

**Before the Hearings Commissioners at Queenstown**

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*Under:* the Resource Management Act 1991

*In the matter of:* Queenstown Lakes Proposed District Plan  
Hearing Stream – 09: Resort Zones  
Chapter 41 (Jacks Point Zone)

*By:* **Queenstown Lakes District Council**

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**STATEMENT OF EVIDENCE OF ANTHONY STUART MacCOLL**

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**S0719–NZ Transport Agency–T09–MacColl A–Evidence**



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### **Introduction and Qualifications**

- (1) My name is Tony 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 (*Transit*), since 2007.
- (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.
- (3) Whilst I accept that this is not an Environment Court hearing, I have read and agree to comply with the Environment Court's Code of Conduct for Expert Witnesses contained in the Practice Note 2014. Unless I state otherwise, this evidence is within my scope of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express here.
- (4) I am authorised to make the following comments on behalf of the Transport Agency.

### **Scope of Evidence**

- (5) 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 NZ Transport Agency's submission.

### **NZ Transport Agency**

- (6) The Land Transport Management Act (LTMA) defines the objective of the 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 94).
- (7) The functions of the Transport Agency are defined in section 95 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; and,
  - to assist, advise, and co-operate with approved organisations (such as regional councils and local territorial authorities).
- (8) When carrying out its functions, the Transport Agency must exhibit a sense of social and environmental responsibility, and when managing the planning and funding of transport activities, the Transport Agency must give effect to the Government Policy Statement (GPS) on land transport funding.
- (9) The Transport Agency will also contribute to the objectives of the 'Connecting New Zealand: the government's policy direction for transport' and have regard to other policy documents and legislation such as the Government Roding Powers Act 1989, the Resource Management Act 1991, the Safer Journeys Road Safety Strategy and the Energy Efficiency and Conservation Strategy.
- (10) It is from this premise that the Transport Agency submitted on the Queenstown Lakes proposed District Plan.

#### **Strategic Significance of the State Highway System**

- (11) 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.
- (12) I am aware that caselaw has affirmed that the State highway network is a physical resource of national importance under the Resource Management Act 1991.<sup>1</sup>

#### **NZ Transport Agency Submission**

- (13) The Transport Agency made submissions on the Jacks Point Zone of the proposed District Plan (PDP). I have read the

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

relevant Section 42A Report and comment on this through my evidence.

***Jacks Point Zone (Chapter 41)***

- (14) Policy 41.2.1.25 provides for a safe and efficient access from the State highway. The Transport Agency submitted in support of Policy 41.2.1.25 as it promotes the sustainable management of the State highway. The Council Officer recommends retaining this Policy as proposed and I support this recommendation.
- (15) Access to the Jacks Point Zone has previously been provided by Maori Jack Road which has an appropriately formed intersection with State Highway 6 (SH6). Plan Change 44:Henley Downs (PC44) within the Jacks Point Resort Zone proposed to modify the access arrangements to enable dual access to the wider zone by also providing access through Woolshed Road.
- (16) The Transport Agency submitted on Rule 41.5.6 of the proposed District Plan suggesting the provisions that trigger the upgrade of the State Highway/ Woolshed Road intersection should be amended to reflect what it understands to be the amount of development that was agreed to during the PC44 process.
- (17) The Transport Agency opposed the submission of RCL (Further Submission 855.1) which sought to amend the structure plan to enable a State highway access to a specific site in addition to or instead of the Woolshed Road intersection that was intended as part of the Plan Change 44 process.
- (18) Subsequently, this alternative access has now been designed as part of a 109 lot subdivision that has been approved via resource consent RM160562. The Transport Agency provided its 'affected party approval' to this proposal.
- (19) The Section 42A Report advises that RCL (Submitter 855) applied for resource consent in December 2016 to subdivide a further 160 lots from this road and that the applicant is working with the Transport Agency for approval for the use of this access for the additional lots. I am unaware of this recent proposal and any discussions between RCL and the Transport Agency regarding this.
- (20) Mr Corbett, in his transport evidence provided on behalf of the Queenstown Lakes District Council, suggests consideration needs to be given to how vehicles will access this third access to the State highway via the local road network. The Council Officer considers that it very important that the roading is well integrated and well-

connected across the zone. The Council Officer also recommends that this new collector road, approved as part of RM160562, be shown on the Structure Plan as part of the primary road network.

