

Before the Hearings Commissioners at Queenstown

Under: the Resource Management Act 1991

In the matter of: Queenstown Lakes Proposed District Plan

Hearing Stream – 15: District Wide
Stage 2

and: **NZ Transport Agency**
Submitter 2538

STATEMENT OF EVIDENCE OF ANTHONY STUART MacCOLL



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1 Qualifications and Experience

- 1.1 My full name is Anthony Stuart MacColl. I am a Principal Planning Advisor with the Dunedin Regional Office of the NZ Transport Agency ('Transport Agency'). I have been employed by the Transport Agency, and its predecessor Transit New Zealand, since 2007.
- 1.2 I hold the qualifications of Master of Resource and Environmental Planning from Massey University, and Master of Science from the University of Otago. I am a full member of the New Zealand Planning Institute. I have also completed the Making Good Decisions programme, and am an accredited Hearings Commissioner.
- 1.3 I am authorised to give the following evidence on behalf of the Transport Agency.

2 Scope of Evidence

- 2.1 My statement will address the following matters:
- a. The Transport Agency's involvement in these proceedings and the hearings for the Proposed Plan.
 - b. The Transport Agency's submissions that relate to Hearing Stream 15.
- 2.2 I provide this evidence in my capacity as a planner with particular expertise and experience in matters relating to transport, but also in my capacity as an employee of the Transport Agency, and from my involvement in the drafting of submissions and further submissions for the Transport Agency on the Proposed Plan. I confirm that, where I give evidence on behalf of the Transport Agency, I have authority to do so.
- 2.3 Whilst I accept this is not an Environment Court hearing, I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2014). For those aspects of my evidence where I offer my expert planning opinion, I have complied with the Code in the preparation of this evidence, and will follow it when presenting evidence at the hearing.

- 2.4 Unless I state otherwise, my evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

3 Executive Summary

- 3.1 The Transport Agency's submission seeks to ensure that the Proposed Plan does not compromise the functionality, efficiency and safety of the transport network.

- 3.2 In relation to the provisions of Chapters 25, Chapter 29, Chapter 31 and Visitor Accommodation provisions, the Transport Agency's submission:

- a. supported earthworks provisions that; recognise they provide benefits to communities; recognise they are often required by infrastructure providers; and those provisions that seek to manage their potential adverse effects;
- b. supported transport provisions that encourage a connected network that caters for all modes of transport (pedestrians, cyclists, public transport, active networks, private vehicles and freight);
- c. supported transport provisions that promote a compact urban form; and require the consideration of parking, loading, access, onsite manoeuvring, safety and transportation;
- d. supported signage provisions that will contribute to a safe transport network;
- e. supported Open Space and Recreation Zone provisions that promote integrated public access connections to walking and cycling networks, and a safe and efficient network for the movement of people and goods;
- f. supported Visitor Accommodation provisions that will restrict the loss of housing supply for long term occupation;
- g. sought to improve clarity of expression; and

- h. sought amendments to acknowledge Transportation Agency standards and sought an amendment to the definitions to include land based structures for water transport as a component of transport infrastructure.

4 The Transport Agency's role in the Plan Change process

- 4.1 The Transport Agency is a Crown entity established under section 93 of the Land Transport Management Act 2003. The Transport Agency's statutory objective is 'to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest.
- 4.2 I prepared the submission on behalf the Transport Agency for Stage 2 of the hearings for the Proposed Plan, dated 23 February 2018 (Submission number 2538), and a further submission, dated 27 April 2018 (Further Submission number 2727).
- 4.3 The overall objective of the Transport Agency in these proceedings is to ensure that the Proposed Plan provisions contribute to an effective, efficient and safe transport system. The Transport Agency recognises the importance of development in the Queenstown Lakes District, but considers this should occur in a manner which does not compromise the effectiveness, efficiency and safety of the transport network.

