
4. Construction *effects* and traffic movements including *effects* on *amenity values*.

169. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

170. The following evaluates the recommendation to amend TRANS-R4 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the rule are consistent with NZTA national guidance and a best practice approach, which is considered to improve the efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 and TRANS-O3 and is consistent with rail and road controlling authorities advice. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and provides greater direction and clarity to plan users.

Costs and benefits

There are benefits to the community in the safe and efficient provision of the transport network, that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There is a potential economic cost to individuals to be in compliance with the lower threshold where additional resource consents may be required, but it is considered that the overall benefits of the proposal outweigh the cost.

Risk of acting or not acting

The risk with not acting on lowering the high trip generation threshold is in unforeseen and unplanned demands being placed on land transport infrastructure and adverse effects impacting the wider transport network and the community. The risk of not acting on the amendments to the note and advice in relation to consultation is generally low, but there is the potential for confusion about the status of the note exemption and the general need to consult with the road controlling authority if the amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.16 Standards TRANS-S1, TRANS-S3, TRANS-S4

Matters raised by submitters

171. Hamish Weir (S74.003) opposes in part TRANS-S1 On-site parking and seeks that it is amended so that parking areas within the urban area are not required to be sealed but appropriately surfaced and all non-residential use parking spaces marked. Clark Fortune McDonald & Associates (FS22.057) supports that there should be provision for permeable surface solutions. Clark Fortune McDonald & Associates (S99.019) seeks that the sealing requirement only applies to parking areas providing for more than 5 cars.

172. Southland Federated Farmers of New Zealand (S126.062) and a number of identical submissions as listed below oppose in part TRANS-S3 Vehicle movements and seeks that it should not apply to vehicle movements for primary production activities. NZ Transport Agency Waka Kotahi (FS14.014) seeks that the submission is disallowed as vehicle movements associated with primary production activities can have the same effects on the safety and efficiency of the transport network as other vehicle movements.

- Kevin Robertson (S115.063)
- Ronald Crispin (S60.065)
- Rural Ratepayers Group (S143.074)
- Alistair & Bernadette Hunt (S148.075)
- John Baynes (S68.183)

173. Fire and Emergency NZ (S124.016) support TRANS-S4 Firefighting Vehicle Access and seeks that it is retained.

Assessment

174. The issue in relation to TRANS-S1 surfacing standard for parking areas was raised as part of feedback on the draft plan¹³. Council's Roding Asset Manager advised at the time that generally surfaces within the urban area should be sealed, but that there may be site specific instances where alternative surfacing can be considered. As each proposal would need to be assessed on its merits, I consider that the Restricted Discretionary Activity status sufficiently provides for that through a resource consent process. This approach is also consistent with Mr Gregory advice who recommends including a matter of discretion in relation to the appropriateness of alternative surfacing. Moreover, I consider that there would be ambiguity of what constitutes 'appropriate' surfacing which would make it difficult for plan users to determine compliance with the rule, and I therefore disagree with Hamish Weir (S74.003), Clark Fortune McDonald & Associates (FS22.057) and Clark Fortune McDonald & Associates (S99.019) in relation to the surfacing requirements. I do however agree residential parking spaces do not necessarily need to be marked.
175. In relation to TRANS-S3 and the Southland Federated Farmers of New Zealand (S126.062) and identical submissions as listed in paragraph 172, that the vehicle movement standard should not apply to primary production activities, I agree with NZ Transport Agency Waka Kotahi (FS14.014) that these activities can have the same effects on the safety and efficiency of the transport network as other vehicle movements and therefore do not support excluding these. However I accept the advice of Mr Gregory and Council's Roding Asset Manager that the vehicle movement standard is not necessary, as the high trip generating rule threshold in TRANS-R4 is recommended to be lowered.
176. Fire and Emergency NZ (S124.016) support of TRANS-S4 Firefighting vehicle access is acknowledged and accepted as no changes to the provision are proposed.

Recommendation

177. I recommend, for the reasons given above, that TRANS-S1 is amended TRANS-S3 is deleted, and TRANS-S4 is retained as shown in **Appendix A** and below:

TRANS-S1 On-site parking

1. Vehicle parking spaces, where provided, are to be designed in accordance with TRANS-Table-S1 Parking and Access Layouts.

¹³ Section 32 Report – Transport <https://lets.talk.goredc.govt.nz/section-32-reports>

2. The surface of all *vehicle parking areas* within the *urban area*, shall be sealed and all parking spaces associated with non-residential activities marked.
3. Any off-street *vehicle parking area* providing for more than 5 cars shall comply with the following standards:
 - (a) for every 20 square metres of off-street parking, one square metre of landscaping, either trees or shrubs, shall be provided.
 - (b) off-street parking areas located adjoining or within Residential Zones, shall be provided with a solid screen 1.8 metres above the level of the parking, of a design that prevents car lights from shining onto adjoining sites.

