

Our Ref: 18174

25 September 2020

Patrick McHardy
Senior Planner
South Waikato District Council
Torphin Crescent
Tokoroa 3420

Proposed Plan Change 1 South Waikato District Plan: Transportation Engineering Technical Review of Submissions

CKL has been asked by South Waikato District Council (SWDC) to report on specific submissions received on Proposed Plan Change 1 (PC1) to the SWDC District Plan. PC1 enables three new residential growth cells (GC1, GC2 and GC3) and one business growth cell (GC4) to be introduced in Putaruru.

CKL prepared an Integrated Transportation Assessment (ITA) for GC4. This informed the development of the transport framework for PC1 and is referred to in the Section 32A report. Whilst the focus of the ITA was the GC4 business cell, it also took into account the cumulative traffic effects associated with the development of the three residential cells.

Preparation of the ITA involved considerable consultation with the New Zealand Transport Agency (NZTA) as the road controlling authority for State Highway 1 (SH1). The traffic capacity and safety thresholds embedded in PC1, as well as the approach to activity status, represent an agreed position between, SWDC, CKL and NZTA officers.

The scope of this current report is to review and report on traffic matters raised in submissions by:

- KiwiRail;
- Ministry of Education (MoE); and
- DPS Developments Limited (DPS).

Reference has been made to:

- Proposed PC1 alterations to the District Plan;
- Section 32A report for Plan Change 1;
- Relevant National Policy (GPS on Land Transport and the NPS on Urban Development); and
- CKL ITA (v7) dated May 2020 and associated consultation with NZTA.

KiwiRail

The submitter is generally in support of PC1 with some reservations and recommendations noted. Traffic matters are captured in Point 1 of the submission (Transport – Whole Plan Change) and can be summarised as:

- Support for no new level crossings being created in Putaruru; and

- Seeking that a Level Crossing Safety Impact Assessment (LCSIA) be completed on the existing Main Street level crossing.

Level Crossing Safety Impact Assessment

A LCSIA has been completed by Stantec 1. As required by the methodology for a LCSIA, this considered four scenarios:

- the existing situation (updated existing);
- the future operation of the existing crossing in ten years' time to provide a basis for comparison with the upgraded 'with development' option (change in use);
- the 'with development' option including proposed upgrades (proposed design); and
- the 'with development' option ten years into the future (future score).

The LCSIA identified a number of actions required to be taken by Kiwirail and/or SWDC immediately or as part of ongoing maintenance. These include replacing missing tactile paving, trimming vegetation, refreshing road markings, and managing informal pathways.

The LCSIA also recommended installation of automatic gates and pedestrian-focussed flashing lights in the future. It does not provide any insight as to the timing of that need, as the future scenario captures the full build out of all four growth cells.

The analysis presented in the ITA shows the operation of the Main Street / SH1 and Main Street / Princes Street roundabouts is unlikely to have an effect on the operation of the level crossing for use by KiwiRail¹.

The cause and effect is more likely to be in reverse where increased use of the level crossing by KiwiRail may affect the operation of the road and footpath network. The LCSIA addresses this by recommending monitoring of traffic demands at the level crossing on a three-yearly basis². This can form part of the general traffic monitoring already undertaken by SWDC as required for their RAMM database. It is not a matter that necessitates additional provisions in the Plan Change. The existing maintenance issues identified can be actioned by KiwiRail and/or SWDC as appropriate at any time, and similarly do not require additional provisions in PC1.

All other matters of submission by KiwiRail relate to noise, stormwater, reverse sensitivity or building setbacks and can be addressed by others.

MoE

The submission from MoE is in support of all proposed changes to the District Plan under PC1 and it is not intended that each be commented on individually. However, it is noted in the body of the submission that the MoE has some specific concerns around the ongoing safety of students journeying to and from the various schools within Putaruru. The matters raised include:

- the likelihood of children trespassing on the railway from GC1 to reach Te Wharekura o Te Kaokaoroa o Patetere ("the Wharekura") on Buckland Road;
- GC3 being accessed from Kennedy Drive which also houses Putaruru Primary School; and

¹ CKL ITA Section 2.3.12, Appendix B 2018 Base Analysis and Appendix D 2038 Future year Analysis

² LCSIA Section 4.3

- traffic from GC4, and the potential reduction in level of service at the Princes Street / SH1 intersection affecting access to school across the town.

