

Before the Hearing Committee in Queenstown

Under: the Resource Management Act 1991

In the matter of: Proposed Private Plan Change 44 to the
Queenstown Lakes District Plan.

By: **RCL Queenstown Limited**
Applicant

Before: **Queenstown Lakes District Council**
Consent Authority

STATEMENT OF EVIDENCE OF JAMES BRIAN COUTTS



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Introduction and Qualifications

- (1) My name is James Coutts. I hold the position of Planning Advisor with the NZ Transport Agency, based in Dunedin. I have been employed by the Transport Agency since 2011.
- (2) I hold the qualifications of Master of Planning, Bachelor of Arts and Bachelor of Commerce from the University of Otago. I am a graduate plus member of the New Zealand Planning Institute.
- (3) I am authorised to make the following comments on behalf of the NZ Transport Agency.

Scope of Evidence

- (4) My statement will address the following matters:
 - The NZ Transport Agency – its statutory objective and role and the reason for its involvement in this process.
 - The strategic significance of the state highway system.
 - The role and characteristics of State Highway 6 (SH6).
 - The NZ Transport Agency's submission including a summary of our requested modifications to the plan change proposal.

NZ Transport Agency

- (5) The Land Transport Management Act (LTMA) defines the objective of the NZ Transport Agency as being to carry out its functions in a way that contributes to an affordable, integrated, safe, responsive, and sustainable land transport system (section 93).
- (6) The functions of the NZ Transport Agency are defined in section 94 of the LTMA, and include among other things:
 - To promote an affordable, integrated, safe, responsive, and sustainable land transport system.
 - To manage the state highway system.
 - To assist, advise, and cooperate with approved organisations (such as regional councils and local territorial authorities).
- (7) When carrying out its functions, the NZ Transport Agency must exhibit a sense of social and environmental responsibility, and when managing the planning and funding of transport activities, the NZ Transport Agency must give effect to the Government Policy Statement (GPS) on land transport funding.

- (8) The NZ Transport Agency will also contribute to the objectives of the New Zealand Transport Strategy and have regard to other policy documents and legislation such as the Government Rounding Powers Act 1989 (previously the Transit New Zealand Act 1989), the Resource Management Act 1991 and the Energy Efficiency and Conservation Strategy.
- (9) It is from this premise that the NZ Transport Agency submitted on this proposal.

Strategic Significance of the State Highway System

- (10) In a national context, state highways form an integrated national network of inter-regional and inter-district routes, and major urban arterials. While state highways form part of a wider roading network in New Zealand, the distinguishing functions of state highways among others are to:
- Connect major centres of population;
 - Provide access to ports, airports, major industrial areas, major primary production areas and major tourist areas; and
 - Service major urban corridors.
- (11) I am aware that case law has affirmed that the state highway network is a physical resource of national importance under the Resource Management Act 1991.¹

The role and characteristics of State Highway 6

State Highway 6

- (12) The state highway in the vicinity of the subject site is classified as a *Regional Strategic* state highway. *Regional Strategic* state highways are the second highest category under the NZ Transport Agency's State Highway Classification, and local access is limited and carefully managed for safety.
- (13) *Regional Strategic* state highways are highways that contribute to the social and economic wellbeing of a region, and connect regionally-significant places, ports or airports. They are also major connectors through regions.

¹ *Auckland Volcanic Cones Society Inc v Transit New Zealand* [2003] NZRMA 316 (HC) 327-328.

NZ Transport Agency Submission

- (14) The NZ Transport Agency's submission neither supported nor opposed the application, but did outline some strategic concerns about the actual and potential effects of this proposed plan change. Specifically, the NZ Transport Agency sought the inclusion of issues and rules:
- Registered Crossing Places CP60, CP62 and CP63 shall be permanently and physically closed.
 - There shall be no future direct state highway access other than at the Woolshed Road / SH6 intersection and at Maori Jack Road.
 - The Woolshed Road / SH6 intersection is upgraded to an acceptable standard to the NZ Transport Agency prior to any vehicles using Woolshed Road to access the proposed Henley Downs Zone.
 - The proposed plan change include a provision that addresses the need for ongoing improvements to the Woolshed Road / SH6 intersection as development progresses, with by way of establishing the need for appropriate financial contribution to construct the agreed necessary improvements or establishes thresholds at which time the proponent / developer is required to carry out the agreed necessary improvements.
 - Insert a rule that requires the following (or like words to similar effect):

All residential dwellings located within 80 metres of the seal edge of State Highway 6 shall meet the following requirement -

New residential buildings located within 80m of the seal edge of the state highway shall be designed and constructed to meet noise performance standards for noise from traffic on State Highway 6 that will not exceed 35dBA Leq(24hr) in bedrooms and 40dBA Leq(24hr) for other habitable rooms in accordance with the satisfactory sound levels recommended by Australian and New Zealand Standard AS/NZ2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors.

