

**BEFORE THE HEARINGS PANEL  
FOR THE PROPOSED QUEENSTOWN LAKES DISTRICT PLAN**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of re-notified Stage 1  
submissions: Gertrude's  
Saddlery Limited and  
Larchmont  
Developments Limited  
at Arthurs Point

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**REPLY EVIDENCE OF MICHAEL ANDREW SMITH  
ON BEHALF OF QUEENSTOWN LAKES DISTRICT COUNCIL**

**TRANSPORT**

**24 March 2023**

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## 1. INTRODUCTION

- 1.1 My full name is Michael Andrew Smith. I prepared a statement of evidence in chief<sup>1</sup> (**EiC**) and a statement of rebuttal<sup>2</sup> in relation to the Arthurs Point re-notification hearing, which concerned the rezoning relief sought by Gertrude's Saddlery Ltd (**Gertrudes Saddlery**) and by Larchmont Developments Ltd (**Larchmont**).<sup>3</sup> My qualifications and experience are set out at section 1 of my EiC.
- 1.2 I attended the hearing on 1 February and 3 February 2023, and have listened to the recording of 2 February 2023. During the course of the hearing, Commissioner Taylor asked for Council to advise through its right of reply, what the road requirements are for each of the various development options.
- 1.3 In summary, I have considered the nature and scale of the existing environment, and the various development options. My assessment identifies that the existing environment requires a type E12 road formation, as would the submitters' rezoning proposal. The various scale of the other development options all fit within the type E12 road formation, and do not trigger a larger road formation.

## 2. ROAD REQUIREMENTS

- 2.1 I have assessed the following development options:
- (a) Existing position – 41 lots:
    - (i) 17 existing land parcels have access (I explain this number further below); and
    - (ii) 24 lots at 450m<sup>2</sup> on the existing LDSR;
  - (b) Council's position – 41 existing + **16 new** lots:
    - (i) 17 existing land parcels have access;
    - (ii) 24 lots on the existing LDSR; and
    - (iii) 16 lots at 450m<sup>2</sup> on the Council's extended LDSR;

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1 Dated 18 October 2022.

2 Dated 20 December 2022.

3 Submissions #494 and #527.

- (c) The Submitters' position (being that advanced in its memorandum dated 13 October 2022 and evidence filed November 2022) – 41 existing + **29 new** lots:
- (i) 17 existing land parcels have access;
  - (ii) 24 lots on the existing LDSR;
  - (iii) 12 lots at 450m<sup>2</sup> on the extended LDSR; and
  - (iv) 17 lots as identified on the structure plan for the LLRB.

**2.2** In assessing the road requirements,<sup>4</sup> I undertook an assessment of the present use of Atley Lane, and then considered the total number of lots enabled by the development options as set out in paragraph 2.1 above.

### **Calculation of existing environment / current position**

**2.3** There are 17 existing land parcels / dwellings that access directly onto Atley Lane.<sup>5</sup> I have excluded the three properties at 6, 8 and 12 Larchmont Close that have a Right of Way (**RoW**) agreement over 10 Larchmont Close, where the most logical route would be via Larchmont Close.

**2.4** An extract of the QLDC GIS maps incorporating the identified properties is attached below as Figure 1.

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<sup>4</sup> Smith, Rebuttal Evidence 20 December 2022, paragraph 6.1 – 6.14.

<sup>5</sup> Numbers 94, 96, 98, 100, 102, 104, 106, 108, 107, 107A, 107B, 10 Larchmont Close (ROW access through to Atley Lane, 111, 113, 115, 119 and 163).

