

Waimakariri Proposed District Plan Hearings Stream 5

Submission by George JasonSmith in Response to Officer's Reports

Thank you for this opportunity to speak to my submission and respond to the Officer's reports. I shall go through my points in the order they arise in the PDP and the Officer's reports although this is not, in my view, their order of importance or significance.

My submission is an individual one. It may assist the panel if I provide some background to my relevant career experience. I was the last County Engineer of the Oxford County Council, and following amalgamation and a short period when the WDC ran an area based engineering structure I became the Council's Rooding Manager, a position I held for around 15 years. While with the Council I was a member of a senior staff team of planners and engineers who reviewed all RMA Consent applications and most draft development proposals, weekly; this team met from the introduction of the RMA for about 5 to 7 years when it was disbanded because the delay the weekly meeting put in the consent approval process may meeting statutory timeframes difficult. After leaving the WDC in late 2005 I became a consulting engineer with AECOM practicing in Infrastructural Asset Management, principally for rooding. Together with our client the Land Transport Safety Authority I received the 3M New Zealand Road Safety Innovation Award from the, the, IPENZ Transportation Group in 2007

I also accept the Council's and the Officer's apologies for spelling my name incorrectly, I'm sure it was not intentional.

1. Energy & Infrastructure - EI-R4 Customer Connection; Officer's Report p42 para 8.5

The officer in his comments fails to recognise that roads are infrastructure and that a property access is a connection between a property and infrastructure. I maintain the point made in my submission that the current wording of R4 is confusing. Despite the inclusion oiof Transport in the heading and in reads as if the only connections it has in mind were by wires, cables and pipes. The inclusion of vehicle accesses, albeit to other reticulated infrastructural services, in the preceding rules (R1 and R4), only adds to this confusion.

The District Plan should be as clear, precise, and as simple to follow as possible.

I reiterate my submission that:

- a. EI-R4 should have the words "excluding transport infrastructure" added to its title.
- b. All related Objectives, Rules, Standards and Matters for Discretion be amended accordingly.

Alternative Solution 1. The title of Part 2 – District-wide matters / Energy, infrastructure and transport / EI - Pūngao me te hanganga hāpori – Energy and infrastructure, could be amended to read *Energy, reticulated infrastructure and transport*. However, this may create a clash with RMA definitions.

Alternative Solution 2. Include reference to TRAN-R5 for vehicle accessways in EI-R4.

Regardless of the solution taken this issue must be addressed to make the Plan as clear, precise, and as simple to follow as possible.

2. Transport Objective TRAN-O4. Effects of activities on the transport system; Officer's Report para 5.5 p12

The officer's proposed amendment to this objective largely meets my first concern.

With respect to re-ordering the objectives, I continue to maintain that the order of the objectives is significant. While I do not argue with the officer's statement that all the objectives legally carry equal weight, in practice, when people read a list of things, such as this one, there is an automatic tendency to see it as a ranked list. I invite you to run your eyes over the list of Transport Objectives in the Proposed Plan and consider whether it gives more prominence to, say, the Airfield or Parking.

I maintain that the Transport Objectives should be re-numbered; but further to my original submission, that TRAN-O4 and TRAN-O2 be swapped as parking is in essence a sub-set of other activities that occur on the transport network, Given that the Reporting Officer has said the '*... order of the objectives is not important as they all have equal weight.*' There appears to be little reason why this request cannot be agreed.

I also request that as the proposed amendments meet the first concern I raised that, subject to your decision on the reorder of objectives, my submission on TRAN-O4 be recorded as "met in part".

3. Transport Policy TRAN-P15 Effects of activities on the transport system Officer's Report para 6.9 p25

I accept the Officer's comment *regarding 'the proposal and the activities included in it'*. However, I maintain that the current wording '*to the extent practicable*' is far too permissive, it also opens up the issue of whose opinion is the one that is considered practicable/impracticable. I also question whether such a provision is *ultra vires* the RMA, which from memory requires adverse effects of activities to be avoided, remedied, or mitigated. To include a provision in the District Plan that in effect says "It is too hard/expensive to avoid, remedy or mitigate the severe adverse effects, but to proceed with that, we'll go ahead anyway" is, in my submission a step too far.

The wording, as it stands after the Officer's proposed amendment, still allows significant adverse effects on the public road network. This appears to be a marvellous opportunity for developers to socialise the adverse effects of their development while privatising the benefits.

My submission is that the phrase '*to the extent considered reasonable practicable*,' be deleted from this Policy TRAN-P15.

4. Transport Rule TRAN-R2: Provision of new, and additions or upgrades to existing, land transport infrastructure
Officer's Report para 7.2 p27

There are two aspects to my submission;

- a The classification of the adjoining road that a developer must connect to when there is a choice of roads, My submission is for the road hierarchy requirements that apply to new vehicle crossings to also apply to new intersections. This is set out in TRAN-R8 as follows:

2. Other than in [State Highways] above, for ... a site that has frontage to more than one road, the new vehicle crossing shall be to the road that has the lower classification in the District Plan road hierarchy; and

The Officer's recommendation is for this Rule that 'the new road should connect to road that can accommodate the amount of traffic that is generate[d]'. While superficially appearing logical it is not in the best interests of an efficient, safe and sustainable road network because the 'road that can best accommodate additional traffic' is the one that is built and maintained to standards that will carry the most traffic. Such roads are normally those with the highest classification in the hierarchy of District roads. And as such they already carry higher traffic volumes. Intersections are the most common dangerous feature on a road network. The best way to avoid intersection crashes is to not have intersection, which is one reason why motorways have grade-separated intersections. When there are two existing roads to which a development's network can connect it is therefore better to connect to the one with the lower classification, thus keeping the number of intersections on the busier, higher classification, road to a minimum. If the existing lower classification road to which the connection is required does not have sufficient capacity to provide for the development's traffic then these adverse effects of the development should be remedied by requiring the developer to contribute proportionally to the upgrading of that road, and its intersection with the higher classification road if necessary.