This shall take account of any increases in noise from projected traffic growth during a period of not less than 10 years from the commencement of construction of the development.
- (15) I have reviewed the Planning Report and am satisfied that the NZ Transport Agency's submission has been accurately summarised and discussed.

- (16) In saying that, I propose to highlight matters of particular interest to the NZ Transport Agency, and that are important to your deliberations on this matter.

Reverse Sensitivity

- (17) Under this proposal, land adjacent to SH6 will be zoned for residential development and the Transport Agency is concerned about the potential for reverse sensitivity (noise) effects. The Transport Agency accordingly suggests a rule should be added that requires residential dwellings established within 80m of the edge of seal of the adjacent state highway to be designed and constructed to meet the internal sounds levels set out in the Australian New Zealand Standard AS/NZS2107:2000.
- (18) A zone standard that addresses reverse sensitivity has been promoted in the 2015 version of the Plan Change.
- (19) This approach will avoid adverse effects on the residential amenity of residents who will live adjacent to the state highway. It is a method that is regularly used by the Transport Agency to protect the ongoing use of the physical resource, and achieves a degree of success in mitigating this adverse effect. The Transport Agency supports this inclusion of this zone standard.

Existing Accesses

- (20) State Highway 6 is limited access road. Limited access roads are intended to protect the operation of state highways from uncontrolled property access that can potentially affect the safety, efficiency, functionality and level of service of the state highway.
- (21) There are three existing accesses with registered crossing places (CPs) – CPs 60, 62 and 63. These are all within the vicinity of the Woolshed Road / SH6 intersection. The Transport Agency expects that once the Woolshed Road intersection is formed as an access to the Plan Change area, these accesses will be permanently and physically closed, as alternative access to these sites will be available.
- (22) The Section 42A Report on page 74 states that it is considered appropriate that rules are included that make subdivision or land use that creates any additional accesses to the highway a non-complying activity, and that any consent that proposes to upgrade the Woolshed Road intersection shall also propose the permanent and physical closure of CPs 60, 62 and 63. The Transport Agency supports the inclusion of these rules.

Woolshed Road / State Highway 6 Intersection

- (23) The intersection of Woolshed Road and SH6 is a key connection to the Plan Change area. At present it is not formed to a suitable standard. The Transport Agency suggests the Woolshed Road / SH6 intersection will need to be upgraded to accommodate the increase in vehicle movements. This is important to mitigate the adverse transport effects of the proposed Plan Change.
- (24) In response to the Transport Agency's request for clarification on intersection formation and timing, the 2015 Plan Change provisions has proposed a trigger of 500 houses, at which point the intersection will be upgraded and connected to the internal road network.
- (25) In order to ensure the safety and functionality of SH6, this intersection should be designed and formed to a standard that is approved by the Transport Agency. The details of the intersection have not been agreed at this stage, but the Transport Agency acknowledges Woolshed Road as an acceptable location for an access to the Plan Change area.
- (26) The Section 42A Report on page 75 raises the issue of the effects of non-residential use on the intersection, and goes on to suggest that a change in the wording to the rule for the trigger point to "500 households or the equivalent traffic generation from other non-residential uses". The Transport Agency supports this proposed amendment.
- (27) The Transport Agency understands from discussions with the requestor's planning consultant that the requestor intends to construct the intersection sooner than the proposed District Plan requirement. Accordingly, discussions between the Transport Agency and the requestor's traffic consultant have resulted in a suggestion that the trigger point is set at 300 households, or the equivalent traffic generation from other uses.
- (28) SIDRA modelling was done by the applicant's traffic consultant using a merge lane for left-turning traffic out of the Woolshed Road intersection. This was necessary to achieve an acceptable level of service for morning peak traffic. Although it is not clear from the example diagram provided by the traffic consultant, the Transport Agency expects this will form part of the proposed intersection design.
- (29) The Transport Agency understands that the requestor proposed to include a rule in the Plan Change provisions that requires notice be served on the Transport Agency, using section 77D of the RMA. The Transport Agency supports this approach.

Conclusion

- (30) The objective of the NZ Transport Agency is to operate the state highway system in a way that contributes to an integrated, safe and sustainable land transport system.
- (31) For the reasons that I have stated, I recommend that if you are of a mind to approve Plan Change 44, that you do so subject to the relief requested above.
- (32) Thank you for your time and attention.

James Coutts

30 June 2015

