

RESOURCE MANAGEMENT ACT 1991

FORM 6

FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE  
TO CENTRAL OTAGO DISTRICT PLAN

Clause 8 of Schedule 1, Resource Management Act 1991

To: Central Otago District Council  
PO Box 122  
ALEXANDRA 9340



Name of person making further submission: *HILARY ANNE LENNOX*  
(Full name)

This is a further submission in support of (or in opposition to) a submission on proposed Plan Change 13 to the Central Otago District Plan.

I am:

- ~~1. A person representing a relevant aspect of the public interest, the grounds for saying this being:~~
2. A person who has an interest in the proposal that is greater than the interest the general public has, the grounds for saying this being:

I own, and reside at, the property located at 344 Kawarau Gorge Road, which is directly opposite the proposed subdivision and the intersection of Sandflat Road with SH6.

~~3. The local authority for the relevant area.~~

I support (or oppose) the submission of:

HILARY ANNE LENNOX on Plan Change 13.

The particular parts of the submissions I support (or oppose) are:

All of the submission from HILARY ANNE LENNOX.

The reasons for my support (or opposition) are:

The Assessment of Effects on the Environment (AEE) prepared by Brown and Company Planning Group, dated 1 March 2018, make specific reference to effects of the proposed development in relation to traffic, and further note that effects of the plan change on associated transportation issues are addressed in the Transportation Assessment report prepared by Carriageway Consulting, dated 14 December 2017.

The following points from the AEE are discussed below:

- "Under the expected future conditions for traffic flows, the need for auxiliary left-turn lanes at the State Highway 6/Sandflat Road intersection can be met, and these are required by the RTRA standards.

The Transportation Assessment has indicated that there may be some issues with providing the auxiliary left-turn lane onto SH6 due to the presence of the power pole. I do not believe that the applicant has identified exactly how this will be rectified, rather they have simply committed to restricting the level of development until this issue has been resolved. I am concerned that if the issue is not able to be resolved, then the applicant will simply seek a plan change in the future to remove this requirement. At that point the development will be well progressed, and this will work in the applicant's favour. The result will be that the left-hand turn lane onto SH6 will not be provided.

- Subject to the provision of the auxiliary lanes, the crash history in the vicinity of the site does not indicate that there would be any adverse safety effects from the proposal."

ENTERED  
29/10/18



This statement is made by the author of the AEE using information from the Transportation Assessment, but the Transportation Assessment does not provide a reasonable level of assessment in relation to this matter. The Transportation Assessment has discussed the recent crash history occurring under current traffic flow conditions, but has not projected what the crash incidence might be with ~50% more traffic on the road following the proposed development.

- *“The transportation assessment concludes that the proposed plan change will not cause adverse effects from a traffic and transportation perspective.”*
- *“The conclusion from that assessment is that the plan change is acceptable from a traffic perspective... The effects of the RTRA on the highway are therefore not adverse and are acceptable.”*

These statements are false and show an attempt by the author of the AEE to manipulate information from the Transportation Assessment in favour of the proposal. The Transportation Assessment concludes that “there are no traffic and transportation reasons why the plan change could not be recommended for approval”, but does not conclude that there will be no adverse effects. In the RMA planning context, plan changes are often granted where there are adverse effects, especially if those adverse effects are avoided, remedied and/or mitigated. Just because the Transportation Assessment concludes that there are “no reasons why the plan change could not be recommended for approval” does not, therefore, automatically mean that there are no adverse effects. The fact that the AEE confuses the conclusion of the Transportation Assessment with a determination of there being no adverse effects is a sign of either sloppy planning, and/or a deliberate manipulation of the words of the transport engineer for the benefit of the proposal. Either way, this undermines the integrity of any comments on transportation issues provided in the AEE.

Note: I have provided further discussion below as to why there are reasons why the plan change should not be recommended for approval, and therefore I actually disagree with the conclusion of the Transportation Assessment too.

- *“The visual outlook from this property (my property, at 344 Kawarau Gorge Rd) out towards the RTRA site will change, in the same way that the view from the highway will change, but the effects are mitigated by the existing shelter row on the north side of the highway road reserve, the RTRA’s setback area adjacent to the highway and the northern section of Sandflat Road, and the landscaping within this setback. There are no effects on the privacy of this property, and any additional noise effects on the property would be inconsequential given the existing noise effects from the highway, the Motorsport Park and the speedway, and nearby rural activities. There will be additional traffic to and from the RTRA site, using the highway and Sandflat Road, which will add to the perceived level of activity in the area, but this additional activity is not in itself an adverse effect. Additional traffic noise will be inconsequential in this environment.”*

This paragraph from the AEE contains false statements based on bold conclusions, without the support of a meaningful assessment. There most certainly will be significant adverse effects on the privacy of my property, additional traffic noise effects will not be inconsequential, and the perceived level of activity is most certainly an adverse effect, as described below.