5 Transport Agency submission points relating to Hearing Stream 15

- 5.1 The Transport Agency's submission raised a number of points that relate to these proceedings. In summary, the Transport Agency's submission:
 - a. supported earthworks provisions that; recognise they provide benefits to communities; recognise they are often required by infrastructure providers; and those provisions that seek to manage their potential adverse effects;
 - b. supported transport provisions that encourage a connected network that caters for all modes of transport (pedestrians, cyclists, public transport, active networks, private vehicles and freight);

- c. supported transport provisions that promote a compact urban form and require the consideration of parking, loading, access, onsite manoeuvring, safety and transportation;
- d. supported signage provisions that will contribute to a safe transport network;
- e. supported Open Space and Recreation Zone provisions that promote integrated public access connections to walking and cycling networks, and a safe and efficient network for the movement of people and goods;
- f. supported Visitor Accommodation provisions that will restrict the loss of housing supply for long term occupation;
- g. sought to improve clarity of expression; and
- h. sought amendments to acknowledge Transportation Agency standards and sought an amendment to the definitions to include land based structures for water transport as a component of transport infrastructure.

Chapter 25: Earthworks

- 5.2 In relation to Chapter 25: Earthworks, the Transport Agency supports the following provisions for the reasons set out in its submission:
- a. Objective 25.2.2; and Policies 25.2.2.1a, 25.2.2.2, 25.2.2.6, and
 - b. Rules 25.5.7a, 25.5.13, 25.8.4c, 25.8.8a, and 25.8.10a.
- 5.3 I note the Section 42A Report either supports these provisions as notified or proposes some minor and consequential amendments. I support these recommendations.

Chapter 29: Transport

- 5.4 The Transport Agency lodged submissions in support of the following provisions for the reasons set out in its submission:
- a. Objectives 29.2.2, 29.2.3, and

- b. Policies 29.2.1.2, 29.2.1.3, 29.2.1.4, 29.2.1.5, 29.2.2.2, 29.2.2.3, 29.2.2.5, 29.2.2.7, 29.2.2.8, 29.2.2.9, 29.2.2.10, 29.2.2.11, 29.2.3.3, 29.2.3.5, 29.2.4.1, 29.2.4.3, 29.2.4.5, 29.2.4.7 and
 - c. Rules 29.4.5, 29.4.7, 29.4.8, 29.4.9, 29.4.11, 29.4.14, 29.4.16, 29.4.17, 29.4.18, 29.5.14, 29.5.15, 29.5.21, 29.5.23, 29.7.2, 29.8.2.1, 29.8.3, 29.8.5, 21.5.43A and 12.4.17.

5.5 The Section 42A Report recommends these be retained as proposed or with only minor amendments. I support these recommendations.

5.6 The Transport Agency lodged submissions in support of the following provisions with minor amendments for the reasons set out in its submission:

 - a. Objectives 29.2.1, 29.2.4, and
 - b. Policies 29.2.1.1, 29.2.2.1, 29.2.2.6, 29.2.4.4, 29.2.4.9 and
 - c. Rules 29.4.10, 29.5.19 and 29.14.

5.7 The Section 42A Report recommends these be accepted with or without minor amendments. I support these recommendations.

5.8 The Transport Agency also seeks amendment to Policy 29.2.2.12 (proposed Policy 29.2.2.10 of the Officer's Report) to clarify intent and to remove the secondary component of the policy which is "*while not unreasonably preventing development and intensification*". I suggest that this policy creates tension between safety and development when the primary objective of the policy is the consideration of safety and efficiency of the transport network. The Council officer preference is to mitigate the effects rather than avoid them. The Transport Agency agrees that there are circumstances where adverse effects cannot be avoided, however, these situations do not need to be included in the policy.

5.9 In view of the above, I suggest the Transport Agency's proposed amendment be further refined to read:

Manage the location, number and design of vehicle crossings so that development and intensification does not adversely affect the safety and efficiency of the transport network and its users.

- 5.10 The Transport Agency also seeks an amendment to Rule 29.5.16 as drafted in its submission. The Transport Agency suggested an advice note as follows:

Advice Note: Vehicular crossings providing access to a State highway shall comply with the above standards except Diagram 9 shall be replaced with Diagram 10.

This is to advise plan users what standards apply to accesses to State highways. The S42A Report recommends not including the advice note in the Rule in case the Transport Agency changes its standards during the life of the plan in which case the advice note would be outdated.

