

**BEFORE INDEPENDENT HEARINGS COMMISSIONERS APPOINTED BY
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991
("the Act")

AND

IN THE MATTER of submissions by Waka Kotahi NZ
Transport Agency (submitter 275) on
Proposed Waimakariri District Plan Review
– Hearing Stream 5

**EVIDENCE OF STUART PEARSON ON BEHALF OF WAKA KOTAHI
NZ TRANSPORT AGENCY**

4 August 2023

My name is **STUART PEARSON** of Christchurch and I work for Waka Kotahi NZ Transport Agency (Waka Kotahi). I have been requested by Waka Kotahi to assist them in the provision of evidence regarding their submission on the Proposed Waimakariri District Plan Review Hearing Stream 5 (HS5).

1. Qualifications

I am employed by Waka Kotahi as a Senior Planner covering primarily the South Island. I have been practicing as a Planner for 7 years at Waka Kotahi.

I have a Bachelor of Environmental Management and Planning and a Master of Applied Science (Environmental Management) from Lincoln University.

I am a member of the New Zealand Planning Institute.

2. Expert Witness Practice Note

While not a Court hearing I note I have read, and agree to comply with, the Code of Conduct for Expert Witnesses as required by the Environment Court's Practice Note 2023. In providing my evidence all of the opinions provided are within my expertise and I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express.

3. Scope of Evidence

- 3.1. This evidence addresses the submission of Waka Kotahi that relates to HS5 on the following topics:
 - a. Noise;
 - b. Signs;
 - c. Light;
 - d. Energy and Infrastructure;
 - e. Transport; and
 - f. Earthworks.
- 3.2. No comment is provided on Notable Trees or Historic Heritage.
- 3.3. In preparing my evidence I have considered the Section 42A Hearings Report on each of the topics identified in paragraph 3.1 above.
- 3.4. My evidence is limited to those matters within my expertise and should be read in conjunction with the expert advice of Ms Catherine Heppelthwaite (Planning) and Dr Stephen Chiles (Acoustic Specialist) on the Noise related provisions, and

Mr Swears (Road Safety and Traffic Engineering) on the Transport and Sign related provisions.

- 3.5. Additionally, I would like to raise a matter in the Transport chapter that may be considered to be out of scope. I consider that attention should be brought to this as there appears to be an oversight with the current proposed wording of Table TRAN 8, which could result in onerous requirements to landowners wanting to get a vehicle crossing to the state highway network. In addition, clarification is also sought on Table TRAN-1 regarding high trip generating activities, which Mr Swears will elaborate on in his evidence.

4. Noise Chapter

- 4.1. Waka Kotahi made a submission in support of NOISE-O2, NOISE-P1, NOISE-P3, NOISE-MD1, NOISE-MD2 and NOISE-MD3 and sought that these provisions should be retained as notified. An oppose in part submission on NOISE-R16 was made, which sought that the noise mitigation requirements for residential units and minor residential units should increase to 100m from a strategic road from the proposed 80m.
- 4.2. Of the provisions that were supported by Waka Kotahi, amendments were made to NOISE-O2, NOISE-MD1 and NOISE-MD3 as per the recommendations of the Waimakariri District Council's (the Council) Author of the Section 42A report.
- 4.3. I have reviewed the recommended amendments in both paragraphs 144 and 148 of the Council's Section 42A report on NOISE-O2. I agree with the amendments as they provide clarity to the objective by referring to existing noise generating activities. I consider that these amendments are appropriate and should be accepted.
- 4.4. In relation to NOISE-MD1 and NOISE-MD3, I consider the amendment to delete NOISE-MD1(10) and to correct a grammatical error in NOISE-MD3 to be minor and reasonable to provide clarity to the matters of discretion.
- 4.5. Waka Kotahi made a submission seeking amendments to NOISE-R16 to ensure that health effects associated with noise generating from the state highway are appropriately addressed.
- 4.6. My view is consistent with the Waka Kotahi submission, which seeks that the distance where noise mitigation is required for residential units and minor units should be increased to 100m from currently proposed 80m. This is consistent with the Proposed Selwyn District Plan where there is a noise overlay, which includes areas that are 100m from the state highway carriageway. It is also consistent with

the recently approved Christchurch City Council's Plan Change 5E, which includes a 100m distance from the nearest edge of the nearest marked traffic lane.