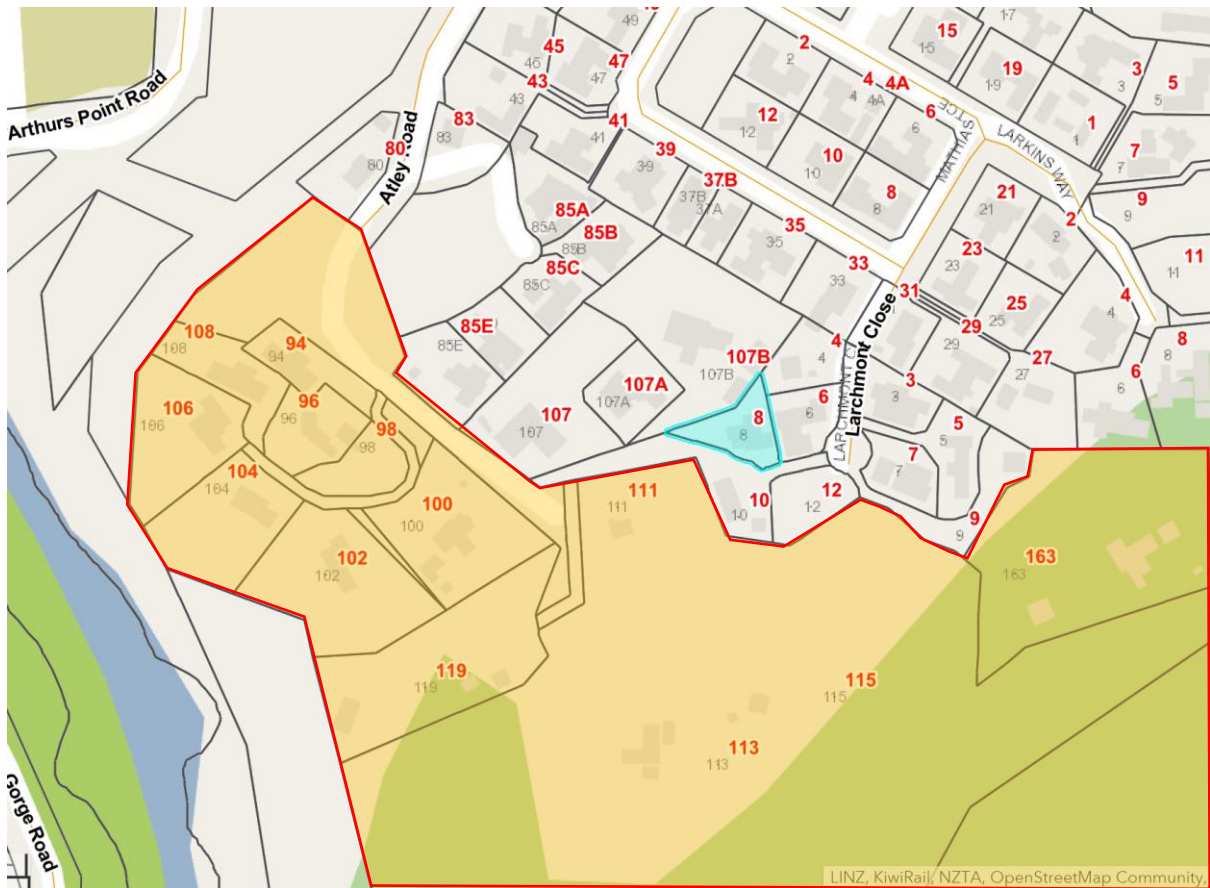


Figure 1

- 2.5 Properties 85E, 85C, 85B, 85A and 83 are serviced off a lane connecting to Atley Road in the location of 80 Atley Road. Number 80 has direct connection to the end of the current sealed portion of Atley Road.
- 2.6 All other properties abutting Atley Road, to the east of the existing formed road, obtain access via Mathias Terrace.
- 2.7 In addition to the 17 existing properties, I am advised by Ms Evans that the existing (operative) LDSR zone enables 24 lots. This represents a total of 41 dwelling units.

### 3. EXISTING POSITION

- 3.1 The QLDC Land Development and Subdivision Code of Practice (**CoP**); Section 3.3.2 Road Geometric Design, Table 3.2 – Road Design Standards specifies the required road formation and widths considering Place Context, Design Environment, and Link Context. Table 3.2 also provides guidance on the expected road classification, and indicative traffic volumes for that road type. I

have considered this table, and have determined that the existing environment, as described above, falls into the classification of Suburban, Live and Play.

