

Our Ref: 4252 220713-anderson letter

22 July 2013

Don Anderson

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Dear Don

**PROPOSED PLAN CHANGE 47 (WANAKA-LUGGATE HIGHWAY)
REVIEW OF TRAFFIC-RELATED MATTERS**

Further to our recent discussions and correspondence, we have considered the traffic and transportation effects of the plan change request to provide for a visitor accommodation sub-zone at 190/192 Wanaka-Luggate Highway as a Controlled Activity.

Access onto the State Highway

We note that the plan change request does not seek to amend the existing Rule 5.3.2 of the District Plan and therefore any subsequent resource consent application will require an assessment under Section 14 (Transport) of the Plan. If however any of the rules in Section 14 are not met, then the application would become a Restricted Discretionary Activity under Rule 14.2.2.3, and therefore the purpose of the plan change request (for visitor accommodation to be a Controlled Activity) would not be achieved. We have therefore reviewed the potential for this to occur.

Given the size of the site, we do not envisage any difficulties in complying with matters under Rule 14.2.4.1 (Parking). However there may be some issues in achieving compliance with several sections of Rule 14.2.4.2 (Access), notably sight distances (part (iv)) and distances of accesses from intersections (part (vi) and potentially part (viii)). In view of these matters, we consider that it will be necessary for the plan change request to exempt any future application from assessment under these parts of the Rule.

We are aware that this section of the highway is a Limited Access Road, meaning that NZTA has control over both the location of any accesses and the amount of traffic using them by only allowing access via an 'authorised crossing place'. We understand that provision for this is made under different legislation to the Resource Management Act, meaning that even if there is a decision under the RMA to grant a particular consent, NZTA can still refuse access (and a change of use or increase in traffic volumes at an existing access) to the highway. The Agency cannot refuse if it is the only legal means of achieving access to a site and the application is in accord with the site's zoning, although they can (and in our experience will) oppose any subdivision application that seeks to establish a new lot that has sole access to a Limited Access Road.

Consequently, we consider that the agreement to enable access to be achieved through Three Parks becomes of vital importance to the plan change provisions. If the plan change request was to be approved without any such agreement then the highway would be the only legal way to gain access to the site. In this situation, it is our understanding that NZTA would have to agree to some form of access arrangement, even though sight distances may not be met and intersection separations would be lower than the Agency requires. In

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practice, NZTA would likely seek to avoid this situation arising by submitting in opposition to the plan change upon it being notified. However if there is an agreement in place such that legal access can be achieved through Three Parks, then the Agency will retain control over the access onto the highway and may limited access if they so wish.

Consequently, we consider that exempting the plan change area from assessment under Rule 14.2.4.2 carries little risk to the safe and efficient operation of the highway because of its status as a Limited Access Road, provided that there is an agreement in place to allow access through Three Parks.

We therefore suggest that Rule 5.3.2 is amended through the plan change request to exempt the visitor accommodation sub-zone from assessment under Section 14 (Transport), and that a note is inserted to explain the reasoning behind this.

Access through Three Parks

We understand that the internal road network within Three Parks will be constructed to a high standard and is likely to be capable of accommodating the traffic flows associated with development of visitor accommodation on the neighbouring site. However as the plan change area is in the order of 7ha in size, this could give rise to up to 200-250 vehicle movements in the peak hours (depending on the extent of development). These movements are likely to be divided between the Three Parks accesses onto Ballantyne Road, Riverbank Road and the state highway and as these will all be newly-formed accesses, they will be constructed to current standards (in terms of general layout, sight distances, separation from other accesses etc). This means that QLDC's concerns will be focussed on ensuring that their capacity is not exceeded by the presence of visitor accommodation traffic rather than upon any road safety matters.

Layouts for the intersections have not yet been finalised, and therefore it is not possible to undertake any analyses to evaluate whether levels of service will be adversely affected by the increased traffic flows. Consequently we suggest that ensuring that sufficient capacity is available at these locations should be a matter over which Council reserves control. In the event that future analyses show that capacity problems would arise, this would necessitate the applicant undertaking intersection improvement schemes but it is highly likely that these would be contained wholly within the road reserve.

Suggested Amendments

On the basis of our understanding, we consider that the provisions of the plan change request could be amended as follows:

- The text should be amended to exempt the visitor accommodation sub-zone from assessment under Rule 14.2.4.2 of the District Plan.
- A note should be included to explain the protection afforded to the highway through its designation as a Limited Access Road and alternative access being available through Three Parks.
- The matter of "access" should be expanded to read "the provision of Level of Service D or better on each approach at the Three Parks / Ballantyne Road, Three Parks / Riverbank Road and Three Parks / State Highway 84 intersections in the morning and evening peak hours, making allowance for all permitted development within the Three Parks and North Three Parks areas".

With these three items addressed, we consider that the transportation effects that could arise from the private plan change can be adequately managed via a subsequent controlled activity resource consent application.

Regards
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