~~TRANS-S3 Vehicle movements~~

- ~~1. The vehicle crossing is for on-site activities that individually or collectively generate less than 60 vehicle movements per day.~~

178. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

179. The following evaluates the recommendation to amend TRANS-S1 and delete TRANS-S3 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the standards are consistent with technical expert advice and a best practice approach and will remove potential duplication with TRANS-R4 lowered thresholds, which is considered to improve the efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 and TRANS-O3. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and provides greater direction and clarity to plan users.

Costs and benefits

There are benefits to plan users and individuals to specify that marking of car parking spaces only apply to non-residential activities and that potential duplication with TRANS-R4 in terms of vehicle movements is removed and that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no anticipated costs with the proposal.

Risk of acting or not acting

The risk with not acting is that there may be potential duplication with TRANS-R4 and TRANS-S3 which is not considered efficient or effective, and that residential carparking spaces would be required to be marked which could be considered onerous.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.17 Standard TRANS-S5

Matters raised by submitters

180. Waka Kotahi NZ Transport Agency (S112.044) (S112.045) seeks that TRANS-S5 Vehicle crossing design and construction TABLE-S5 Required Construction Standards and Dimensions is amended in relation to Rural Milk tanker access so that it does not apply to state highways, or update the standard construction drawings to reflect NZTA Diagram E standard. Waka Kotahi (S112.046) also seeks that TABLE-S5 Rural Private and High Use or Commercial Crossing Widths are increased from 4.5m to 6m, or that the standard does not apply to state highways.
181. Fire and Emergency NZ (S124.017) support in part TRANS-S5 but seeks that residential access widths are increased from 3m to 3.5 at the property boundary and from 3.5m to 4m at the kerb to sufficiently cater for fire appliances. Kāinga Ora (FS28.023) opposes the submission and considers that the widths are sufficient and that access to hydrants and the length of driveways should be considered.
182. Clark Fortune McDonald & Associates (S99.020) seeks that TRANS-S5 should be deleted as the relevant details are specified in the Subdivision & Land Development Bylaw, and that the gradients specified contradicts the Bylaw. Hamish Weir (FS5.10) supports the S99.020 submission. Kāinga Ora (FS28.024) opposes the submissions as they have concerns around the Subdivision and Land Development Bylaw 2019 and is of the view that subdivision and development is better managed through the district plan process, but agrees that duplication, or inconsistencies are undesirable.
183. Clark Fortune McDonald & Associates (S99.021) also seek that TABLE-S5 Rural Private crossings is amended to apply to less than 4 residential units instead of less than 2 residential units.

Assessment

184. In relation to TRANS-S5 and the Waka Kotahi NZ Transport Agency (S112.044) (S112.045) submission to either align the construction standard with NZTA minimum standards or amend the standard to not apply to state highways, Council's Road Asset Manager has advised that he agrees with the proposed alternative and the standard should not apply to state highways. Mr Gregory also recommends excluding state highways from rural access standards. However, Mr Gregory also recommends including the NZTA Planning Policy Manual standard to apply for rural roads, which Council's Road Asset Manager does not support for local roads which generally have low traffic volumes. I consider that the two approaches can be combined so that R9-01, R9-02 and R9-03 are only applicable to local rural roads, and that the NZTA Planning Policy Manual standard is referenced as an acceptable standard for state highways. Council's Road Asset Manager also recommends that TABLE-S5 should be amended to clarify that the width measured at the kerb line or edge of seal excludes the transition at each end of the crossing.

185. In relation to the Fire and Emergency NZ (S124.017) submission to increase the standard width of all crossings to cater for fire appliances, I disagree with FENZ as TRANS-S4 Firefighting vehicle access applies where the distance for hydrants or the length of the driveway requires access, and I agree with Kāinga Ora (FS28.023) that the residential crossing widths are sufficient.
186. In relation to the Clark Fortune McDonald & Associates (S99.020) submission to delete transport standard construction details, this issue has been addressed previously in this report (paragraph 60) and I disagree with the submission and Hamish Weir (FS5.10). Instead I agree with Kāinga Ora (FS28.024) that subdivision and development is better managed through the district plan process rather than the Bylaw. The issue in relation to gradients was raised as part of feedback on the draft plan¹⁴ where the Bylaw states 1:8 (12.5%) for the first 5m, but for urban crossings (3.3.17.1) these are to be designed to not ground a 99 percentile car in accordance with the NZTA Pedestrian planning and design guide. However, the NZTA guide specifies a driveway gradient of max 5% (1:20) within 6m of a pedestrian path for safety reasons, and there is therefore a contradiction within the Bylaw. Council's Roding Asset Manager advised at the time that Council should apply the precautionary principle and the more restrictive provision should apply, which was adopted in TRANS-S5.1. It should be noted that TRANS-S5 only applies to the vehicle crossing gradients as access gradients are set out in TRANS-S9. Mr. Gregory notes that the 1:8 gradient relates to transitions to a 1:5 access grade, and recommends that alternative wording be included in terms of the transition gradients to ensure a vehicle does not scrape, which is supported by Council's Roding Asset Manager, and I accept their advice.
187. In relation to the Clark Fortune McDonald & Associates (S99.021) submission that the private access standard apply to less than 4 residential units, Council's Roding Asset Manager recommends that the limit should be 'less than 3 residential units', which is the status quo, and I accept his advice.