- 4.7. I rely on the technical expert advice in Dr Chiles' evidence on that reasons as to why the 100m approach is more accurate to address adverse effects from noise, as outlined in Section 7 of his evidence. I also rely on the planning evidence of Ms Heppelthwaite and the relief sought in Section 10 of her evidence for NOISE-R16.
- 4.8. I agree with the reasonings outlined in both the evidence of Dr Chiles and Ms Heppelthwaite on NOISE-R16 that the distance should be increased to 100m and that it should apply to existing or designated state highways and that the definition of 'noise sensitive activity' should be modified to include residential activities, marae and places of worship. I consider the amendments to NOISE-R16 to provide clarity and are appropriate to address the health effects of noise from roads. I recommend that the Council amend NOISE-R16 for the reasons outlined above.

5. Signs Chapter

- 5.1. Waka Kotahi made submission points in support for SIGN-O1, SIGN-R7, and SIGN-AN1. Support in part submission points were made on SIGN-P1, SIGN-P2, SIGN-P3, SIGN-R3, SIGN-R4, SIGN-R6, SIGN-S1, SIGN-S2, SIGN-S3, and SIGN-MD1. Lastly, a submission point in opposition was made on SIGN-R5. The Section 42A report has split these into sub-topics, so the structure of my evidence on this chapter will align with those subtopics.

5.2. Off-site Sign Related Submissions

- 5.2.1. Waka Kotahi supported SIGN-R7 as notified as it agreed that discretion should be given to off-site signs in Industrial Zones and that these should be non-complying activities in all other zones. Additionally, a further submission from Waka Kotahi in opposition was made to Go Media (234.7) on this rule as they sought the removal of the non-complying activity status due to there being no effects-based reason to manage off-site signs differently to other signs. It is also sought that a permitted activity rule be provided for billboards within Industrial Zones, and Commercial and Mixed Use Zones subject to activity standards.

- 5.2.2. The Section 42A report has recommended amendments to SIGN-R7 that provides for off-site signs in Large Format Retail Zones as a restricted discretionary activity as they consider that the amenity of such zones will not be impacted from these types of signs, and they shall have a 20m setback from any adjoining zone boundary for Neighbourhood Centre Zone, Local Centre Zone, Mixed Use Zone and Town Centre Zones. Additional

amendments have also been made to SIGN-P3(2) to recognise that off-site signs should be limited. Further amendments have also been made to SIGN-P4(5) to allow for off-site signs to be managed in the Large Format Retail Zone and that they should be avoided in the Neighbourhood Centre Zone, Local Centre Zone, Mixed Use Zone, and the Town Centre Zone.

5.2.3. I agree with the amendments proposed to SIGN-R7, SIGN-P3(2) and SIGN-P4(5) as per Appendix A of the Section 42A report. I consider that this will appropriately manage the effects associated off-site signs within the district.

5.3. Off-site Directional Sign Submissions

5.3.1. Waka Kotahi sought the deletion of SIGN-R5 and associated references to 'off-site directional signs' in SIGN-P1(1) and SIGN-S2, as there is no difference in effects on transport safety between off-site directional signs and general off-site signs.

5.3.2. The Council's Section 42A report has relied on the expert transport advice from Mr Binder, which agrees that off-site directional signs can adversely affect traffic safety because they contribute to driver distraction and may block visibility at vehicle crossings or intersections. It suggests that off-site directional signs could also increase the overall abundance of signs through the District, which could have cumulative impacts and impact on amenity. Therefore, it has been recommended that the Waka Kotahi submission be accepted.

5.3.3. I agree with the recommendations of the Section 42A report to make the following amendments as per Paragraph 135 and Appendix A:

- Remove reference to 'off-site directional signs' within SIGN-P1(1);
- Deleting SIGN-R5;
- Deleting the definition of 'off-site direction sign';
- Delete reference to 'off-site directional sign' in the definition of 'off-site sign'; and
- Delete reference to 'off-site directional sign' in Table SIGN-S2.

I consider that these amendments are appropriate to ensure that the safety of the transport system is maintained and that off-site signs will be more broadly managed through SIGN-R7.

