

**RESOURCE MANAGEMENT ACT 1991**

**Submission on Plan Change 18 – Cromwell Industrial Extension**

**By: Central Otago District Council**

To: Central Otago District Council  
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Submitter: Waka Kotahi NZ Transport Agency  
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Pursuant to the First Schedule of the Resource Management Act 1991 (RMA), **Waka Kotahi NZ Transport Agency** (Waka Kotahi) hereby makes this submission in **opposition** to an application by Central Otago District Council to rezone 52 hectares of Rural Resource Area (Rural Residential notation) to Industrial Resource Area.

The site is located on the southern fringe of the existing Cromwell Industrial Resource Area. All land subject to the plan change is zoned Rural Resource Area. The site is roughly bordered by State Highway 6 (SH6) to the west, Cemetery Road to the south, Bannockburn Road to the east, and the edge of the existing Cromwell Industrial Resource Area to the north.

**WAKA KOATHI NZ TRANSPORT AGENCY'S SUBMISSION:**

Plan Change 18 seeks to rezone 52 ha of Council owned land (currently zoned Rural Resource Area) to Industrial Resource Area. The site subject to the proposed plan change is bounded by SH6 to the east and north-east. The plan change is to give effect to the Cromwell Spatial Plan by extending the industrial area in Cromwell. The proposed rezoning will also include an additional area fronting onto SH6 between Cemetery Road and McNulty Road.

The Section 32 report states one of the primary effects associated with the plan change is likely to be adverse effects on the transport network and then goes on to note a traffic report commissioned indicated pressure from existing and proposed industrial development would impact the intersections of McNulty Road and Cemetery Road with SH6 and the intersection of McNulty Road and Barry Avenue. The traffic report discussed in the Section 32 report has not been notified as part of the Plan Change documentation.

The requestor also proposes a new performance standard as follows:

*7.3.6 (vi) (j) Access – Cromwell Industrial Extension*

*a) Access to properties in the Cromwell Industrial Extension shall be from existing and future legal roads and constructed in accordance with Rule 12.7.1 on page 12:13 provided that there shall be no direct property access to the following roads:*

1. *Bannockburn Road*

2. *State Highway 6*

*b) Any new intersection with Bannockburn Road from the Cromwell Industrial Extension will be constructed to a standard suitable for light vehicles only.*

*Reason Restricting property access will minimise the impact of heavy vehicles on the safety and efficiency of the roading network.*

*Cross Reference Policy 9.2.5 Breach: Non-Complying see Rule 9.3.5*

Waka Kotahi has statutory functions, as defined under Section 95 of the Land Transport Management Act 2003. In submitting on this proposal, Waka Kotahi seeks to give effect to the following statutory functions:

- To contribute to an effective, efficient, and safe land transport system in the public interest;
- To manage the state highway system, including planning, funding, design, supervision, construction, and maintenance and operations; and
- To assist, advise, and co-operate with approved organisations (such as regional councils and territorial authorities).

Waka Kotahi has reviewed Plan Change 18 and has the following concerns:

***Otago Southland Regional Land Transport Plan 2015–2021***

The Otago Southland Regional Land Transport Plan (OSRLTP) recognises the importance of the Safe System approach for improving road safety, including for vulnerable road users. Waka Kotahi requests that the applicant provides further detail on how the proposal affects the relevant intersections with State Highway 6 and how these will be made Safe Systems compliant.

***Otago Regional Policy Statement***

Chapter 9 of the RPS acknowledges the importance of sustainable transport. Policy 9.5.3 seeks to promote the use of fuel-efficient modes of transport, encourage a reduction of emissions from transport, and provide a safer transport system. Further assessment is required to understand the potential effects of development and determine the extent to which the plan change will result in industrial development that is consistent with *Chapter 9 – Built Environment* of the RPS.

Objective 4.5 and Policy 4.5.2 of the Partially Operative Regional Policy Statement recognise the need for urban growth and development to occur in a strategic and co-ordinated way, and to integrate infrastructure with land use.

The urban form and development objectives and policies within the Proposed Regional Policy Statement are also relevant to Plan Change 18 particularly where they discuss integration of landuse with planned development of infrastructure, additional infrastructure and facilitating the safe and efficient ongoing use of regionally significant infrastructure, including how this infrastructure will be provided and by whom.