**3.2** Table 3.2 of the CoP determines the minimum road formation based upon the number of domestic units (**DU**) that access onto the roadway. Of note to this assessment is the two classifications being an E11 (1 to 20 DU), and an E12 (1 to 200 DU). The existing environment of 41 DU requires an E12 road formation. **Figure 2** below details an extract from Table 3.2.

**3.3** This is presented in my rebuttal evidence, at paragraphs 6.4 – 6.6.

**3.4** Mr Bartlett's assessment<sup>6</sup> arrives at the same conclusion.

| PLACE CONTEXT |                       |                              | DESIGN ENVIRONMENT |                               |                              |            | LINK CONTEXT   |   |                                |  |   | TYPICAL PLAN AND CROSS SECTION<br><br>SEE APPENDIX E FOR LARGER VERSION OF FIGURES | FIGURE NUMBER |
|---------------|-----------------------|------------------------------|--------------------|-------------------------------|------------------------------|------------|--|---|--------------------------------|--|---|--|---------------|
| Area          | Land use              | Local attributes             | Locality served    | Target operating speed (km/h) | Min. road reserve width (m)  | Max. grade | Pedestrians  | Passing, parking, loading, and shoulder   | Cyclists                       | Movement lane (excluding shoulder)                       | Classification                              |  |               |
| Notes         | See 3.2.4 & table 3.1 | See table 3.1                | See table 3.1      | See 3.3.5                     | See 1.2.2, 3.3.1.9, & 3.4.16 |            | See 3.3.11   | See 3.3.6 & 3.3.1.4   | See 3.3.1.4, 3.3.8, & 3.3.11.2 | See 1.2.2, 3.3.1.1, 3.3.1.2, 3.3.1.3, 3.3.1.10, 3.3.11.3 | See 3.2.4.2 & 3.3.16 (Typical max. volumes) |  |               |
|               | Live and play         | Access to houses/ townhouses | 1 to 20 du         | 20                            | 9                            | 16%        | Shared (in movement lane)  | Shared (in movement lane)   | Shared (in movement lane)      | 5.5 - 5.7  | Lane (~ 200 vpd)                            | E11  |               |
|               | Live and play         | Primary access to housing    | 1 to 200 du        | 40                            | 15                           | 12.5%      | 1.5 m one side or 1.5 m each side where more than 20 du or more than 100 m in length | Shared parking in the movement lane up to 100 du, separate parking required over 100 du | Shared (in movement lane)      | 5.5 - 5.7  | Local road (~ 2,000 vpd)                    | E12  |               |

Figure 2: extract from QLDC CoP

#### 4. SUBMITTERS' PROPOSAL

**4.1** I understand that the submitters' rezoning proposal would yield in the order of 29 additional lots.

**4.2** 29 DU is on the lower end of the 1 to 200 DU possible under a type E12 road. Including the existing 41 lots that require use of the same road (total, 70 lots),

6 J Bartlett, Statement of Evidence, 15 November 2022: Para 31

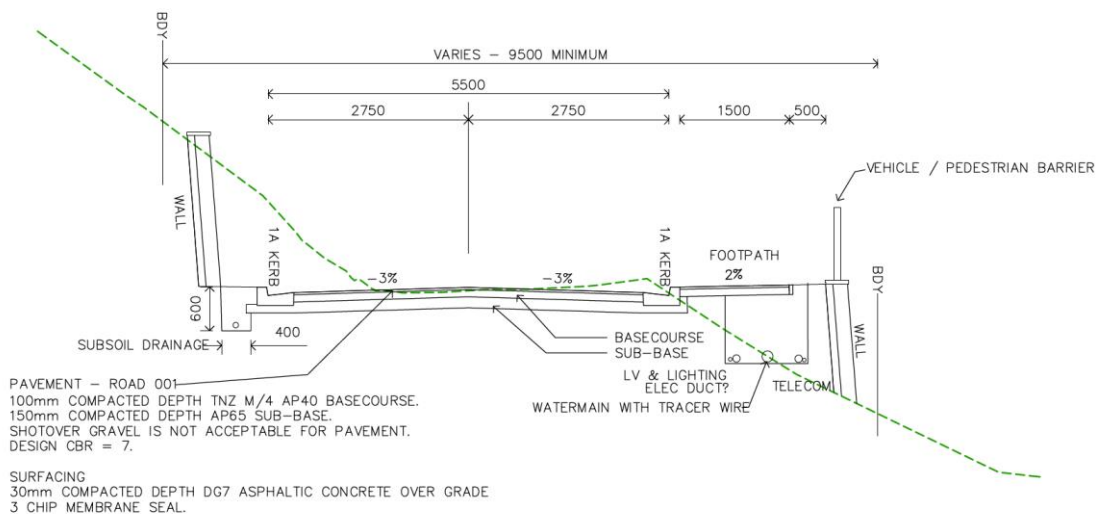
that still sits within the same threshold of 200 DU for an E12 road. A trigger for a larger road form is not met.