In general, the MoE wishes to ensure that:

“road changes do not impact on access to schools and where new roading or road changes are proposed, that sufficient road signage and speed limits are put in place around schools to manage potential traffic and safety impact as a result of these developments.”

In relation to traffic and transportation matters, the decision the MoE is seeking from the consent authority is that:

“Council to consider and take into account the need for safe transport routes and access to and from the schools from the new growth cells, including infrastructure to support the schools”

In relation to rail safety, a copy of the LCSIA has been provided to the MoE via Beca. The LCSIA has raised a number of matters, some of which are maintenance issues for immediate action as outlined above. The two matters of relevance to the MoE submission are the ‘proposed design’ recommendations which require:

- the installation of automatic pedestrian gates at the level crossing; and
- installation of pedestrian flashing lights at the level crossing.

It was not within the scope of the LCSIA to consider the potential for trespass on the railway corridor as a short cut between Overdale Road, GC1 and the Wharekura. In terms of the existing potential for trespass, the whilst the railway corridor is generally unfenced in this area, the topography along the north section of Buckland Road alongside the railway does not support easy access. Buckland Road drops away in level, leaving the railway on a considerable embankment. There is, however a higher potential for trespass to the south where Buckland Road, Overdale Road and the railway line are all at a similar level. Fencing is a matter that KiwiRail and SWDC may wish to discuss in relation to any existing trespass issues.

Putaruru is currently served by two rail crossings, the level crossing on Main Street and the grade-separated road at Princes Street. Rail corridors can be an inherent barrier to walking and cycling as safety principles prevent them being permeable. With or without further growth in Putaruru, it may be beneficial for SWDC to consider another crossing opportunity for pedestrians and cyclists, particularly in the northern part of the township. With new level crossings being unacceptable to KiwiRail, grade-separation would be required.

In terms of needs that are directly generated by the Growth Cells, there are adequate provisions in PC1 to address pedestrian and cycle connectivity and integration. There are also mechanisms available to share costs between parties, which could be particularly relevant to works that offer wider community benefit.

Rule 8.1 (Information Requirements for RMA Applications and Policies) provides a suitable framework for the assessment of transportation effects and a mechanism for requiring mitigation of those effects:

- existing Rule 8.1.2b) iii) e)³ requires the assessment of transportation effects of a proposed development to be carried out in general accordance with the 'Integrated Traffic Assessment Guidelines November 2010 NZTA Research Report 422'⁴ .
- proposed new Rule 8.1.3.b) xi)⁵ relating to subdivision consent applications and the extent of consideration of transport network connectivity
- Policy 4.3.18⁶ which requires development to be supported by appropriate infrastructure to be delivered and secured via a private developer agreement or other suitable legal mechanism.
- 4.4.1 District Plan Methods⁷ new bullet which includes the need to promote integration of the growth areas with existing neighbourhoods and network utilities and infrastructure.

In relation to the upgrade to the level crossing recommended by the LCSIA and the potential future fencing of the railway line to limit trespassing effects by pedestrians, developments within GC1 can reasonably be expected to have an impact on the operation of this crossing and railway line and as such, the upgrades to the pedestrian facilities can be secured by PDAs for individual land use or subdivision consents to enable SWDC to gather a fund to pay of the upgrades without overburdening any one developer with a requirement to install the pedestrian gates up front.

Similarly, these above Rules and policies can be used to ensure that the effects of development on the schools within Putaruru are assessed as developments within all four of the Growth Cells are brought forwards and suitable mitigations identified as appropriate.

DPS Developments

The submitter supports PC1 but seeks amendment and/or removal of various zones, policies and rules, and removal of the Designation (D59). The traffic matters raised are addressed by point (using the submitter's numbering) as follows.

1.Objective 4.2.7 Objectives for the Districts Towns

³ Existing Rule 8.1.2b) iii) e) "An Integrated Traffic Assessment for the development, prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 442, and/or Traffic Impact Assessment

⁴ Note there is a drafting error in PC1 that uses the word "Traffic" rather than "Transport" in the title of this document.