5.4. Digital Related Signs Submissions

5.4.1. Waka Kotahi made a submission that was support in part on SIGN-S3 requesting amendments to the standards to incorporate a cross-dissolve of a maximum of 0.5 seconds and to include lighting control to adjust brightness in line with ambient light levels. The proposed amendments to the digital sign

related standards were to ensure that any digital sign had appropriate controls to reduce potential safety effects on the transport system that may result in distraction.

- 5.4.2. The Section 42A report has recommended that the Waka Kotahi submission on these matters to be accepted. Proposed amendments as per Appendix A have recommended that incorporated the proposed wording from Waka Kotahi on the lighting control. However, it has been recommended that a 0.5 second transition be included and not a maximum to ensure that there is a subtle change in image transitions rather than a sudden change.
- 5.4.3. I consider the proposed amendments in the Section 42A report to SIGN-S3 based on the Waka Kotahi submission to be appropriate, and it ensures that the safety effects of digital signs have been addressed. This is also supported by Mr Swears in section 4.3 of his evidence. Further amendments to SIGN-S3 in relation to the Go Media's submission are discussed below.
- 5.4.4. Go Media has sought changes to SIGN-P3(2), SIGN-P4(6), and SIGN-S3. A submission was also made on SIGN-R7 (off-site signs), which sought to include a permitted activity rule for billboards within Industrial Zones, and Commercial and Mixed Use Zones subject to activity standards, including additional standards for digital display billboards. Waka Kotahi opposed this submission point on SIGN-R7, as the relief sought does not align with the requirements sought to manage signage, particularly digital billboards.
- 5.4.5. The Section 42A report has recommended to reject the Go Media submission point on SIGN-P3(2) as it is considered appropriate that digital signs should be limited given, they are known to cause driver distraction and have an effect on transport safety. Mr Swears discusses the safety risks associated with digital signs in Section 4.13 of his evidence, which I agree with and consider SIGN-P3(2) to be appropriate for these reasons. The policy does not require digital signs to be avoided, but just seeks to limit these types of signs to manage transport safety effects.
- 5.4.6. In relation to the Go Media submission on SIGN-P4(6), the Section 42A report has rejected the amendments sought as it considers that limiting digital signs addresses the policy as it relates to amenity values. Digital signs have additional visual effects due to higher levels of brightness and changing images, which are not shared by static signs. Therefore, it is considered appropriate to limit digital signs for these reasons. I agree with the recommendation that the original proposed wording should be retained. I consider current proposed wording to appropriately address potential adverse effects on amenity values from digital signs.

- 5.4.7. Go Media have sought amendments to SIGN-S3(2) to increase the permitted maximum display size of a digital sign to 18m². The Section 42A report has recommended that this be rejected as the permitted maximum display of 3m² appropriately provides for small-scale digital signs and there is a consenting pathway for larger signs where adverse effects may be greater. I agree with this recommendation of the Section 42A report on this matter, where larger scale signs should be subject to a resource consent to ensure the effects are appropriately addressed.
- 5.4.8. Go Media also sought amendments to SIGN-S3(5) and (6) as it was considered that the limit of two signs per 24 hours and one hour minimum display times were unduly restrictive. The reasonings for this are that the visual effects are associated with changing images rather than the number of images and it is unlikely that the sign will be visible to individual viewers for longer than a few minutes. The Section 42A report has recommended that this submission point be accepted in part, by amending the standards to remove the limitation on the number of images and to include a two minute dwell time during the day and 15 minutes at night.
- 5.4.9. I rely on the advice from Mr Swears in Section 4.2 of his evidence in relation to the amendments to SIGN-S3(5) and (6). I agree that the current limitation on the number of images is an onerous requirement and does not tie back to the effect from the receiving viewer, as raised by Go Media. However, I consider that the recommended amendments to dwell time may not always be appropriate. I support the reasonings set out by Mr Swears that a higher dwell time to be as a conservative approach. If shorter dwell times are sought, then the effects can be appropriately addressed through the resource consent process. I recommended that the current proposed dwell times of 2 minutes during the day and 15 minutes during the night be retained.
- 5.4.10. Mr Swears has also raised matters in relation to the content of signs in section 4.4 of his evidence, which could result in potential safety effects if not appropriately addressed. While Waka Kotahi did not make a direct submission to include content standards, it did make a submission on SIGN-P3 to ensure that signs do not adversely affect the safe, efficient and effective operation of the transport system where it requires content to be managed.
- 5.4.11. Signs that have a significant number of elements, as described by Mr Swears, could become a contributing factor that may impact on the safety of the transport system. I agree with his recommendation that 'image' should relate to a complete message on a single billboard display, which includes

all images, text and logos associated with each static display. This would then help to determine the maximum content for a digital billboard but should also be applicable to static signs as they can have the same effect in relation to content.