When any vehicle is travelling up Sandflat Road towards SH6, the occupants of that vehicle have a clear view into my property. Results of the modelling undertaken as part of the Transportation Assessment show that the wait time of vehicles exiting the northern end of Sandflat Road is expected to increase by 44 - 76% on average (see below). This will impede on our sense of security and privacy, and the existing shelter row on the northern side of the highway road reserve will provide little mitigation of this adverse effect. Other traffic travelling along SH6 is moving at such a speed that we’ve never been concerned with these onlookers, and have only ever been concerned with onlooking drivers and passengers waiting at the Sandflat Road/SH6 intersection.

When any vehicle is travelling up Sandflat Road towards SH6 after dusk, the headlights of that vehicle shine directly into my living room, to the extent that my partner and I often mistakenly believe that someone is driving onto our property and one of us will move towards the door to see who it is. Currently, the low level of traffic activity on Sandflat Road after dusk means that this occurrence is relatively infrequent, but the proposed development will result in a significant increase in activity on Sandflat Road after dusk, and therefore a significant increase in this effect, which will impede on our enjoyment of my property, our sense of security and our sense of privacy. This effect will be more prominent in winter months when headlights are used much more frequently, and we are spending more time in the evenings in our living room. The existing shelter row on the northern side of the highway road reserve will not provide any mitigation of this adverse effect.



The AEE provides no evidence to support the author's conclusion that additional traffic noise will be inconsequential. Between the hours of approximately 7am to 6pm, we experience noise from the adjacent SH6 (this is reflected in the observations of traffic movements provided in the Transportation Assessment). After 6pm, however, this noise drops off significantly and the level of traffic noise experienced at our home in the evenings and during the night is far less, and often completely inaudible. The proposed development will undoubtedly increase the amount of local traffic noise in the evenings and throughout the night. Furthermore, I have observed that the noise generated from vehicles accelerating from Sandflat Road onto SH6 is distinct and more audible than the noise generated from passing vehicles moving at a steady speed along SH6.

The frequency of vehicle movements between SH6 and Sandflat Road, and the associated noise generation, will increase significantly as a result of this proposal (data from the Transportation Assessment indicates that movements in the area on SH6 will increase by around 50%). Without engaging a specialist to assess these effects then I cannot comment exactly on the magnitude of these effects, but in the same vein, the applicant cannot conclude that these effect will be "inconsequential" without undertaking an adequate assessment.

- *"There are no adverse effects on traffic safety and efficiency."*

This statement is made by the author of the AEE and is not supported by the Transportation Assessment.

The following points from the Transportation Assessment are discussed below:

- *"...it is reasonable to conclude that the primary role of the highway is to carry through traffic, with the balance of the roads providing for local journeys and property access"*

This statement confirms that the current primary role of the highway is to carry through traffic, rather than acting as a significant intersection. Should the proposed development proceed in its current form, the SH6/Sandflat Road intersection will become a very busy intersection and a major feature along this stretch of the highway and is likely to end up resembling the poorly-planned intersection leading into and out of Lake Hayes Estate, Queenstown.

- *"At its northern end, Sandflat Road meets State Highway 6 at a priority intersection which has auxiliary right-turn lanes for traffic turning right into Sandflat Road and right into Papillon (furniture and handmade gifts workshops) which lies on the northern side of the highway, opposite the motorsport park.'*

I can confirm that my property has not operated as the Papillon workshop for a least two years now, if not longer. The Transportation Assessment is only 10 months old and Photograph 5 from the Transportation Assessment was taken from the end of my driveway, which indicates that the author visited the site and so it is unclear how the author could make this mistake. I imagine that the author referred to a dated placemark on Google Maps, which questions the integrity of the report because it is not possible to assess the likely effects of an activity on the surrounding environment if the nature of surrounding environment is not adequately understood.