Recommendation

188. I recommend, for the reasons given above, that TRANS-S5 is amended as shown below and in **Appendix A**.

TRANS-S5 Vehicle crossing design and construction

All vehicle crossings shall be designed, formed, surfaced and drained to:

¹⁴ Section 32 Report – Transport <https://lets.talk.goredc.govt.nz/section-32-reports>

1. Have gradients that:
 - (a) enable the 99th percentile car to use them without grounding any part of the vehicle by ensuring grade transitions which do not exceed 12.5 percent (crest) or 15 percent (sag); and
 - (b) have an ascending gradient of no more than 5 percent (1 in 20) within 6 metres of the closest side edge of a *footpath or pedestrian* through route.
2. ...
3. ...
4. ...
5. Be designed and constructed in accordance with TRANS-Table-S5 and TRANS-APP Standard Construction Drawings.

Except for access on to a state highway where the design standards are set out in the New Zealand Transport Agency Planning Policy Manual (2007), including Diagram C and Diagram E for rural access.

TABLE-S5 Required construction standards and dimensions					
	...	...	Rural <u>applies to all roads except State highways</u>		
	...	...	Private (less than ~~23~~ residential units or farm paddock)	High use or Commercial - All roads except ~~State~~ ~~Highways or~~ accesses on to <i>Rural</i> <i>Connectors</i> which are expected to have greater than 5000 daily traffic movements	Milk tanker – <i>Interregional</i> <i>connectors</i> and <i>Rural Connectors</i> (~~if~~ ~~this is a State~~ ~~Highway~~)
Standard Construction Drawing	...	...	R09 – 1	R09 – 2	R09 – 3
Width (m) at property boundary (urban) or entranceway (rural)	.	.	4.5	4.5	6
Width (m) at <i>kerb</i> line or edge of seal <u>excluding transitions at each end of crossing</u>	.	.	Refer to drawings		

189. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

190. The following evaluates the recommendation to amend TRANS-S5 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the standard do not materially change it but provide greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 TRANS-O3 and TRANS-O4. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and is consistent with road controlling authorities' advice in relation to the management of effects on the transport network.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about the standards that apply to state highways, and the transition gradients if the proposed amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.18 Standards TRANS-S6, TRANS-S7 and TRANS-S8 and Waka Kotahi NZ Transport Agency (S112.052) in relation to GIZ-S6 Landscaping

Matters raised by submitters

191. Waka Kotahi NZ Transport Agency (S112.047) support in part TRANS-S6 Sight distance for vehicle crossings but seeks that the sight distances are either amended to align with the Waka Kotahi Planning and Policy Manual or TABLE-S6 is amended to exclude state highways.
192. Clark Fortune McDonald & Associates (S99.022) (S99.023) seeks that TRANS-S6 and TRANS-S7 should be deleted as these are engineering matters and not appropriate considerations for the District Plan. Hamish Weir (FS5.12) supports the S99.023 submission. Kāinga Ora (FS28.025) (FS28.026) opposes the submissions as they have concerns around the Subdivision and Land Development Bylaw 2019 and is of the view that subdivision and development is better managed through the district plan process.
193. Waka Kotahi NZ Transport Agency (S112.048) support in part TRANS-S8 Structures and vegetation near level crossings but seeks that it is amended to exclude signage and rail/road devices that are intended to make the level crossing places safer. KiwiRail Holdings Ltd

(S132.040) seek amendments to the matters of discretion to allow for consideration for visibility of and for pedestrians and other modes of transport, as well as vehicles, and users of the railway corridor approaching the level crossing.

194. Waka Kotahi NZ Transport Agency (S112.052) support in part GIZ-S6 Landscaping, but seeks amendments to protect the road network from vegetation debris, shading and overhanging and visual obstructions.