- 5.11 I am of a different view. The proposed District Plan contains rules with other Transport Agency standards relating to minimum sight distances from vehicle access onto State highways (Rule 29.5.19) and minimum distance between vehicle crossings onto State highways (Rule 29.5.21). I therefore suggest it logical to include State highway access standards within the rules to provide clarity to District Plan users.

- 5.12 For the same reasons the Transport Agency suggests 29.15.9 Diagram 9 – Access Design should be amended so that it states:

“Not suitable for State highways”.

- 5.13 The Transport Agency submitted that the definition of ‘*Transport Infrastructure*’ should be amended to ensure potential land based structures associated with public water transport are captured within this definition. The Transport Agency’s proposed amendment possibly did not reflect this intent as the Council Officer interpreted it as a request to include structures on water. In view of this I suggest the additional bullet point recommended by the Council Officer should be further amended to read as follows:

Any other land based structures required for transport activities on land or water in relation to the establishment of roads, cycleways, walkways, rail, or any other means.

Chapter 31: Signs

- 5.14 The Transport Agency largely supported the Chapter 31 provisions. The Transport Agency lodged submissions either in support or requested minor amendments to the following provisions for the reasons set out in its submission:
- a. Objectives 31.2.2, 31.2.6 and
 - b. Policies 31.2.1.3, 31.2.1.4, 31.2.1.10, 31.2.2.1, 31.2.2.2, 31.2.2.5, 31.2.5.2, 31.2.6.1, 31.2.6.3, and
 - c. Rules 31.5.13, 31.5.14, 31.5.15, 31.5.18, 31.5.19, 31.11 and 31.12.2.3.
- 5.15 The Section 42A Report recommends these be retained as proposed or with only minor amendments. I support these recommendations.
- 5.16 The Transport Agency also seeks to add a new Rule 31.6.12 as drafted in its submission. The Section 42A Report supports this addition with a minor amendment. I support this recommendation.
- 5.17 I note, however, that there appears to be a transcription error for Rule 31.6.12 in both the Section 42A Report (paragraph 15.6) and in Appendix 1 (Section 42A Recommended Provisions). I suggest Rule 31.6.12 d. should be amended to read:
- d. Shall be located at least 200m from an official sign or traffic signal in rural areas.*

Chapter 38: Open Space & Recreation

- 5.18 The Transport Agency lodged submissions in support of Policy 38.2.1.1c and Policy 38.2.2.6 for the reasons set out in its submission. The Section 42A Report recommends these be retained as proposed. I support these recommendations.

Visitor Accommodation

- 5.19 The Transport Agency lodged submissions in support of the proposed Visitor Accommodation provisions which will assist with ensuring residential units are predominantly used for residential activities rather

than for short-term letting for visitors. The Transport Agency supports the management of visitor accommodation which will restrict the loss of housing supply for long term occupation. Ensuring residential zones are the key providers of residential capacity will decrease the demand to provide residential capacity outside the urban growth boundaries where residential activities are not anticipated or infrastructure has not been planned for.

5.20 In view of this the Transport Agency supported the following provisions for the reasons set out in its submission:

- a. Zone Purposes 7.1, 8.1, 9.1, 11.1 and Objectives 7.2.9, 8.2.15, 9.2.7, 11.2.4, and
- b. Policies 7.2.8.2, 7.2.9.3, 8.2.14.2, 8.2.15.3, 9.2.7.1, 9.2.7.3, 11.2.3.2, 11.2.4.3 and
- c. Rules 7.5.17, 8.5.15, 11.5.12, 22.5.14 and 41.5.20

5.21 The Section 42A Report recommends these be retained as proposed or with only minor amendments. I support these recommendations.

6 Conclusions

6.1 The Transport Agency generally supports the Proposed Plan, and its management of effects on the functionality, efficiency and safety of the transport network. The relief sought by the Transport Agency through its submissions has largely been granted by the recommendations in the various section 42A Reports relevant to this hearing stream. In the interests of promoting safe and efficient functioning of the transport network, the Transport Agency requests that the various minor amendments to the provisions discussed in my evidence be accepted by the Panel.

Anthony Stuart MacColl

6 August 2018