

**Before the Hearings Panel  
At Waimakariri District Council**

**Under** Schedule 1 of the Resource Management Act 1991

**In the matter of** the Proposed Waimakariri District Plan

**Between** **Various**

**Submitters**

**And** **Waimakariri District Council**

**Respondent**

---

**Response to Minute 16 – Planning response and s32 evaluation  
Andrew Maclennan on behalf of Waimakariri District Council**

**Date: 31 January 2024**

---

**INTRODUCTION:**

1 My full name is Andrew MacLennan. My role in preparing this report is that of an expert planner contracted to the Waimakariri District Council.

2 I have prepared this Council report on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Minute 16 for the Hearing Panel.

3 Specifically, this report response to paragraph 4.(a)(ii) of Minute 16 which states:

*We have carefully considered what is the best way forward for all participants in this process in terms of natural justice and fair process. Having done so, we hereby direct pursuant to s41C of the RMA:*

*a. By no later than 4pm 2 February 2024, the Council reporting officer shall provide:*

*i. Any evidence and information to either support the provisions in TRAN-S1 and Tables TRAN-3 and TRAN-4, or alternative provisions within the scope of submissions, including a technical evaluation by Council's Senior Transportation Engineer, Mr Binder*

*ii. A section 32 evaluation of the above provisions as notified, and/or a s32AA evaluation of any alternative provisions that might be recommended.*

4 I am authorised to provide this evidence on behalf of the Waimakariri District Council

**QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT**

5 Appendix D of my Section 42A report - Ranga waka - Transport sets out my qualifications and experience.

6 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

## BACKGROUND

7 The background to this report is set out within paragraphs 2 and 3 of Minute 16 which states:

2. *In our preliminary deliberations on the TRAN – Transport Chapter, the Hearings Panel has identified a discrepancy with what is stated in the s42A report in respect to TRAN-S1 and Tables TRAN-3 and TRAN-4. In response to Kāinga Ora [325.84] and Woodend-Sefton Community Board [155.2] seeking amendments to the road widths, the reporting officer states:*

*I note that the road widths have been reviewed by an independent traffic consultant in 2019<sup>1</sup>. The recommendation within this report have been included within the TRANS-S1. I consider the proposed road widths reflect best practice and therefore no addition amendments are supported.*

3. *We have identified that the provisions as notified differ from what is contained in the 2019 report relied on by the reporting officer, and we have no evidence or information in front of us as to why they differ, and why they are a more appropriate option than what is contained in the 2019 report. Mr Binder’s report provided after the hearing does not traverse this issue. We have reviewed the Joint Witness Statement, which is also silent on this matter. This puts the Hearings Panel in a difficult position.*

8 I have re-read the recommendations within section 2.6 of the March 2019 Stantec report, and I acknowledge that Tables TRAN-3 and TRAN-4 in the notified version of the Proposed Plan do not align the Stantec recommendations. Given this, I acknowledge that my comment in paragraph 263 of my section 42A report was incorrect.

9 I appreciate that the Council process of refining Tables TRAN-3 and TRAN-4 is not explained within the s32 report, my s42A report on the Transport Chapter, or any further expert evidence presented at the hearing.

10 The following report and the associated evidence provided by Mr Shane Binder provides the justification and technical support for the difference between March 2019 Stantec report and the notified version of Tables TRAN-3 and TRAN-4.

**EVIDENCE AND INFORMATION TO SUPPORT PROVISIONS TRAN-S1 AND TABLES TRAN-3 AND TRAN-4**

11 I have reviewed the technical evaluation by Council's Senior Transportation Engineer, Mr Binder and also the emails and additional memo attached to his evaluation that detail how Tables TRAN-3 and TRAN-4 have evolved from the version within section 2.6 of the March 2019 Stantec report, to the version notified within the Proposed Plan.

12 I was not involved in the development or drafting of the Transport Chapter. However, based on the information provided within Mr Binders technical evaluation, I understand that following the publication of the March 2019 Stantec report, the recommendations within the report were then subject to reviews by many parts of Council (including transport engineers, resource consent officers and service delivery staff) with involvement and support from the Stantec report authors. These amendments ensured that the road design standards within Tables TRAN-3 and TRAN-4 reflected best practice while also achieving requirements of a road in the local Waimakariri context. Several amendments were made to the tables through this process that were supported by both Mr Binder and the Transport Engineers at Stantec.