5.4.12. I also consider that there should be better direction on content within the signage standards that are consistent with the higher order policy, SIGN-P3. This would support that the safety, efficient and effective operation of the transport system is not adversely affected. Therefore, I recommend that the Council make amendments to SIGN-S1 to include the following:

1. Any sign, other than a transport sign or signal, shall:

k. A maximum of 12 elements.

5.4.13. The term elements should be defined as described in either paragraph's 58 or 59 of Mr Swears evidence, which is as follows:

i. A single word equals one element. The number of elements included in words joined together without spaces is equal to the number of words.

ii. An established simple logo equals one element.

iii. An image equals four elements.

Or

i. Each word used, an email address, a website URL or phone number = 1 element each;

ii. An image = 4 elements; and

iii. A logo = 1 element.

5.5. Transport Safety Related Submissions

5.5.1. Waka Kotahi request amendments on SIGN-P3 to allow for the consideration of a wider range of effects from signage on transport system rather than restricting the effects to distraction or obstruction. It is considered that signs have the potential to affect the safe, efficient and effective operation of the transport system. The same amendment has been sought for SIGN-MD1, with the addition that amendments be made to replace digital 'transitions' with digital 'operation'.

5.5.2. The Council's Section 42A report has recommended that this submission points on SIGN-P3 and SIGN-MD1 be accepted in part. Mr Binder did not support the relief sought by Waka Kotahi, but Ms Milosavljevic has recommended that a combination of wording from the notified version and relief sought to be preferable to provide an appropriate consideration of effects.

5.5.3. I have reviewed the recommended amendments for SIGN-P3 and SIGN-MD1 in Appendix A of the Section 42A report. I agree with these changes, as they will ensure that appropriate consideration is given to the safe, efficient and effective operation of the transport system.

5.5.4. In relation to SIGN-S1, Waka Kotahi sought the following amendments:

- a. Replace 'transport sign' with 'an official sign used for transport purposes';
- b. Remove reference to 'transport signal', which is a traffic control device and not a sign;
- c. Remove reference to intermittently illuminated lights; and
- d. Inclusion of minimum lettering sizes for 50km/h and 50km/h speed.

5.5.5. The Section 42A report has recommended to accept matters a. – d. above, as the wording proposed provides improved clarity, and the removal of intermittently illuminated standards and minimum lettering sizes are based on well-founded standards from Waka Kotahi.

5.5.6. I agree with the recommendation and associated amendments in Appendix A as outlined in the Section 42A report. I consider that these are appropriate and provide improved clarity to this standard.

5.6. Temporary Sign Related Submissions

5.6.1. Waka Kotahi sought amendments to SIGN-P2 to include the consideration of the location of temporary signs to ensure they do not adversely affect the safety of the transport system. The Section 42A report has recommended that this submission point be accepted as the corresponding rule SIGN-R4 does include standards that relate to the location of these signs.

5.6.2. I agree with the recommendations to include the amendment sought by Waka Kotahi on SIGN-P2, as it provides a clarity to the relation between the policy and the rules within this chapter.

5.6.3. Waka Kotahi also sought amendments to SIGN-R4 as it was considered to be overly complex and that a definition for 'temporary signs' could be included to simplify the rule. Clarification was also sought on what could be considered a temporary sign, such as a commercial sales event or off-site trailer signs advertising a temporary event or activity.

5.6.4. The Section 42A report agrees that SIGN-R4 could be simplified through including a definition of temporary sign, which also requires amendments to SIGN-S2, Table SIGN-S2 and SIGN-S5 to ensure there is consistency. Clarification has also been provided with the definition of a temporary sign

as to what can be considered under this rule, which includes that commercial sales events would not be a temporary activity subject to this rule.