- *"The State Highway 6 / Cemetery Road intersection is 'give-way' controlled, and does not have any auxiliary lanes for turning traffic. However there is a widened shoulder of 3m on each side of the highway which can be used by vehicles to move out of the through traffic lanes before turning."*

Anyone who uses this intersection would know that the move described in this paragraph would be idiotic. The SH6/Cemetery Road intersection is already incredibly dangerous under the current traffic load, as I described in an email that I sent to Aspiring Highways back in September 2017. The following response was received from Roy Johnston, Senior Safety Manager for NZTA:

*"The location is identified in our safety improvement programme and while it is not the best alignment and we agree with their concerns currently it is hard to justify investment due to the low safety risk rating for this intersection. Ideally we would like to construct a right turn bay to cater for vehicles turning into Cemetery Rd. At this time the NZTA will consider intersection improvements as part of the minor improvements programme although it should be noted that the safety improvement programme is subject to national prioritisation and budget constraints. In the meantime we will continue to monitor the location."*

This confirms that the SH6/Cemetery Road intersection has been identified by NZTA in their safety improvement programme, although the absence of regular crashes and fatalities means that funding has not been prioritised for the upgrade of this intersection yet. I have had many near misses when trying to turn right onto Cemetery Road, to



the point where I now no longer ever attempt to make this manoeuvre. I suspect that any crash here would be serious given the speed at which traffic travel along this stretch of road (100 km+) and the reduced line of sight around the corner. The presence of this dangerous intersection in such close proximity to the proposed development should be given thorough consideration when assessing the effects of the plan change on associated transportation issues.

- *“Based on the prevailing crash record, it is not considered that there are any inherent deficiencies in the roading network in the vicinity of the site.”*
- *“In view of the excellent road safety record on the road network adjacent to the site, it is not considered that the additional traffic is likely to give rise to any road safety concerns.”*
- *“Subject to the provision of the auxiliary lanes, the crash history in the vicinity of the site does not indicate that there would be any adverse safety effects from the proposal.”*

It should be noted that this conclusion is based on there having been four crashes in the subject area between 2012 and 2016 (an average of once crash per year) and that this is based on the current traffic volumes, with Sandflat Road and Cemetery Road currently experiencing “low traffic flows”. The Transportation Assessment has not determined whether a ~50% increase in traffic volumes is likely to result in a 50% increase in the incidence of crashes in the area. In fact, the Transportation Assessment is conveniently silent on the effects of an increase in traffic volume on the incidence of crashes in the area.

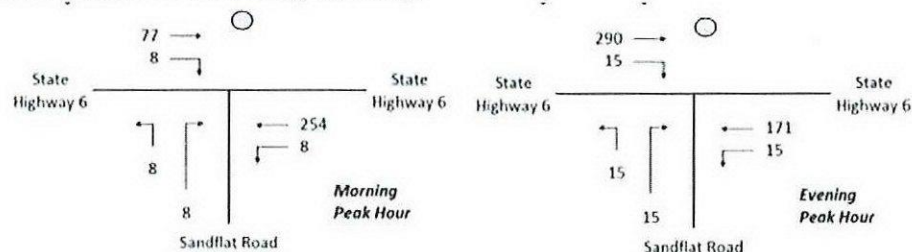
- *“In 2015, the last year which is available, the highway had an Annual Average Daily Traffic of 3,890 vehicles (two-way).”*
- *“...a rate of 8 vehicle movements per day per residence has been used, with 1 vehicle movement per residence occurring in each of the peak hours.”*
- *“With regard to the retirement units... it is anticipated that the villas will each generate 2 vehicle movements per day.”*
- *“However the route via State Highway 6 and 8B is the shortest and fastest for travel. Accordingly, it is considered that this is the route most likely to be used...”*

Data from the Traffic Assessment indicates that movements in the area on SH6 will increase from around 3,890/day to 5,800/day. This is an increase of around 50%, which is very significant.

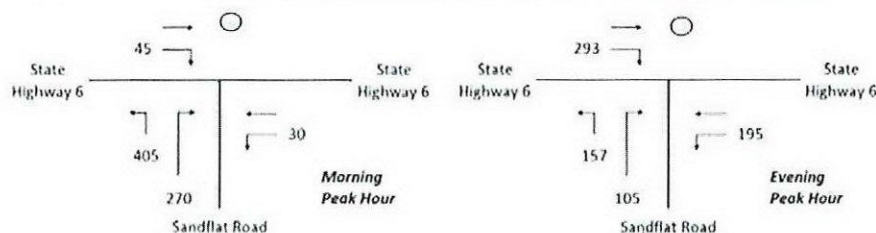
- *“The analysis shows (unsurprisingly) that the queues and delays increase when the site is fully developed. However they remain relatively low (less than 30 seconds for the highest delay) and queues remain modest.”*

Relative to what? Queues and delays will be far greater relative to the current environment...

The following images, taken from the Transportation Assessment, provide an easy visual representation of the likely increase in traffic movements at SH6/Sandflat Road intersection. The top image is the modelled current peak hour traffic flows at the intersection, and the lower image is the modelled peak hour traffic flows following the proposed development. The yellow dots denote the relative location of my driveway.