## 5. COUNCIL'S POSITION

5.1 Council's position sits between the current environment and the submitters' position, therefore will also require an E12 road type.

## 6. E12 ROAD FORMATION REQUIREMENTS

6.1 There are specific elements that an E12 road formation requires. These are the movement lane, footpath, cyclist and total road width. I comment on all in the sections below. To assist in response to concerns raised by submitters<sup>7</sup> at the hearing on those elements, I consider the minimum requirements below, and include the typical cross section of the proposed road for reference.



ROAD 001 - CH 100 -180

### Movement Lane requirement: 5.5 metres to 5.7 metres

6.2 The proposed road formation presented by the submitters at the hearing meets this requirement.

7 Wolt & Hyland, para 63 - 69; APCA (Blackford), para 5 - 12.

### **Footpath requirement: 1.5 metre footpath**

- 6.3** The proposed road formation presented by the submitters at the hearing meets this requirement.
- 6.4** I note the specific requirement is that where the road services more than 20 DU, or is longer than 100 metres in length, a 1.5 metre footpath should be formed on both sides of the movement lane.
- 6.5** In this regard, I stated in my rebuttal evidence,<sup>8</sup> that the proposed road formation is a technical non-compliance. With specific consideration of footpaths, I consider that a footpath on the north side of Atley Lane serves no direct connection to the adjacent properties, and if formed, would be at the base of an extensive retained face. The north footpath, if formed in its entirety, would be in an area of extensive shading in winter, and would have users traversing along the inside of a tight to moderate curve proposed in the alignment, in the vicinity of 94 Atley Lane. I consider that use of a path in this location would serve little or no benefit, and if formed, would require more extensive cut faces (higher cuts), and require additional land from adjacent properties to enable formation.

### **Cyclist requirement: shared in movement lane**

- 6.6** The proposed road formation presented by the submitter at the hearing meets this requirement.
- 6.7** I have considered evidence presented by further submitters relating to the safe movement of cyclists. I consider that cycle use in lane is considered under the E12 requirements, but I acknowledge the concerns expressed. To assist, best practice design for slow speed environments for cycle use must consider the inclusion of appropriate mitigation treatments. These can include, but not be limited to, speed tables across the movement lane to slow vehicle speeds, inclusion of sharrow markings<sup>9</sup> (indicated below) to inform all users of the potential presence of cyclists in lane, and the inclusion of devices from permanent warning signs (Vulnerable User: Cyclist), through to active vulnerable user signs.

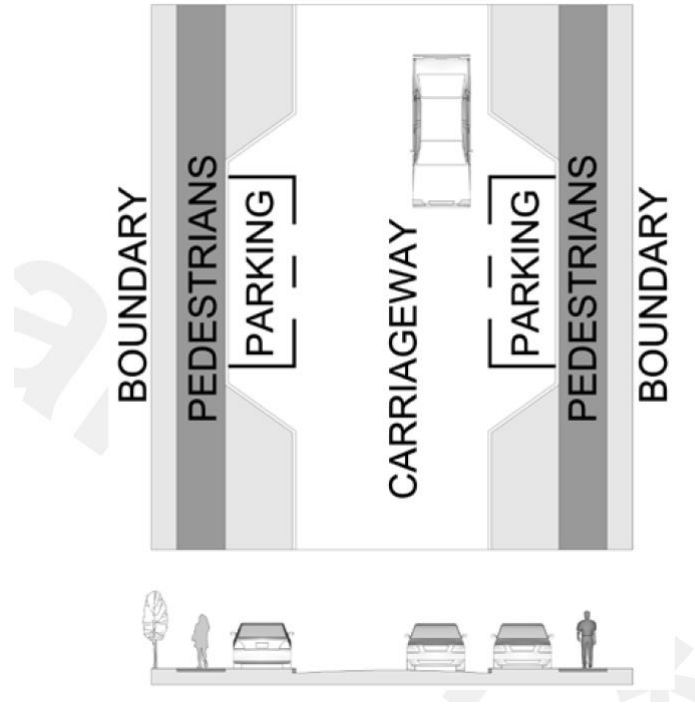
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<sup>8</sup> At paragraph 6.14.