5.6.5. I agree with the recommendations and amendments in Appendix A of the Section 42A report.

5.7. Overall, I consider that the proposed amendments for the signage chapter as per the recommendations of the Section 42A report are appropriate to address adverse effects on the transport system. In relation to digital sign submission relation matters, I support the reasonings outlined by Mr Swears that the adverse effects of digital billboards should be addressed and why a longer permitted dwell time is beneficial as a conservative approach. I consider that the Council should make no further changes to the digital sign matters within the signage chapter.

6. Light Chapter

6.1. Waka Kotahi made submission points in support on LIGHT-O1, LIGHT-R1, LIGHT-R3, LIGHT-AN1, and LIGHT-MD1. A support in part submission was made on LIGHT-S1 which sought clarification on how the standard applies to roads and how controls the effects of spill onto roads. A support in part submission was also made on LIGHT-S2 which sought to delete the word of 'fixed' as it was considered that this standard should apply to all artificial light.

6.2. I have reviewed the recommendations and associated amendments in Appendix A of the Section 42A report on the light chapter for LIGHT-O1, LIGHT-R1, LIGHT-R3, LIGHT-AN1, and LIGHT-MD1 provisions and I consider that these are appropriate and will not have an impact on Waka Kotahi.

6.3. In relation to LIGHT-S1, I have reviewed the Section 42A report regarding the relief sought by Waka Kotahi. I agree with the reasoning outlined in Paragraph 80, which states that the way in which it relates to roads is measures or calculated 2m within the boundary of any adjacent road corridor LIGHT-S1(a)(a). I agree that the standard sufficiently provides for how it relates to roads and no amendments are required to further clarify.

6.4. The Section 42A report has recommended that the Waka Kotahi submission on LIGHT-S2 be rejected as 'fixed' has been used to exclude moving objects such as vehicles for farm activities. By removing fixed, this could become a restrictive and unenforceable requirement. I agree with the section 42A report for the reasons outlined and consider that there would be no benefit by removing 'fixed' from this standard from an effects perspective.

7. Energy and Infrastructure Chapter

- 7.1. Waka Kotahi made submission points in support on EI-O1 and EI-O3. A support in part submission point was made on EI-O2 seeking that the objective be amended to recognise the functional and operational needs of energy and infrastructure, which will ensure that is consistency with EI-P5.
- 7.2. The Section 42A report has recommended that the Waka Kotahi submission be accepted for both EI-O1 and EI-O3. Amendments were made to both EI-O1 and EI-O3 as sought by other submitters, which I have reviewed and consider that these amendments are reasonable and provide clarity to these objectives.
- 7.3. Waka Kotahi along with Christchurch International Airport Limited (CIAL) and MainPower submitted on EI-O2 regarding similar matters, which was to ensure that this objective consider the functional and operational need of infrastructure when considering the adverse effects of energy and infrastructure. The Section 42A report has recommended that these submission points be accepted and that reference to 'functional need' and 'operational need' should be included as they align with the National Planning Standards and are consistent with EI-P5, EI-MD1, EI-MD3 and EI-MD10.
- 7.4. I agree with the recommendation in Paragraph 93 and the amendments in Appendix A of the section 42A report to amend EI-O2 to incorporate functional and operational needs of infrastructure.
- 7.5. Additional amendments to EI-O2 were sought by Environment Canterbury (ECan) to include a general hierarchy of effects. Transpower sought amendments to this objective replace 'avoid, remedy or mitigate' with 'manage' to also provide for offsetting and compensation.
- 7.6. In Paragraph 92 of the Section 42A report it is suggested that the relief sought by ECan may be useful to identify matters to consider, but that it is more appropriate to apply a hierarchical approach to the policy context rather than in the objectives. However, the amendment sought by Transpower was supported to replace 'avoid, remedy or mitigate' with 'manage' as this provides for a greater spectrum of management approaches. I have considered this amendment and agree that it improves the outcomes of EI-O2 by providing for alternative methods to management effects.
- 7.7. Overall, I agree with the amendments to EI-O1, EI-O2 and EI-O3 as per Appendix A of the Energy and Infrastructure Section 42A report on Energy and Infrastructure.