- (21) The two existing authorised accesses (Maori Jack Road and the access authorised via Resource Consent RM160562) to the subject site may ultimately be the only accesses to the site. In view of this, I concur with the view of the Council Officer that it is therefore very important that the roading is well integrated and well-connected across the zone and with the State highway which is consistent with proposed Policy 41.2.1.26. I also support the Council Officer's recommendation to include this new road on the Structure Plan.
- (22) This recently approved access is likely to be constructed immediately as opposed to the Woolshed Road access which was to be constructed when development within Hanley Downs met a predetermined trigger point. Consequently, I agree with the Council Officer who advises that Rule 41.5.6.1 which required access from State Highway 6 to be from the intersections of Maori Jack Road and Woolshed Road only, can no longer be achieved.
- (23) I also concur with the Council Officer's observation that there is now considerably greater uncertainty as to whether the Woolshed Road intersection will be upgraded, what its function will be, what areas it may serve, and when it might occur. Consequently, the notified Rule 41.5.6.2 which stipulated the trigger point for the Woolshed Road intersection upgrade is now also outdated as observed by the Council Officer.
- (24) Mr Corbett advises that the transportation assessment report prepared by Traffic Design Group (TDG) in 2012 for the Hanley Downs Plan Change 44 development demonstrated the need for two accesses to service the predicted growth. Mr Corbett also advises that the maximum land use capacity in the Jacks Point Zone has now changed significantly since the assessment undertaken by TDG in 2012. Mr Corbett suggests that it is likely that an additional access will be required at some point to support future traffic.
- (25) The issues with Woolshed Road that were identified as part of the Plan Change 44 assessment still remain. That is, it is not currently formed to a standard to accommodate intensified use. If any more vehicles over and above the existing use require to use Woolshed Road to access SH6 then the Woolshed Road/SH6 intersection will need to be 'T'd up and the intersection standard upgraded. I therefore support the recommendations of Mr Corbett and the

Council Officer that a rule should be added that requires the Woolshed Road/State Highway 6 intersection to be upgraded prior to any increase in use of the intersection is allowed. I also agree with the recommendation of the Council Officer that it should continue to be shown on the Structure Plan.

- (26) In my view the difficulty with the appropriateness of the access arrangements can be summarised as follows:
- Previously there was one access (Maori Jack Road) to the subject site and a determined trigger point for the upgrade of the second access (Woolshed Road).
  - There is now two approved accesses to the subject site, (Maori Point Road) and the access approved by resource consent RM160562.
  - Relying on the evidence of Mr Corbett, the proposed notified provisions have increased the development potential of the subject site.
  - It is unknown whether an additional access (Woolshed Road) will be required. However, if the proposed provisions are approved and the development potential increases then it is likely an additional access to the subject site will be required in the future.
  - The difficulty is in determining what level of development will trigger the necessity to provide the additional access (Woolshed Road).

I therefore suggest further traffic modelling should be undertaken to forecast the traffic effects and determine an appropriate new trigger point for Rule 41.5.6.2

- (27) Mr Corbett recommends that additional traffic modelling be undertaken to better understand the traffic effects on the internal and wider network. In view of the above, I support this recommendation. Because of the uncertainty of the potential traffic effects, Mr Corbett also suggests that traffic effects need to be a matter of discretion/control when considering development within the zone. I support this recommendation also as it will assist in the sustainable management of the transport network.

- (28) The Council Officer recommends the following amendments to Rules 41.5.6 and in view of the above my comments are as follows:

*41.5.6.1 Access from State Highway 6 shall be only at the intersection at Maori Jack Road, ~~and~~ Woolshed Road and in a third location as approved by RM160562, as shown on the Structure Plan.*

I support this amendment.

~~41.5.6.2 No more than 500 residential units may be built within the R(HD) and R(SH HD) Activity Areas without the Woolshed Road intersection being completed and available for use.~~

The Council Officer recommends that Rule 41.5.6.2 be deleted as there is no longer any evidence to support it. I agree that the trigger point in Rule 41.5.6.2 has now been superseded with the addition of the consented access associated with resource consent RM160562. I suggest this rule should be amended and updated with an appropriate new trigger point after new traffic modelling. If this is not possible and this rule is deleted then I suggest it is imperative that traffic effects are a matter of discretion/control when considering development within the zone so that the Woolshed Road/SH6 intersection can be required to be upgraded if/when necessary.

41.5.6.3 *The scale of use of the Woolshed Road access shall not increase until an amended design for that road's intersection with State Highway 6 has been upgraded, completed and available for use, except as provided for through the approval of a Traffic Management Plan by the NZ Transport Agency (refer Advisory Note below)*

*Discretion is restricted to the safe and efficient functioning of the road network.*

Advice Notes

i. A 'Traffic Management Plan' is required to be submitted to the NZ Transport Agency from any person/s using Woolshed Road in relation to construction within the Jacks Point Resort Zone.

ii. The upgrade of the intersection of Woolshed Road and State Highway 6 will require approval from the Transport Agency.

I support the Council Officers proposed Rule 41.5.6.3 which restricts the use of Woolshed Road to its current use. Intensified use of Woolshed Road can only occur after the Woolshed Road/SH6 intersection has been upgraded to an appropriate standard, except for construction vehicles which require an approved Traffic Management Plan. I suggest this will contribute to the sustainable management of the State highway and therefore support the Council Officer's proposed Rule 41.5.6.3.

Notification

- (29) The Transport Agency submitted on Rule 41.6.2.5 which identified the Transport Agency as an affected party for those restricted discretionary activities that require access from a State highway. The Council Officer has proposed amendments to this rule which removes reference to the Transport Agency. I am of the view that the proposed amended wording will mean the Transport Agency, as the road controlling authority for the State highway, will still be served notice for those activities requiring restricted discretionary activity resource consent under Rule 41.5.6. In view of this I support the Council Officer's proposed amendment to Rule 41.6.2.5 which reads:

41.6.2.5        *Rule 41.5.6 Access to the State Highway, only in respect of the NZ Transport Agency*

**Conclusion**

- (30) The objective of the 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 consider that the Committee should have appropriate regard to the matters raised in the Transport Agency's submission and in this Brief of Evidence.

**Tony MacColl**

03 February 2017