- b I recognise that connection to the lowest classification road might not always be the best long-term option for the District network. The second part of my submission, which was not phrased well in my original, is:

The Activity Status when the hierarchy requirements for the connected road are not met should be Discretionary.

5. Standard TRAN-S2: Minimum road intersection separation distances
 Officer's Report para 8.3 p49

I do not contest the Officer's recommendation. However, there is a matter concerning TRAN-S2 that has arisen through Transport Regulation changes made since the PDP was drafted.

TRAN-S2 sets minimum design standards based on posted speed limits. Speed limits are no longer set using strict speed environment standards measured on the road and its adjacent properties. School Zones have also been introduced, these are all relatively short and either have permanent far lower speed limits than the adjoining sections of road, or have variable speed limits that require lower speeds at specific times.

These two changes make continued use of Table TRAN-5 in its present form unwise. Firstly because absence of the School Zone speed limits, and the other lower urban speed limits supported by the new Regulation, is an opportunity for dispute. Also, designing the network to the reduced spacing permitted by the required lower open road speed limits, without cognisance of the speed environment will prevent them being returned to more realistic values when the regulations change.

I submit that it would be appropriate to revise Table TRAN-5 to reflect the current regulatory environment for speed limits.

My suggested revisions are shown below

Table TRAN-5: Minimum road intersection separation distances

Posted speed limit (km/hr)	Intersecting road	Minimum separation (m)
100 Greater than 70km/h	All	800
70 or 80 60 or 70km/h	All	550
60 50 or less	Local road / Arterial road, Collector road, roads adjoining Commercial and Mixed Use Zones	160 125
50 or less	Local road / Local road	75
School Zone Other Speed Limit Zones and Variable Speed limit areas	All	As for the adjacent through-road sections ¹

¹ If the adjacent through-road sections have different speed environments the separations applicable to the lower speed environment shall apply

6. Standard TRAN-S4: Design standards for new vehicle accessways,
Including Table TRAN-7: Design standards for new vehicle accessways
Officer's Report para 8.4 p49

This Standard indicates an unlimited numbers of dwellings to be served by a single n accessway. There is an implied limit of 20 from Tran-S1 Table TRAN-4, but this is very dubious.

There is a significant long term issue with the sustainable of accessways in multiple ownership, maintenance; in particular the sharing of costs for maintenance, especially significant and expensive long-cycle maintenance and renewal such as resealing, among all those with rights of access over the accessway. These problems can be difficult to resolve even when there is a small number of rights-holders, but can become virtually impossible to resolve when there are larger numbers. In the extreme this can lead to properties with completely inadequate access, and all types of conflict between neighbours. As such it is not sustainable, or desirable, in the long term to allow accessways to serve large numbers of properties. Nevertheless, developers find large accessways attractive as they are much cheaper to construct, and they may be able to avoid fully servicing rear-lots.

The Officer's Report rejects my submission that:

- a. TRAN-S4 Table TRAN-be amended by deleting the row that contains ">6 " in column 2
- b. All related Rules Objectives, Policies, and Matters for Discretion be amended accordingly.

The bases of his rejection are:

- There is no maximum number of dwellings included within the TRAN chapter, and that he considers this is appropriate provided the relevant accessway designed standards have been achieved.
- He also highlights the relationship between Table TRAN-7 and TRAN-R6. TRAN-R6 relates to the formation of new vehicle accessways. Pointing out that TRAN-R6(3) requires any new vehicle accessway in Residential Zones or Rural Zones that will serve six or more sites; or have more than 100 vehicle movements on shall be designed to the standard of a new road.

While I accept both these points the issue of sustainability and the long-term viability of an accessway with a large number of rights-holders is apparently not worthy of consideration.

In the PDP I cannot find any limit on the number of dwellings served by a single accessway. If this is the case it is a major omission in the Plan.

On examination, Table TRAN-7 does not require accessways serving more than 6 residential units to be completely to road standards. It specifies legal widths considerably less than those required of legal roads and in doing so virtually forces all reticulated services to be constructed under the roadway, further adding to residents' maintenance cost, and does not provide adequately for pedestrian and cycle etc. use.

The requirement for the construction to be to road standards may cause some developers to instead construct a "road to vest", but the advantages to be gained from the reduced land requirements in Table TRAN-7 will probably often prove superior.

I submit that the best way for the Council to serve the long term interests of its present and future residents is to restrict accessways (private rights-of-way) to serving no more than 6 residential lots. How this can be appropriately included in the PDP, other than by appropriate amendments to TRAN-S4 and TRAN-R[^] and Table TRAN-7 is for the Council to decide.