Assessment

195. In relation TRANS-S6 Sight Distance for Vehicle Crossings and the Waka Kotahi NZ Transport Agency (S112.047) submission to either amended to align with the Waka Kotahi Planning and Policy Manual or exclude state highways, Mr. Gregory advises that TABLE-S6 match the minimum sight distance requirements of NZTA. Council's Roding Asset Manager recommends that the standard should be specified to apply to state highways and that the 85th percentile column is added as detailed in Table App5B/1 of the Waka Kotahi Planning and Policy Manual. I accept their advice.
196. In relation to the Clark Fortune McDonald & Associates (S99.022) (S99.023) submission to delete transport standard construction details, this issue has been addressed previously in this report (paragraph 60). Accordingly, I disagree with the submission and Hamish Weir (FS5.12), and agree with Kāinga Ora (FS28.025) (FS28.026) that subdivision and development is better managed through the district plan process with a supporting Code of Practice rather than the Bylaw.
197. In relation to TRANS-S8 and Waka Kotahi NZ Transport Agency (S112.048) submission to allow for signage and rail/road devices that are intended to make the level crossing places safer, the amendment is supported by Mr. Gregory and Council's Roding Asset Manager, and I accept their advice. I also agree with KiwiRail (S132.040) submission to broaden the matter of discretion in relation to intervisibility, although matter 1 allows for consideration of any adverse safety effect on all users which would include visibility. However, the intervisibility aspect in matter 2 can be made more explicit and amended wording is proposed.
198. In terms of the Waka Kotahi NZ Transport Agency (S112.052) submission in relation to a Landscaping standard in the Industrial zone (GIZ-S6) to protect the road network from vegetation debris, shading and overhanging and visual obstructions, I consider that if relevant this would perhaps be more suitable as a district wide standard rather than limited to the General Industrial Zone. However, NZTA has not sought an additional provision in relation to this in the Transport chapter, and I therefore do not agree with the submission, unless NZTA provides further evidence why it is required only in the General Industrial Zone.

Recommendation

199. I recommend, for the reasons given above, that TABLE-S6 and TRANS-S8 are amended as shown below and in **Appendix A**

TABLE-S6	Required Sight Distances
-----------------	---------------------------------

Posted Speed Limit (kph)	<u>85th percentile operating speed, measured at the site (or if above not known, posted speed plus 10km/h)</u>	Regional and Primary Collector Roads <u>including state highways</u> (metres)	Other Roads (metres)
50 and less	<u>60</u>	113	55
60	<u>70</u>	140	85
70	<u>80</u>	170	105
80	<u>90</u>	203	135
100	<u>110</u>	282	210

TRANS-S8 Structures and vegetation near level crossings

1. *Buildings, structures, planting or other visual obstructions must not be located within the restart or approach sightline areas of railway level crossings as shown in the shaded areas of TRANS-S8-Figure 1: Restart Sightlines and TRANS-S8 Figure 2: Approach Sightlines below.*

Except that this does not apply to signs and rail/road devices that are intended to make the level crossing places safer where the work is being undertaken by, or on behalf of, the rail or road controlling authority.

Matters of discretion:

1. Any adverse *effect* on the safety of the level crossing for trains, vehicles, pedestrians and any other user of the crossing.
- ~~2. The extent to which vehicles entering and exiting the level crossing can see approaching trains.~~
2. The extent of intervisibility between approaching users of the railway corridor and the level crossing.

200. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

201. The following evaluates the recommendation to amend TABLE-S6 and TRANS-S8 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the standards do not materially change them but provide greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 TRANS-O3 and TRANS-O4. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner which is consistent with technical expert recommendations, national guidance and rail and road controlling authorities advice in relation to the management of effects on the transport network.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about the standards that apply to state highways and the operating speed, or that signs and devices to make a level crossing safer are captured by the level crossing standard and that intervisibility between all users is an assessment matter if the amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.19 Standards TRANS-S9

Matters raised by submitters

202. Waka Kotahi NZ Transport Agency (S112.049) support in part TRANS-S9 Private ways, private roads, and other private accesses but considers that the turning head radius for commercial and industrial use may not be sufficient for large trucks.
203. Nigel Cowburn (S152.001) (S152.002) (S152.003) seeks that TRANS-S9.6(a) refers to a structural edge and the thickness of asphaltic concrete is increased from 25mm to 38mm and that “or” is deleted from (c) so that all drainage from commercial and industrial accesses are through a stormwater treatment device.
204. Fire and Emergency NZ (S124.018) support in part TRANS-S9 but seeks that the gradient is no steeper than 1 in 5 and removal of the 1 in 4.5 exception under TRANS-S9.3(a) as these are not suitable for fire appliances.
205. Clark Fortune McDonald & Associates (S99.024) seeks that provision should be made for alternative surfacing in TRANS-S9 such as permeable surfaces where appropriate. NZ Transport Agency Waka Kotahi (FS14.015) oppose the submission as loose materials may be tracked onto the road network and create a safety risk.
206. Clark Fortune McDonald & Associates (S99.025) seek that TRANS-S9.8 (*Note: The relevant standard in relation to road design requirements for cul-de-sac roads is TRANS-S10.8 and the submission is responded to in the following section*) should be amended to state: “ ...a pedestrian link shall be provided at the end of the urban cul-de-sac roads where appropriate.” Hamish Weir (FS5.13) and Kāinga Ora (FS28.027) support the submission point. Nigel Cowburn (S152.007) requests that pedestrian links need to be overlooked from buildings for pedestrian safety and security. Kāinga Ora (FS28.029) supports the submission point in part as it is in line with CPTED principles but considers that this is better addressed through matters of discretion.