⁵ Proposed Change B1, new Rule 8.1.3b) xi) "Commentary on transportation links intending to serve the proposed subdivision and probable future development and connectivity to the local or State Highway network, and how subdivision design and lot layout will achieve a safe and efficient operation of the road network including providing for pedestrian and cycleway opportunities. This is to include anticipated traffic generation effects associated with the full development of the growth cell and any intersection design upgrades required."

⁶ Proposed Change A5, new Policy 4.3.18 "Land within the Putaruru Growth Cells will not be developed for urban use until the provision of network utilities and infrastructure to service the land is secured through private developer agreements or other appropriate legal mechanisms"

⁷ 4.4.1 District Plan Methods new bullet "Specific Rules for Putaruru Growth Cells, including Development Concept Plan requirements, traffic safety thresholds, and water and waste water limitations, that promote the integration of growth areas with the town's existing neighbourhoods and with network utilities and infrastructure"

This submission point deals with a number of matters and has been assessed from a traffic and transportation perspective only.

The relief sought is to remove the words *“with network utilities and infrastructure”* from the Objective *“To provide for the outward expansion of the existing townships where the new areas can be efficiently serviced with network utilities and infrastructure including provision for walking, cycling and pedestrians, where funding provision has been made consistent with the project demand for new building sites for housing and businesses”*.

The commentary provided appears to indicate that the submitter is concerned with how various contributions of land are accounted for and offset against other contributions. This is not a traffic matter, however the relief sought does have potential traffic consequences.

To remove the identified wording would be inconsistent with the Objective of the ‘Government Policy Statement 2018 - Land Transport’, and specifically the ‘Access’ strategic direction which seeks to ensure that land use and transport planning reduce the need to travel, provide greater resilience in our transport networks and supports mode shift. It is also inconsistent with the Objectives of the ‘National Policy Statement on Urban Development 2020’, specifically Objective 6 which requires local authorities to make decisions on urban development that are integrated with infrastructure planning and funding decisions.

The relief sought is not supported and it is recommended that Objective 4.2.7 be accepted as notified.

5. New Policy 4.3.18

The submitter is opposed to the policy on the basis that the policies and rules already provide for appropriate infrastructure and alternatives can be proposed at Development Concept Plan (DCP) stage.

PC1 contains the following existing and proposed elements of Rule 8.1 Information Requirements for RMA Applications and Policies provide a suitable framework for the assessment of transportation effects and a mechanism for requiring mitigation of those effects:

- existing Rule 8.1.2b) iii) e)⁸ requires the assessment of transportation effects of a proposed development to be carried out in general accordance with the ‘Integrated Traffic Assessment Guidelines November 2010 NZTA Research Report 442’ .
- proposed new Rule 8.1.3.b) xi)⁹ relating to subdivision consent applications and the extent of consideration of transport network connectivity

⁸ Existing Rule 8.1.2b) iii) e) “An Integrated Traffic Assessment for the development, prepared in accordance with the Integrated Traffic Assessment Guidelines, November 2010, NZTA Research Report 442, and/or Traffic Impact Assessment

⁹ Proposed Change B1, new Rule 8.1.3b) xi) “Commentary on transportation links intending to serve the proposed subdivision and probable future development and connectivity to the local or State Highway network, and how subdivision design and lot layout will achieve a safe and efficient operation of the road network including providing for pedestrian and cycleway opportunities. This is to include anticipated traffic generation effects associated with the full development of the growth cell and any intersection design upgrades required.”

- Policy 4.3.18¹⁰ which requires development to be supported by appropriate infrastructure to be delivered and secured via a private developer agreement or other suitable legal mechanism.

Rules 8.1.2b) iii) e) and 8.1.3b) xi) require an assessment of traffic effects to be undertaken for land use and subdivision consent applications. Mitigations of traffic and transport effects would be expected to be identified through this process and their delivery can be governed by means of appropriate consent conditions. This can be a suitable method to deal with stand-alone effects that are attributable entirely to a single consent application and this represents an “*appropriate legal mechanism[s]*”. However, given the scale of the growth cells, it is also reasonable to anticipate that some effects may be cumulative and the inclusion of Policy 4.3.18 provides a mechanism for Council to apportion the cost of mitigation across the contributing parties.

As such, it is recommended that the proposed new Policy 4.3.18 be retained as notified.