8. Transport

- 8.1. Waka Kotahi made submissions points in support of TRAN-O1 and TRAN-O3. Support in part submission points were made on TRAN-O4, TRAN-P1, TRAN-P2, and TRAN-R5. Finally, a submission point that was oppose in part was made on Table TRAN-19.
- 8.2. In relation to TRAN-O1, the Section 42A report has recommended to accept relief sought to amend the objective by providing clarity to TRAN-O1.5, which seeks to reduce car dependency. Additionally a new definition has been included on 'micromobility' to provide further clarity to this objective. I consider these amendments to be acceptable.
- 8.3. There have been no changes made to TRAN-O3, so I consider the objective as proposed to be acceptable.
- 8.4. Waka Kotahi sought that TRAN-O4 should be amended to ensure that the transport system is not constrained or compromised from adverse effects. The Section 42A report has recognised that the relief sought is consistent with the 'Principal reasons and explanation' associated with the Canterbury Regional Policy Statement (RPS) Policy 5.3.8 (Wider Region). Therefore, the submission point has been recommended to be accepted.
- 8.5. Kainga Ora sought that the term 'avoided' should be deleted from TRAN-O4. The Section 42A report on paragraphs 87-90 has recommended that this submission point be rejected as an avoid policy is consistent with RPS Policy 5.3.8(2), which provides plan users with clear direction of its intent and supports the application of proceeding provisions. I agree with the reasonings outlined in the Section 42A report that this submission point be rejected, as it is contrary to the outcomes sought to manage adverse effects on the transport system.
- 8.6. I have reviewed the recommended amendments to TRAN-O4 in Appendix A and as per paragraph 95 of the Section 42A report. I consider these changes to be necessary in ensuring that effects on the transport system are appropriately addressed. Therefore, I agree with the recommended amendments to this objective.
- 8.7. In relation to TRAN-P1, Waka Kotahi submitted to seek an amendment to TRAN-P1.2 to include 'taking into account the functional needs and operational needs infrastructure'. The Section 42A report has recommended that this relief sought be accepted, with the associated amendments in Appendix A and paragraph 102. I agree with the recommended amendments of the Section 42A report on this policy.

- 8.8. Waka Kotahi sought that TRAN-P2 be amended to delete clauses (6), (7) and (8) as it was considered that these were more appropriate to be situated in the Energy and Infrastructure chapter or that these clauses be amended so that it is clearer how they relate to transport more specifically. The Section 42A report has recommended that this submission be rejected as it is considered that these give effect to SD-O3(4). I agree with the recommendations in the Section 42A report as the strategic directions chapter seeks to achieve environmentally sustainable outcomes for the district, which is appropriately recognised in this policy. I also consider as these clauses are within the transport chapter, that they relate to transport outcomes specifically. Therefore, I agree that no further clarity is required to policy relating to the Waka Kotahi submission.
- 8.9. Waka Kotahi has sought that TRAN-R5 be amended to require that the formation of a new vehicle crossing onto the state highway would not be a permitted activity. In paragraph of the Section 42A report the Author has stated that this submission point be rejected as if Waka Kotahi wants to seek to manage access to the state highway, then it has the ability to utilise Limited Access Roads (LAR) under the Government Roading Powers Act 1989 and that anyone seeking access onto the state highway would need approval from Waka Kotahi as the Road Controlling Authority (RCA).
- 8.10. I consider that the reasoning for rejecting the Waka Kotahi submission due to LAR and being the RCA to have potential issues for the following reasons:
- 8.10.1. If the Council grant a resource consent for a new vehicle crossing onto the state highway, then it is difficult for Waka Kotahi to then influence this decision when a resource consent requires that the site should be developed in accordance with a site or scheme plan. This has the potential to be challenged by the consent holder or if it can be agreed that the vehicle crossing needs to be relocated then this could require a section 127 variation to the resource consent, which results in increased costs.
- 8.10.2. Introducing LAR to the state highway network requires significant consultation and resources. Managing safe access to the transport system can be more appropriately managed and enforced through the District Plan provisions.
- 8.10.3. Gaining approval from Waka Kotahi as the RCA to work within the state highway is separate to the resource consenting process and could result in similar issues as above in 8.10.1. In this process Waka Kotahi ensure that the vehicle crossing is consistent with a resource consent and/or that it is designed and constructed to the correct standard.

8.11. However, I do consider it to be a potentially onerous requirement to require resource consent for any vehicle crossing to the state highway where it meets the appropriate standards in TRAN-S3, which are consistent with the Waka Kotahi Planning Policy Manual (with additional amendments made to Table TRAN-19, as discussed below). Therefore, I agree with the recommendation of the Section 42A report.