Assessment

207. In relation to TRANS-S9 Figure 1 Turning heads, Waka Kotahi NZ Transport Agency (\$112.049) queries whether the 15m turning radii is sufficient for a quad semi truck, however Mr. Gregory notes that swept paths are not checked for these type of vehicles, and Council's Roding Asset Manager notes that if necessary the radius can be amended to accommodate legal large trucks. There is however not sufficient detail in the Waka Kothai submission to understand what the appropriate radius would be and no change is therefore recommended.
208. In terms of the Fire and Emergency NZ (\$124.018) submission seeking that the gradient is no steeper than 1 in 5 and removing the 1 in 4.5 exception under TRANS-S9.3(a), Mr Gregory and Council's Roding Asset Manager agrees with the submission, and I accept their advice.
209. In relation to TRANS-S9.6, Nigel Cowburn (\$152.001) (\$152.003) submissions TRANS-S9.6(a) already refers to a structural edge rather than a raised kerb, however Council's Roding Asset Manager recommends to include that a structural edge may include suitable concrete or treated timber kerb, and in terms of the surface thickness recommends it should be 30mm not 25mm with amendments to standard construction drawing R05 to align with the standard. Council's Roding Asset Manager agrees with the (\$152.004) amendment to ensure all commercial and industrial accesses treat their stormwater before discharge, and that the standard should specify the maximum catchment area of access stormwater runoff permitted to flow at grade over a property boundary is 40m² for additional direction, and I accept his advice.
210. In relation to surfacing and the Clark Fortune McDonald & Associates (\$99.024) submission seeking provision for alternative surfacing, Mr Gregory notes that the inclusion of sealed parking in urban areas is a typical planning requirement, along with instruments for managing stormwater run-off effects. Although permeable paving can be successful under certain circumstances, he considers that this is more appropriate to include as an assessment matter, which is also supported by the Council's Roding Asset Manager, and I accept their advice.

Recommendation

211. I recommend, for the reasons given above, that.....

TRANS-S9 Private ways, private roads, and other private accesses

All private *vehicle accesses* shall be designed, formed, surfaced and drained so that:

...

3. Centre line grades are not:

- (a) steeper than 1 in 5, ~~except that gradients of 1 in 4.5 may be used over straight lengths of access for a distance of up to 20m.~~

...

6. It does not obstruct any roadside *drain*, and control *stormwater* and debris run-off on to or off the *road* and away from *buildings*, and where:

- (a) all shared urban accesses shall be surfaced and have their edges defined by a structural edge, and all *stormwater* shall *discharge* via an appropriately sized and designed *stormwater* system.

Acceptable surfacing for accesses includes asphaltic concrete (~~25~~30 mm minimum thickness), chipseals, in situ concrete or concrete pavers.

- (d) The maximum catchment area of access stormwater runoff permitted to flow at grade over a property boundary is 40m²

R05 Standard Footpath Details

Amend surfacing thickness from ~~25mm~~ to 30mm

Delete ~~open-graded-emulsion-mix~~ option

212. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

213. The following evaluates the recommendation to amend TRANS-S9 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed change to the standard provides greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 TRANS-O3 and TRANS-O4. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and is consistent with technical expert and road controlling authority recommendations in relation to the management of effects on the transport network, and emergency services advice to ensure access in emergencies.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

There is a risk that fire appliance access in emergencies is restricted, with adverse outcome for health and safety of people and property, and potential for confusion about the surfacing and stormwater management standards that apply if the amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.20 Standards TRANS-S10 and TRANS-S11

Matters raised by submitters

214. Clark Fortune McDonald & Associates (S99.025) seek that TRANS-S9.8 (*Note: The relevant standard in relation to road design requirements for cul-de-sac roads is TRANS-S10.8*) should be amended to state: “...a pedestrian link shall be provided at the end of the urban cul-de-sac roads where appropriate.” Hamish Weir (FS5.13) and Kāinga Ora (FS28.027) support the submission point. Nigel Cowburn (S152.007) requests that pedestrian links need to be overlooked from buildings for pedestrian safety and security. Kāinga Ora (FS28.029) supports the submission point in part as it is in line with Crime Prevention Through Environmental Design (CPTED) principles, but considers that this is better addressed through matters of discretion.
215. Nigel Cowburn (S152.005) seeks that cul-de-sac roads be prohibited as these parts of urban infrastructure are high energy requiring and create hazards in emergency situations. Kāinga Ora (FS28.028) and Clark Fortune McDonald & Associates (FS22.058) oppose the submission point as cul-de-sacs are sometimes necessary.
216. Waka Kotahi NZ Transport Agency (S112.050) (S112.051) support in part TRANS-S10 Road Design Requirements, but seeks clarification on the passing provisions under TRANS-S10.2, seeks amendments to increase passing lane dimensions or to exclude state highway intersections from the standard, and either update the Table-S10 design requirements to include design elements for cyclists and shared paths or exclude state highways.
217. Hamish Weir (S74.004) oppose Table-S10 in part and seeks that a note 4 is included to say the minimum reserve width of an access serving a single household unit may be reduced to 3 metres if the driveway has unrestricted visibility and the length does not exceed 30 metres. Clark Fortune McDonald & Associates (FS22.059) supports this submission point.
218. Fire and Emergency NZ (S124.019) support TRANS-S10 and seeks that it is retained as notified.
219. Clark Fortune McDonald & Associates (S99.026) seek that TRANS-S10.2 is deleted as this provision is already specified in the Bylaw and seeks an allowance for a 70 degree intersecting angle (*Note: The relevant standard in relation to road intersecting angle is TRANS-S11.2*).
220. Waka Kotahi NZ Transport Agency (S112.052) support in part TRANS-S11 Road Intersections and seeks an amendment to reduce the maximum 1.2m height of structures, objects and vegetation within visibility splays to 0.5m, and include an exception for traffic control devices within visibility splays.