13 This process resulted in a range of changes to Tables TRAN-3 and TRAN-4 including amendments that:

- change categorisation of standards from land use to posted speed limit;
- refine design expectations on a Low-Volume Local Road;
- improve definition of walking and cycling facilities across all road types;

- adjust traffic lane and minimum carriageway widths;
- define requirements for medians;
- adjust minimum carriageway width; and
- adjust road reserve widths.

14 Based on the evidence within Mr Binder’s technical memo I consider the proposed amendments within Tables TRAN-3 and TRAN-4 enable a safe, resilient, efficient and sustainable road network that is responsive to future needs and changing technology which achieves the outcomes required by TRAN-O1.

15 Other than the amendments I have recommended to Tables TRAN-3 and TRAN-4 within paragraph 267 of my s42A report, no additional amendments to Tables TRAN-3 and TRAN-4 are supported.

## **SECTION 32 EVALUATION**

### Purpose of Section 32 RMA

16 The overarching purpose of Section 32 of the Resource Management Act 1991 (RMA) is to ensure that plans are developed using sound evidence and rigorous policy analysis, leading to more robust and enduring provisions.

17 Section 32 reports are intended to clearly and transparently communicate the reasoning behind plan provisions to the public. The report should provide a record of the evaluation process, including the consultation, technical work, methods, assumptions and risks that informed that process. A robust report can prove highly useful to decision makers, particularly where it clearly communicates the analysis undertaken to identify the most appropriate way to achieve the purpose of the RMA.

### Overview of the provisions

18 This report relates to three provisions within the Proposed Plan:

- Standard TRAN-S1 - Design standards for new roads;
- Table TRAN-3: Design standards for new roads where the posted speed limit is 50km/hr or less; and
- Table TRAN-4: Design standards for new roads where the posted speed limit is 60km/hr or above

- 19 Standard TRAN-S1 requires that new roads are designed to achieve the requirements within Table TRAN-3 or Table TRAN-4. An application to breach the standards listed in the tables requires a resource consent as a restricted discretionary activity.
- 20 Table TRAN-3 set out the design standards for new roads where the posted speed limit is 50km/hr or less. Table TRAN-4 set out the design standards for new roads where the posted speed limit is 60km/hr or above.

#### Scale and significance evaluation

- 21 Section 32 (1)(c) of the RMA requires that a Section 32 report contain a level of detail that corresponds with the scale and significance of the environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed objectives, policies and methods.
- 22 The level of detail undertaken for the subsequent evaluation of the proposed objectives, policies and methods has been determined by this scale and significance assessment.
- 23 The scale and significance of provisions set out above is considered to be low. The scale of the provisions is very limited, as they only relate to the construction of new road. However, for the specific activity of new road construction, the provisions are reasonably significant as they determine the design standards for new roads and therefore the standards need to ensure the road design is safe, resilient, efficient and sustainable for all transport modes.

- 24 There were seven submissions points received on these provisions from five submitters. Two submitters<sup>1</sup> sought the provisions be retained as notified, two submitters<sup>2</sup> sought slight amendments to dimensions within Tables TRAN-3 and TRAN-4 and one submitter<sup>3</sup> sought the removal of Table TRAN-3 and amendments to Table TRAN-4.
- 25 Given this, the level of detail in this Section 32 assessment corresponds with the scale and significance of the environmental, economic and cultural effects anticipated from implementation of the proposed provisions.

#### Evaluation of proposed provisions

- 26 Section 32 (1)(b) of the RMA requires an evaluation of whether the proposed policies and methods (such as rules, standards, definitions and matters of discretion) are the most appropriate way to achieve the proposed objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the proposed policies and methods in achieving the objectives, and summarising the reasons for deciding on the proposed policies and methods.
- 27 Within this assessment, only one option has been assessed, this being the notified version of Tables TRAN-3 and TRAN-4.
- 28 The level of detail undertaken for the evaluation of the proposed policies and methods has been determined by the preceding scale and significance assessment.
- 29 The assessment must identify and assess the benefits and costs of environmental, economic, social and cultural effects that are anticipated from the implementation of the proposed policies and methods, including opportunities for economic growth and employment.

---

<sup>1</sup> Clampett Investments [284.93] and Rolleston Industrial Developments Limited [326.97]

<sup>2</sup> Woodend-Sefton Community Board [155.2] and WDC [367.34], [367.35]

<sup>3</sup> Kainga Ora [325.84]

30 The assessment must, if practicable, quantify the benefits and costs and assess the risk of acting or not acting if there is uncertain or insufficient information available about the subject matter.