8.12. This is now where I would like to bring the attention to a potential issue in Table TRAN-8, which could result in an onerous requirement for a new vehicle crossing to the state highway. To be a permitted activity under TRAN-R5 it requires that TRAN-S3 be met, which also requires that Table TRAN-8 be met (where applicable). As currently proposed, Table TRAN-8 requires all new vehicle crossings to the state highway to be a Diagram E, Perspective E standard, whether this is less than 30 vehicle movements per day or greater.

8.13. Typically a Diagram C, Perspective C, would be appropriate for up to 3 dwellings and/or 3 allotments, which equates to approximately 30 vehicle movements. Anything above this would require a more significant treatment, such as the Diagram E, Perspective E to manage effects on the state highway.

8.14. As proposed, this could require a significant number of landowners to obtain a resource consent for a Diagram C, Perspective C onto the state highway where it may be appropriate, and they meet all the other standards in TRAN-S3. I consider this to be an onerous requirement to landowners.

8.15. This may be considered out of scope as Waka Kotahi did not support on either TRAN-S3 nor Table TRAN-8. However, if consideration can be given to this matter by the panel, then I recommend that Table TRAN-8 be amended as follows:

Table TRAN-8: Design standard for a new [vehicle crossing](#) on a sealed [road](#) where the posted speed limit is 60km/hr or above

Heavy vehicle movements per week	Average daily traffic volume (vmpd)	Located on State Highway	Design standard
≤ 1	≤ 30	No n/a	TRAN-APP2 , Diagram C, Perspective C
≤ 4	≤ 30	Yes	TRAN-APP2, Diagram E, Perspective E
> 1	31 – 100	No	TRAN-APP2 , Diagram D, Perspective D
> 1	31 – 100	Yes	TRAN-APP2 , Diagram E, Perspective E

8.16. In relation to Table TRAN-19, Waka Kotahi sought that the sight distances within this table be amended to be consistent with the Waka Kotahi Planning Policy Manual. The S42A report has recommended that this submission point be accepted, and amendments have been made as per Appendix A and paragraph

321. I agree with the recommendation and amendments as they are consistent with agreed standards for sight distances across the country.

8.17. In relation to Table TRAN-1, Waka Kotahi made a further submission opposition on this provision by opposing the submission by Woolworths, as they sought relief to increase the thresholds for high trip generating activities to align with the permitted daily traffic volume thresholds for supermarkets in the Auckland Unitary Plan.

8.18. I rely on the expertise of Mr Swears on this matter in section 5 of his evidence, which sets out the reasons as to why the thresholds for high trip generating activities should not be increased and instead be decreased to appropriately allow for the consideration of adverse effects on the transport system. His evidence seeks to improve clarity to Table TRAN-1 by replacing vehicle movements per day (vmpd) and heavy vehicle movements per day (hvmpd) with Equivalent Car Movements (ECM).

8.19. While I do not have the expertise on what thresholds are considered to be reasonable for high trip generating activities, I do consider that it is important for the District Plan to set appropriate thresholds to ensure that activities can integrate with the transport system and address adverse effects where required. However, in relation to replacing vmpd and hvmpd with ECM, I agree with Mr Swears on this with the reasonings set out in Section 5 of his evidence. I consider a single system to capture all vehicle movements clearer and more appropriate than the split approach as currently proposed in Table TRAN-1. I support the way in which ECM is defined by Mr Swears in paragraph 79 of his evidence and the proposed amendments to Table TRAN-1 in paragraph 80.

8.20. I recommend that ECM be included and defined as follows:

Equivalent Car Movement (ECM):

- i. 1 ECM = 1 car / light movement;
- ii. 3 ECM = 1 heavy commercial vehicle movement; and
- iii. 5 ECM = 1 combination heavy commercial vehicle movement (for example, truck and trailer, tractor unit and semitrailer, B-train, etc).

8.21. Overall, I consider the amendments made to the Transport chapter to be appropriate and they improve the clarity of the plan for transport related matters. Further consideration should be given to amendments to both Table TRAN-8 and Table TRAN-1.