Figures 4 and 5: Peak Hour Traffic Flows at the State Highway 6 / Sandflat Road Intersection



Figures 10 and 11: Peak Hour Traffic Flows Generated by the Site at the State Highway 6 / Sandflat Road Intersection



These images show over 33 times more traffic exiting north from Sandflat Road during the morning rush hour as a result of the proposed development, and 7 times more traffic existing north from Sandflat Road during the evening rush hour. The Transportation Assessment has also modelled the wait time of vehicles wanting to turn out of the northern end of Sandflat Road following the proposed development. The modelling indicates that the average wait time will increase significantly.

In summary, the Transportation Assessment indicates that there will be somewhere between 7 (evening) and 33 (morning) times more traffic sitting at the top of Sandflat Road waiting to turn onto SH6, and that these cars will be waiting there for between 46% (morning) and 77% (evening) longer. As described earlier in this submission, drivers and passenger waiting at the end of Sandflat Road to turn onto SH6 can look straight up my driveway, and their headlights shine straight into my living room. The proposed increase in the volume of traffic and the increase in the wait time of this traffic will, therefore, result in adverse effects on my privacy and my sense of security. This will also most certainly impact on my ability to enter and exit my own driveway too.

There is a further, serious safety issue that I would like to raise. When I am travelling on SH6 from the Kawarau Gorge towards my home, I indicate left and start to pull onto the hard shoulder as I approach my driveway. As I begin to pull over, traffic travelling behind me will often make use of the turning lanes in the middle of the highway to overtake me. The Transportation Assessment shows a drastic increase in volume of traffic operating in this area around peak hours and I am extremely concerned that this could result in a safety issue. Traffic waiting to turn right out of Sandflat Road onto SH6 might see me indicating and will assume that it's safe to manoeuvre onto SH6, not realising that the traffic behind me is likely to come roaring past me at speeds of up to 100km/hr or more. The only solution that I can think of is providing a speed restriction through this area and/or installing a roundabout at the Sandflat Road/SH6 intersection. Other than the acceleration and deceleration lanes, the applicant has provided absolutely no mitigation of the adverse effects results from a ~50% increase in the volume of traffic in the local area.

When considering an application for a plan change, it is the role of the decision makers (the regulatory authority and delegate persons) to ensure that they base their decisions on adequate, robust information. If such information cannot be provided, then the decision makers must not grant the plan change. I believe that the issues I have raised highlight areas of the plan change application that are woefully deficient and I am sure that there are other parts of the application that are equally, if not more, deficient. The assessment of effects on myself and other neighbouring properties provided by the applicant shows a clear disregard to existing activities in the area and a very deliberate attempt to gloss over key issues and manipulate information in favour of the proposal. Another example of this which I would like to highlight is in relation to the applicant's assessment of ecological effects.

Section 14 of the AEE states that "there are no adverse effects on ecological values", but this statement is not supported by an assessment of the site by a qualified ecologist. In section 9 of the AEE, the author of has noted that no areas of Significant Natural Value have been identified in the District Plan. However, I note that just because no values have been found yet does not mean that none exist, and that an absence of evidence is not evidence of absence. The Cromwell Basin is home to many significant native species of flora and fauna, the most famous of which being the Cromwell Chaffer Beetle. Without a specialist ecological assessment, the author of the AEE is in no position to assert that there will be "no adverse effects on ecological values". In summary, the author has prematurely concluded that there will be no adverse effects on ecological values. Just because the site hasn't been recognised in the District Plan as containing significant natural values yet, and just because other potentially damaging activities could occur on the site with little control, this does not prove there to be an absence of significant flora and fauna on the site. This applicant's conclusion cannot possibly be relied upon without a thorough ecological assessment of the site by an expert.

In conclusion, I urge the decision makers to ensure that any information they rely upon in the consideration of this plan change application is adequate, robust, reliable and unbiased.

**I seek that the following parts of the following submissions be allowed:**

All of the original submission from HILARY ANNE LENNOX

**I wish/~~or do not wish~~ to be heard in support of my further submission.**

(Please strike out as applicable)

**~~If others make a similar submission, I will consider presenting a joint case with them at a hearing.~~**

(Please delete if you would not consider presenting a joint case)



25/10/18

**Signature of person making Further Submission**  
**(or person authorised to sign on behalf of person making further submission)**  
(A signature is not required if you make your submission by electronic means)

**Date**

**Electronic address for service of person making further submission:** hilary.lennox7@gmail.com

**Telephone No:** 021300554

**Postal Address:** 344 Kawarau Gorge Road, RD2, Cromwell

**Contact Person:** Hilary Lennox

**FURTHER SUBMISSIONS IN SUPPORT OF, OR IN OPPOSITION TO, ANY SUBMISSION  
ON PROPOSED PLAN CHANGE 13 CLOSE ON MONDAY 29 OCTOBER 2018**

**Note to person making Further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that a least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.