31 TRAN-O1 is the relevant objective, it reads:

***A safe, resilient, efficient, integrated and sustainable transport system***

*An integrated transport system, including those parts of the transport system that form part of critical infrastructure, strategic infrastructure, regionally significant infrastructure, and strategic transport networks, that:*

- 1. is safe, resilient, efficient and sustainable for all transport modes;*
- 2. is responsive to future needs and changing technology;*
- 3. enables economic development, including for freight;*
- 4. supports healthy and liveable communities;*
- 5. reduces dependency on private motor vehicles, including through public transport and active transport; and*
- 6. enables the economic, social, cultural and environmental well-being of people and communities.*



Table A - Evaluation of reasonably practicable options

Options to achieve the District Plan objectives relating to Transport	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
<p>The notified version of Tables TRAN-3 and TRAN-4.</p>	<p><b>Environmental:</b></p> <p>The road reserve width included within this option ensures there is sufficient space within the road reserve to accommodate landscaping and stormwater management.</p> <p><b>Economic:</b></p> <p>The road reserve width included within this option provides long term benefits as the below ground services can be located within the berm of the road reducing the need for trenches to be dug within the road or beneath foot and cycle paths or landscaping to access these services.</p> <p><b>Social:</b></p>	<p><b>Environmental:</b></p> <p>The road reserve width included within this option may require additional earthworks and soil disturbance.</p> <p><b>Economic:</b></p> <p>Road reserve width included within this option may lead to greater cost both in developing the new road and also a potential reduction in the number of dwellings that could be created as there will be less space on a site to construct dwellings.</p> <p><b>Social:</b></p> <p>There are no social costs associated with this option.</p>	<p><b>Efficiency</b></p> <p>This option will be reasonably efficient in achieving TRAN-O1 as the wider road widths and additional footpaths will create a safe, resilient and sustainable transport network that responds to the anticipated use of the road and future proofs the road to accommodate a wide range of amenities and functions.</p> <p>This option may result in additional costs as developers are required to vest additional land into the development of roads which could otherwise be sold.</p> <p>There is also some additional cost to developers in constructing the wider roads, additional footpaths, and additional on-street parking.</p> <p><b>Effectiveness</b></p>	<p>It is considered that there is sufficient information on which to act on the proposed approach.</p>

Options to achieve the District Plan objectives relating to Transport	Benefits environmental, economic, social and cultural effects anticipated	Costs environmental, economic, social and cultural effects anticipated	Efficiency and Effectiveness	Risk of acting / not acting if there is uncertain or insufficient information about the subject matter of the provisions
	<p>The road reserve width included within this option ensure greater space within the road reserve to accommodate things such as service and emergency service vehicles, on-street parking (given the removal of minimum off-street parking requirements), on road cycle paths, footpaths, shared use paths and landscaping.</p> <p><b>Cultural:</b> There are no cultural benefits associated with this option.</p>	<p><b>Cultural:</b> There are no cultural costs associated with this option.</p>	<p>This option will be effective in achieving TRAN-O1. The wider road widths and additional footpaths will:</p> <ul style="list-style-type: none"> <li>- create a safe, resilient and sustainable transport network for all transport modes,</li> <li>- be responsive to future needs and changing technology,</li> <li>- support healthy and liveable communities,</li> <li>- prioritise active transport,</li> </ul> <p>The increased road widths will also better accommodate service and emergency access and ensure the road design is more adaptable to future needs.</p> <p>The structure of Tables TRAN-3 and TRAN-4 which refer to a 'posted speed limit' make it clear which standard apply to which</p>	

<b>Options to achieve the District Plan objectives relating to Transport</b>	<b>Benefits</b> environmental, economic, social and cultural effects anticipated	<b>Costs</b> environmental, economic, social and cultural effects anticipated	<b>Efficiency and Effectiveness</b>	<b>Risk of acting / not acting</b> if there is uncertain or insufficient information about the subject matter of the provisions
			roads which ensure that the standards can be easily understood and effectively implemented.	
<p><b>Overall Assessment</b></p> <p>Given the cost-benefit and effectiveness and efficiency assessments set out above, this option is considered to be the most appropriate way to achieve the overall outcome sought by TRAN-O1.</p>				

Summary

- 32 This evaluation has been undertaken in accordance with Section 32 of the RMA in order to identify the need, benefits and costs and the appropriateness of the proposed approach having regard to its effectiveness and efficiency relative to other means in achieving the purpose of the RMA.
- 33 The evaluation demonstrates that the notified version of Tables TRAN-3 and TRAN-4, is the most appropriate option as the benefits outweigh the costs, and this option is considered to be the most efficient and effective option for achieving TRAN-O1.

**Date:** 31 January 2024



.....  
Andrew Maclennan  
Consultant Planner