Assessment

221. In relation to TRANS-S10.2 and the Waka Kotahi NZ Transport Agency (S112.050) submission seeking clarification on the passing requirements, Council’s Roading Asset Manager recommends that the widening requirements for passing be that The minimum widening requirement on all roads except state highways shall be as described in Drawing R09-2. State

highway intersections with local roads require specific design approval from NZTA, and I accept his advice.

222. In terms of the Waka Kotahi NZ Transport Agency (S112.050) submission Table-S10 design requirements for cyclists and shared paths, Mr Gregory recommends that the table is updated and Council's Roding Asset Manager supports this and recommends a note is also added to TRANS-S10.5 Specific design approval from NZTA to accommodate cyclists is required on urban and rural state highways, and I accept their advice.
223. In relation to TRANS-S10.8 and the road design requirements for cul-de-sac roads, Mr Gregory considers that the requirements for pedestrian connectivity is of importance in ensuring a connected, accessible and resilient transport system; and an outcome which can avoid the effects associated with designing networks solely for car travel (being to the natural environment, safety and public health) and support the national objective of reducing vehicle kilometres travelled (VKT) and emissions reduction, and this is supported by Council's Roding Asset Manager. In terms of the Clark Fortune McDonald & Associates (S99.025) submission, that pedestrian linkages only be provided 'where appropriate' would be superficial and be difficult in practice to assess and are therefore not supported, but can however be determined through a resource consent process. In terms of Nigel Cowburn (S152.005) submission that cul-de-sac roads be prohibited, Mr Gregory considers that pedestrian connectivity through cul de sacs is provided for the reasons detailed above, and the submission is therefore not supported. However, in terms of S152.007 submission to require that windows and spaces overlook walkways, although I agree that this would be consistent with CPTED principles, this relates more to the design of buildings rather than roads, and the road may be constructed before buildings. The design standards therefore relate to the length and width of the path, the height of fences and lighting. Council's Roding Asset Manager also recommends the inclusion of an additional pedestrian connection design standard in Table S10. In terms of Kāinga Ora (FS28.029) submission, there is a matter of discretion relating to whether the design provides for improved connectivity, amenity and safety for pedestrians, and this is therefore already a consideration.
224. Hamish Weir's submission (S74.004) in relation to note 4 for private RoWs has been omitted is correct, the note is included as note 3 and I agree Table S10 should be corrected.
225. The Fire and Emergency NZ submission (S124.019) in support of TRANS-S10 is acknowledged and the road design requirements are generally sought to be retained.
226. Mr Gregory and Council's Roding Asset Manager support and the Waka Kotahi NZ Transport Agency submission (S112.052) in relation to TRANS-S11.4 to reduce the height of structures, objects and vegetation within the visibility splays, excluding traffic control devices, and I accept their advice.
227. In terms of the Clark Fortune McDonald & Associates submission (S99.026), the matter in relation to intersecting angle was raised previously through feedback on the draft plan. The Bylaw does allow for 70 degrees when justified by constraints, and this is included as matter of discretion in the PDP as the justification requires assessment. I consider that a matter requiring assessment is not appropriate for determining compliance with the standard and

therefore reject the S99.026 submission, and the design justification can be considered through a resource consent process.

Recommendation

228. I recommend, for the reasons given above, that TRANS-S10 and TRANS-S11 are amended as shown below and in **Appendix A**.

TRANS-S10 Road design requirements

All *roads* shall be designed, formed, surfaced and drained so that:

...

2. Provision is made for passing as follows:
 - (a) on one lane two-way urban *carriageways* - every 50 m and at corners;
 - (b) at all *rural road* intersections; and
 - (c) in the case of a Cul-de-sac, Right of Way or other shared *vehicle accesses* 6.0 metres or less in width:
 - (i) where it serves more than one *allotment* and is longer than 100m; or
 - (ii) unrestricted visibility is not available over its full length; or
 - (iii) where it serves four or more *allotments* then it shall have a minimum width of 6.0 metres for a distance of 10 metres from the *road boundary*.