9. Earthworks

- 9.1. Waka Kotahi made support in part submissions on EW-P1, EW-P2, and EW-MD1, which sought amendments to recognise infrastructure within the Earthworks chapter. Oppose in part submissions were made on EW-R3 and EW-M8, for reasons which I will discuss below.
- 9.2. Amendments were sought by Waka Kotahi to EW-P1 to include a new clause to enable earthworks where they are necessary for the continued operation and maintenance of infrastructure. Paragraph 110 of the Section 42A report states that the Energy and Infrastructure Section 42A report outline and explain the interfaces with the policies, including EW-P1, so it is considered that this addresses this concern.
- 9.3. On review of both Section 42A reports for Earthworks and Energy and Infrastructure, I consider that it is still unclear that the infrastructure is specifically provided for in relation to earthworks. The amendments to the Energy and Infrastructure chapter state that all of the provisions in the Earthworks chapter apply in addition to the Energy and Infrastructure chapter. Within the Energy and Infrastructure chapter there are only rules relating to earthworks for the construction or widening or extension of existing vehicle access tracks to ancillary infrastructure, or earthworks related to energy infrastructure. Infrastructure, such as the state highway, has not been recognised in the higher order policies of the earthworks chapter. I consider that the amendments sought by Waka Kotahi should be included to ensure that infrastructure is appropriately recognised in the earthworks chapter.
- 9.4. The submission point related to EW-P2 sought that earthworks do not increase flooding risk to the site or neighbouring sites or infrastructure through water displacement. This was to ensure that any earthworks do not adversely affect the safe and efficient operation of the state highway through water displacement. The Section 42A report states that the amendments sought to EW-R5 by Mr Willis sufficiently provide for this so that it does not need to be recognised in this policy. The amendment to EW-R5 will ensure that earthworks do not exacerbate flooding on any other property by displacing or diverting floodwater on surrounding land in a 0.5% AEP event. I consider that this amendment to EW-R5 appropriately addresses the concern of Waka Kotahi and that no amendments to EW-P2 will be required on this matter.
- 9.5. In relation to the amendments sought by Waka Kotahi on EW-R3, I have read the recommendation of the Section 42A report which rejects this submission. The reasons are that EW-R1 and EW-R3 appropriately provide the relief sought. I consider the reasoning in the Section 42A report to be sufficient and addresses the concerns of Waka Kotahi on this matter.

- 9.6. Waka Kotahi sought amendments to EW-MD1 so that critical infrastructure is more broadly included as a matter of discretion rather than just limited to the National Grid. The Section 42A report recommends that this submission point be accepted, and amendments were made to include transmission lines and the safe and efficient functioning of infrastructure as a separate clause. I agree with the amendments made to EW-MD1 and considers that this appropriately addresses the concerns of Waka Kotahi.
- 9.7. Lastly, Waka Kotahi sought amendments to EW-MD8 to include consideration of the functional needs and operational needs for infrastructure for earthworks within an Outstanding Natural Feature and Landscapes area. The submission point has recommended to be rejected as it is considered that infrastructure is already appropriately provided for in EW-MD1, so it is not required in other matters of discretion. I agree with the recommendation of the Section 42A report as a similar matter will be required to be considered under EW-MD1, therefore duplication of this matter would not be required for EW-MD8.

10. Conclusion

- 10.1. I generally support the recommendations made to the Waimakariri District Plan as per the recommendations of the Section 42A reports for Hearing Stream 5. They provide clarification and ensure that the adverse effects on the transport system will be appropriately addressed.
- 10.2. I consider that the Hearings Panel should take into account the matters raised in my evidence and the evidence of Ms Heppelthwaite, Dr Chiles, and Mr Swears regarding NOISE-R16, Table TRAN-1, Table TRAN-8, SIGN-S3, and EW-P1. The amendments sought will appropriately address effects on human health associated with noise and ensures the safety and efficiency of the transport system managed.
- 10.3. The requested amendments to Table TRAN-8 in Paragraph 8.15 of my evidence will also remove potential onerous requirements to landowners and avoid the need for a resource consent where it should not be required. I would like the Hearings Panel takes this into consideration even though this may be out of scope.
- 10.4. I consider that with the recommendations of the Section 42A report, and the additional amendments sought as identified above, that this will address the concerns of Waka Kotahi on the Proposed Waimakariri District Plan.

Stuart Pearson

4 August 2023