<sup>9</sup> <https://www.nzta.govt.nz/assets/resources/sharrow-markings-best-practice-guidance-note/Sharrows-markings-best-practice-guidance-note.pdf>

**Total Road Width requirement: 15 metres (boundary to boundary)**

**6.8** The E12 road formation indicative cross section demonstrates a grassed berms, and where required, indented parking. An extract of the cross section is indicated below.



**6.9** Considering the road formation proposed by the submitters at the hearing, I make the following comments:

- (a) The legal land corridor available constrains the width to 9.5 metres;
- (b) Throughout the length, direct access to the road is gained through controlled and isolated points, being the RoW serving 94 to 108 Atley Lane, the RoW providing access to 107, 107A, and 107B Atley Lane, 10 Larchmont Close, and the subject site. Given the limited access locations, I expect that on-road parking would not be required. More specifically, considering the constraints imposed by the 9.5m lane width, my advice at resource consent stage would be that no-stopping restrictions must be applied along both sides of the road to maximise safety and efficiency of the lane; and
- (c) Council have accepted<sup>10</sup> that services could be conveyed along the proposed road formation. I understand that as this lane will have a RoW agreement serving all properties (existing and future), and as

10 Evidence QLDC (Richard Powell), tabled at hearing, Scott, Opening Legal Submissions, para 8.5.



such will not be vested to Council. Any service requiring maintenance over time would be the responsibility of the RoW parties.

- 6.10** Ms Wolt submitted that the proposed development would cause two notable concerns, being disruption or limitation of access during significant earthworks, and as a result of this disruption, the impact that this would have on emergency service access to the general area.
- 6.11** These are both matters that a comprehensive Temporary Traffic Management Plan (**TTMP**) would cover – and one should be required by the Council as part of any consent. Good practice should include consultation with affected parties, and agreement on alternate access provisions, or agreement on restricted access.
- 6.12** As part of the TTMP process, where access to a road is blocked, even temporarily, it is best practice to notify the emergency services via their call centres that restrictions are in place, and what alternate access provisions are in effect. A cornerstone of temporary traffic management is that where physically possible, all work on site will cease, and the contractor will undertake assistance to the emergency service to effect safe passage through the site.

## **7. CONGESTION / CAPACITY FOR THE ATLEY ROAD / ARTHURS POINT ROAD INTERSECTION AND ADJACENT ROUNDABOUT**

- 7.1** The previous assessment of capacity / congestion impacts for the Atley Road / Arthurs Point Road intersection and adjacent roundabout was undertaken on the basis of the 27 lot development option. As presented above in paragraph 2.1, the potential maximum yield for the area subject to the rezoning is 29 new lots. Combined with the existing environment, this will be in the order of 70 lots.
- 7.2** It is my understanding, through the congestion / capacity assessment<sup>11</sup> undertaken by Mr Bartlett, that the assessment has been undertaken considering the 27 lots offered by the submitters at that time (15 November 2022). That assessment demonstrated that the intersection operated at an appropriate level of service for capacity and congestion.

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11 J Bartlett, Statement of Evidence, 15 November 2022, Para 35 – 41.

**7.3** I am of the opinion that the assessment of yield from the Atley Road area has been tested for the 27 lot development. Given the discussions regarding yield, and the 29 lots proposed, it is considered that 29 lots would reasonably be accommodated in the assessment undertaken.



**Michael Smith**

**24 March 2023**