~~Each passing area shall be a minimum 2.1m by 6m with appropriate entry and departure tapers outside of the movement lane.~~

The minimum widening requirement on all roads except state highways shall be as described in Drawing R09-2. State highway intersections with local roads require specific design approval from NZTA.

...

5. Footpaths and cycle paths are designed and constructed in accordance with TRANS-APP Standard Construction Drawings, and with permanent surfacing within the urban area.

Specific design approval from NZTA to accommodate cyclists is required on urban and rural state highways

Note: For more detailed pedestrian design guidance, refer to the NZTA Pedestrian planning and design guide.

TABLE-S10 Road design requirements

Amend to include design elements for shared paths and cyclists

Include new category: Pedestrian Connection Footpaths Column: 1 by 1.4 Minimum Reserve Width: 4

Update note reference for Minimum reserve width 3.5m (Private RoW serving 1 to 3 units) to Note 43

TRANS-S11 Road intersections

All *road* intersections shall be designed, formed and surfaced so that:

...

4. Sight lines at intersections are protected by corner visibility splays as follows:
 - (a) outside residential areas in all other 50 kph or lower speed environments - corner splays shall be 4m.
 - (b) all major intersections, described in 3 (b) above shall have corner splays of 6 m.

The visibility splays are the triangular shaped area that extends over the corner of the adjoining lot, where the above distance is measured along both boundaries. Within these areas any *structures*, objects and vegetation excluding traffic control devices shall not exceed ~~1.2~~ 0.5 metres in height, other than *fences* of open wire construction.

229. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

230. The following evaluates the recommendation to amend TRANS-S10 and TRANS-S11 under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the standards provides greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 TRANS-O3 TRANS-O4 and TRANS-O5. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and is consistent with technical expert and road controlling authority recommendations in relation to the management of effects on the transport network.

Costs and benefits

The benefits of the proposal are that visibility and safety around intersections is better protected which has benefits to the community, and that it is clear what is required in terms of PDP administration, and the PDP is interpreted in a consistent manner. There are no apparent costs with the proposal.

Risk of acting or not acting

There is a safety risk that visibility around intersection is not protected and that the control would inadvertently capture traffic control devices, and potential for confusion about the standards that apply pedestrian and cycle paths for local roads and state highways if the amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is considered to be a more appropriate way to achieve the Objectives than the notified version of the PDP.

6.21 Appendix - APP1-TRANS-APP

Matters raised by submitters

231. Nigel Cowburn (S152.006) (S152.008) seeks that the Transport Standard Construction Drawings are updated with quality line art, and that a drawing R02 include a flush kerb cross section. Clark Fortune McDonald & Associates (FS22.068) supports the submission to improve the quality of the drawings if they are to be included in the district plan.
232. Waka Kotahi NZ Transport Agency (S112.181) (S112.182) (S112.183) support in part the Transport Standard Construction Drawings R09-1 R09-2 and R09-3 but seeks that these are updated to reflect Waka Kotahi minimum standard, or add a note clarifying this design is not applicable to an access to a state highway and that consultation is required to be undertaken with Waka Kotahi as the Road Controlling Authority.
233. Clark Fortune McDonald & Associates (S99.044) seeks that TRANS-APP is deleted as it replicates the diagrams already in the GDC Subdivision and Land Development Bylaw and that this detail is not in the ODP to avoid having to go through a plan change to update changes in design standards.

Assessment

234. In relation to the Nigel Cowburn (S152.006) (S152.008) submission regarding updates to the Transport Standard Construction Drawings, Council's Roading Asset Manager agrees that better quality copies of TRANS-APP Standard Construction Drawing diagrams should be provided and that Diagram R02 should be amended to include a flush nib kerb (125mm wide and 250mm deep), and I accept his advice.
235. In relation to Waka Kotahi NZ Transport Agency (S112.181) (S112.182) (S112.183) submissions to either update the drawings to align with Waka Kothai minimum standards or note that they do not apply to state highways, Mr Gregory recommends the use of NZTA standards and the inclusion of Diagram E, however considers that under some circumstances it could be too onerous. Council's Roading Asset Manager agrees with the NZTA proposed alternative and considers that a note should be added to TRANS-APP Standard Construction Drawing Diagram R09-1 R09-2 and R09-3 for rural access advising This drawing does not apply to access onto a State Highway. I consider that the two approaches can be combined so that R9-01, R9-02 and R9-03 are only applicable to local roads, and that a reference to Diagram E be included as an acceptable standard for state highways.
236. In terms of the Clark Fortune McDonald & Associates submission (S99.044) to not have transport construction standards in the PDP, this issue has been addressed previously in this report (paragraph 60) in relation to the general submission by Hamish Weir (S74.002) and Clark Fortune McDonald & Associates (FS22.056) further submission. However, in terms of the requirement for a plan change to update design standards, I would add that a district plan is required to be reviewed every 10 years, and it is acknowledged that a plan change

would be required to update engineering standards in the district plan (or included by reference) outside of this review period and would be subject to public consultation. However, a bylaw is required to be reviewed initially within 5 years and every 10 years thereafter under the Local Government Act 2002, and any changes to the bylaw follows a similar public consultation process to a plan change.