6. Policy 4.3.19 and 14. New Rule 8.3.4u)

The submitter is opposed to the reference to ‘anticipated for the entire growth cell’ in this policy, as they believe it requires unnecessary up-front costs.

From a traffic and transportation perspective, the importance of retaining this Policy and the proposed new Rule 8.3.4 u) as notified lies in ensuring that early elements of development are delivered in such a way that they do not frustrate/preclude later stages by the same or other parties. This is a very common approach in growth cells and it is not the intention of the Policy that the first developer pays for all infrastructure.

For example, a stand-alone industrial development may only need local road access but the growth cell as a whole will require a collector road. It would be inappropriate therefore to provide only a local road to serve the first development and would be contrary to the obligations of Council. However, it is equally not necessarily equitable to expect that developer to provide the full collector road cross section if they only need a local road for their development. The PDA mechanism from Policy 4.3.18 can be used to govern the delivery of the required infrastructure for the wider development, whilst protecting the interests of the individual developer e.g. the first developer builds the collector road but the Council pays for the difference in cost (or provides an offset of some form) between the local road ‘need’ and the wider collector road delivery, with the PDA being the mechanism to control payment. This is also the function of Rule 8.3.4 u). It is recommended that the Policy be retained as notified.

9. New Clause 8.1.3b)

The submitter opposes this clause on the basis of onerous information requirements and lack of flexibility.

¹⁰ Proposed Change A5, new Policy 4.3.18 “Land within the Putaruru Growth Cells will not be developed for urban use until the provision of network utilities and infrastructure to service the land is secured through private developer agreements or other appropriate legal mechanisms”

Rule 8.1.3a) iv) requires an Assessment of Environmental Effects, the requirements for which are set out in Rule 8.1.2b). In addition, Rule 8.1.3a) i) k) requires identification of proposed roads, crossings, pedestrian accessways and service lanes.

Rule 8.1.2b) iii) e) for land use consent applications requires an Integrated Transport Assessment and /or Traffic Impact Assessment. The Development Concept Plan required under proposed new Rule 8.1.3b)xi) for subdivision consent applications requires consideration of transport links for the new subdivision and development, consideration of connectivity to existing transport networks, consideration of pedestrian and cycle access opportunities and consideration of traffic generation and associated mitigations. All of these matters would form part of an Integrated Transport Assessment carried out in accordance with the NZTA RR422 as referenced in Rule 8.1.2b) iii) e) and are not therefore considered to be an additional burden as this information would be required for subsequent (if not concurrent) land use consent applications in any event.

It is recommended that the Rule be retained as notified.

18. New Rule 10.5.4A

The submitter opposes the rule that any subdivision creating new allotments within Putaruru GC4 shall provide access to those allotments by way of a new legal road from Princes Street. No further commentary is provided for this position.

GC4 is bounded by the Kinleith Branch Railway and SH1 to the east. Access across these corridors is not supported by KiwiRail and NZTA, respectively. To the west the land is to remain rural and there is no existing transport network to connect to, without traversing established residential areas. Princes Street is assessed as the most appropriate connection point. It is recommended that the Rule be retained as notified.

19-23. Matters Pertaining to Industrial Zoning v Putaruru Business Zoning

The submitter is opposed to the proposed Putaruru Business Zoning for GC4 and seeks to have the land rezoned as Industrial.

A comparison of the various activities permitted within the industrial zone and the permitted, controlled and discretionary activities included in the Putaruru Business Zone shows that the key difference is that the Putaruru Business Zone does not allow directly for:

- outdoor storage
- the use or storage of hazardous substances
- the undertaking of noxious industrial activities associated with the rendering of animals, animal products and waste

The ITA considered a range of potential industrial and other associated activities allowed under both the industrial and proposed Putaruru Business zoning. The approach adopted was to consider traffic generation likely to arise from a matrix of employment and development densities and to then find the tipping point of the network in relation to capacity and safety¹¹. This methodology is suitable for the Plan Change level of effects assessment and would be valid for either aforementioned zoning.

¹¹ CKL ITA Section 3

Allowing the relief sought or retaining the zoning as notified in the PC1 would have a neutral outcome from a traffic and transportation perspective.