If the proposed plan change is inconsistent with the Otago Southland Regional Transport Plan and the RPS, then it is not considered appropriate for the plan change to be approved. Further evidence is required from the applicant to confirm that the plan change will enable the safe and efficient operation of the transport network and provide for strategic and co-ordinated development.

### **Incomplete Section 32 Report: Effects on SH6**

Waka Kotahi is supportive in principle of the intent to extend the Cromwell Industrial area. However, the Section 32 Report notes there are likely effects on the intersections with the state highway but does not address what the scale or significance of these effects will be, propose mitigation or who will be responsible for this mitigation.

Waka Kotahi is aware of the traffic report commissioned by Council as it was discussed at the consultation meeting between the Council and Waka Kotahi as were concerns around the additional traffic generation from the extension of the Cromwell industrial zone on intersections with SH6. At this meeting Council discussed the possibility that two roundabouts may be required, one at Cemetery Road and another at McNulty Road where they intersect with SH6. However, Waka Kotahi has not had an opportunity to review the traffic report and it has not been included in the documentation notified as part of Plan Change 18.

Waka Kotahi, therefore, consider the Section 32 report deficient, as it does not address the potential effects of the proposal on SH6, a key physical resource. As a result, the conclusion that the proposed Plan Change as notified is the most appropriate way to achieve the purpose of the Resource Management Act 1991 (the Act), as required under Section 32 (1) of the Act is not properly founded.

However, Waka Kotahi notes that the proposed addition of performance standard 7.3.6 which restricts property access directly onto SH6 is supported.

### **SH6 Intersection Improvements**

We understand that the proposed plan change is necessary to give effect to the outcome of the Spatial Plan which was the result of community consultation. Waka Kotahi recognises that the Spatial Plan will help shape the future growth of Cromwell and as evidence by this plan change notification, provide policy direction and eventually influence the review of the District Plan. However, the Spatial Plan outcomes in themselves do not provide detail on where and who will provide for the necessary infrastructure that is required from this growth.

The Section 32 report does not address the effects of the proposal on the state highway or what potential upgrades may be required to the state highway intersections. Effectively, it appears the applicant is seeking to provide a development that will potentially have a significant effect on the state highway asset, without any indication of contributing to avoiding, remedying or mitigating those effects.

There seems to be an underlying assumption that any state highway intersection improvements will be undertaken in due course regardless of whether this plan change is adopted. Waka Kotahi notes that these intersections are not on any programme for upgrading and are not included in the National Land Transport Plan for funding in the 2021–2024 period or beyond. Even if intersection improvements were able to be funded by Waka Kotahi, the requestor has not initiated the appropriate process to establish what, if any investment is warranted.

Consequently, there is no certainty if or when improvements to the potentially affected intersections may occur given the current competitive funding environment. As a result, it appears to Waka Kotahi that the users of SH6 are expected to tolerate adverse effects on the state highway, from the plan change until intersection improvements can be funded and completed, given no other mitigation measures are proposed by the requestor.

Waka Kotahi is concerned that the proposal does not have regard to the sustainable management of the state highway as a physical resource – and that when effects on the state highway are significant enough, the Crown will fund the necessary improvements. Waka Kotahi consider that where there are adverse effects or potential

adverse effects on the long-term management and delivery of the state highway, the party that results in these effects should be responsible (if not fully, then at least in part) for addressing those effects.

**WAKA KOTAHI NZ TRANSPORT AGENCY WISHES THE CONSENT AUTHORITY TO:**

Unless the issues raised above, including addressing the potential effects of the proposal on the state highway intersections safety and efficiency are provided for, then Waka Kotahi requests that the Plan Change is withdrawn or declined.

Waka Kotahi is open to discussing the proposal further with the applicant and Central Otago District Council to reach a suitable agreement whereby the Plan Change can be approved subject to an appropriate assessment of effects from the proposal on SH6 and inclusion of suitable mitigation to address the issues raised in this submission.

Waka Kotahi NZ Transport Agency wishes to be heard in support of this submission.

Dated at Christchurch this 9<sup>th</sup> day of December 2021.



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**Waka Kotahi NZ Transport Agency**

*Pursuant to authority delegated by Waka Kotahi NZ Transport Agency*

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