Recommendation

237. I recommend, for the reasons given above, that TRANS-APP Standard Construction Drawing are updated as shown in **Appendix A**, and detailed below, and that better quality copies of the drawings are provided for the decision version of the plan

All diagrams

Provide better quality copies of drawing

R02 Typical Kerb & Channel Profiles

Include flush nib kerb (125mm wide and 250mm deep)

R09-1 Private Rural Access

Add note : This drawing does not apply to access onto a State Highway

R09-2 High Use or Primary Commercial Access

Add note : This drawing does not apply to access onto a State Highway

R09-3 Rural Milk tanker Access

Add note : This drawing does not apply to access onto a State Highway

238. It is recommended that submissions and further submissions are either accepted, accepted in part or rejected as shown in **Appendix B**.

Section 32AA Evaluation

239. The following evaluates the recommendation to amend the TRANS-APP Standard Construction Drawings under section 32AA of the RMA.

Effectiveness and efficiency

The proposed changes to the Standard Construction Drawings do not materially change them but provides greater direction and clarity to plan users and is therefore considered to improve its efficiency and effectiveness in giving effect to the policies and achieving the transport objectives, in particular TRANS-O1, TRANS-O2 TRANS-O3 and TRANS-O4. The proposal will enable the Council to effectively administer the PDP in a clear and consistent manner and is consistent with road controlling authorities' advice in relation to the management of effects on the transport network.

Costs and benefits

The benefits of the proposal are that it is clear what is required in terms of PDP administration and the PDP is interpreted in a consistent manner. There are no apparent

costs with the proposal to landowners, but there is an economic cost to the Council in updating the drawings which is outweighed by the benefits.

Risk of acting or not acting

The risk with acting or not acting is generally low, but there is the potential for confusion about whether the construction standard would apply to state highways, that there would be uncertainty about the construction standards for flush kerbs and that the diagrams would be difficult to read if the quality is not sufficient if the proposed amendments are not made.

Conclusion as to the most appropriate option

The proposed amendment is a more appropriate way to achieve the Objectives than the notified version of the PDP.

7. Consequential and Minor Amendments

240. In order to avoid process duplication it is recommended that the Subdivision and Land Development Bylaw 2019 is repealed and converted to an engineering Code of Practice as a consequential amendment once the plan becomes operative.

241. Council's Roading Asset Manager has noted a number of corrections that are needed to the Transport Standard Construction Drawings where there are apparent contradictions between text and diagrams, these corrections are noted in Appendix A.

8. Conclusions and Closing Recommendation

8.1 Conclusions

242. This report has provided an assessment of submissions received on the Transport Chapters and associated definitions and mapping of the PDP.

243. The submissions were broadly supportive of the objectives and policies, with amendments or additional provisions sought to a range of provisions. Submissions sought amendments to definitions, the transport standard construction standards and drawings, and the removal of transport construction standards covered by the Subdivision and Land Development Bylaw 2019 from the district plan.

244. I consider that the submissions on the Transport topic and associated definitions and mapping assessed in this report be accepted, accepted in part, rejected or rejected in part, as set out in my recommendations in this report including **Appendix B**.

245. Overall, I recommend that the provisions are amended as shown in **Appendix A** for the reasons set out in this report. The main changes recommended include:

- More specific references to the Ngāi Tahu cultural values of importance in the policies.

- Additional rule restriction for the establishment, construction, operation, maintenance and upgrading of the transport network and land transport infrastructure in a highly mobile fauna areas.
- Rule restrictions for access on to all state highways regardless of the street category.
- Advice notes in relation to consultation with the rail or road controlling authority.
- An additional rule to ensure protection of sightlines at railway level crossings.
- Lowering of the threshold for high trip generating activities to 100 Equivalent Car Movements Per Day.
- Amendments to transport construction standards including:
 - i. on-site parking,
 - ii. vehicle crossings,
 - iii. access gradients,
 - iv. structures and vegetation near level crossings and road intersections,
 - v. access surfacing and stormwater management controls,
 - vi. provisions for passing, and
 - vii. design requirements for pedestrian connections and cyclists.

246. I consider that the amended provisions will be efficient and effective in achieving the purpose of the RMA, the relevant objectives of the PDP and other relevant statutory documents, for the reasons set out in the Section 32AA evaluations undertaken throughout this report.

8.2 Closing Recommendation

247. The Hearing Panel accept, accept in part, or reject all submissions (and associated further submissions) as outlined in **Appendix B** of this report.

Signed:

Name and Title	Signature	Date
Tina Carlson- McColl Consultant Planner		19 August 2024