25. Rule 22.3.5 Non-Complying Activities.

The ITA considered a range of potential traffic generation effects at both the 10-year and 20-year future horizon. It is concluded that network capacity would continue to be within generally acceptable standards until such time that more than 330 new vehicle movements per hour associated with GC4 would occur at the Princes Street / SH1 intersection¹². Consideration was also given to road safety effects, which showed that the implications of the potential future GC4 traffic at this intersection was in the Safety Maintenance and Safety Management zone, rather than requiring significant improvements on safety grounds.

As discussed in Section 3.6.4 of the Section 32A report, a range of potential future control mechanisms and Rules associated with GC4 were considered. A non-complying activity status is governed by Section 87A (5) of the RMA and gives the Consenting Authority the option to decline or grant the resource consent application subject to being satisfied that it meets the requirements of Section 104D and also meets the requirements of the District Plan. Section 104D requires the consenting authority to be satisfied that the effects of development are minor or that the activity will not be contrary to the objectives and policies of the District Plan.

From a traffic perspective, without significant mitigation of effects at the Princes Street / SH1 intersection, traffic effects are expected to be more than minor. With mitigation, these can be reduced, however the scale of mitigation required is significant. As such, a non-complying activity status is considered appropriate. However, it is acknowledged that the GC4 Policies and Objectives support industrial type activities within GC4, and that opportunities on how to mitigate traffic effects have been discussed within the ITA¹³. This gives certainty to developers that development is possible and can be consented, but only if the relevant road controlling authorities are satisfied that the traffic effects are minor. The mechanism for doing so lies within the ITA requirements of Rule 22.4.11 d), 8.1.2 b) iii) e) and 8.1.3 b) xi). As such, it is considered that the non-complying status remains appropriate as it gives sufficient warning to potential developers of the level of assessment and mitigation likely to be required to offset expected traffic effects.

26. Clause 22.4.11 Performance standard for Permitted and Controlled Activities

The performance standards¹⁴ in the District Plan for zones in Putaruru requires any development generating more than 200vph on a local road (or 100vph on a state highway) to provide an ITA. The key difference between this Rule and the proposed Clause 22.4.11 d) relate to the fact that within the GC4, it is the cumulative volume of traffic greater than 200vph that requires detailed assessment, rather than stand-alone development generating this amount of traffic.

At no point within the ITA is it suggested that all risk should be removed and this is also not mentioned within the proposed Clause 22.4.11 d). It is agreed that there are road safety measures that could be taken by NZTA now, however these must be considered within the wider context of funding availability and the relative degree of seriousness of road safety issue at the Princes Street /

¹² CKL ITA section 4.1.7-4.1.12

¹³ CKL ITA Section 4.2

¹⁴ District Plan 21.4.9, 22.4.11 and 23.4.1

SH1 intersection now compared to other locations. Given the assessment undertaken within the ITA and the level of effects identified at the Princes Street / SH1 intersection, retention of this clause as notified is considered appropriate.

30. Designation D59

The submitter is opposed to use of a new Designation as the mechanism to secure the connection to Princes Street. The reasons appear more related to the planning and financial aspects of the mechanism, rather than the transport outcome.

From a transportation perspective, the key issue is that a connection to Princes Street is essential to enable development of the GC4. Other options have been considered and discounted. Whatever mechanism is applied, it needs to provide certainty that a connection can be formed, for public use, on a known timeframe, without reliance on the development intentions of one party. Any mechanism that delivers these outcomes would be considered appropriate from a transportation perspective.

Summary and Conclusions

The following table summarises the traffic related relief sought but each submitter and the recommended response.

Submitter	Relief Sought	Recommendation and Comment
KiwiRail	Seek a level crossing safety impact assessment	Accept submission. LCSIA has been completed and provided to the submitter. No further provisions necessary in the PC1.
Ministry of Education (MoE)	None	The submitter does not seek any changes to PC1 The submitter asks for certain transport issues to be considered in development of the growth areas. There are adequate mechanisms in the Plan Change provisions to do this.
DP Developments	Removal and modification of various provisions.	No changes on traffic matters. Many of the submitters concerns appear to arise from interpretation of provisions that does not align with their intent or practical outcome. Progress could potentially be made with further direct engagement with the submitter in relation to application of PC1.



Judith Makinson
Transportation Engineering Manager | Associate

CKL Planning | Surveying | Engineering | Environmental