

NZ Transport Agency Waka Kotahi Reference: 2024-1376

25 November 2024

The Chief Executive
Central Otago District Council
PO Box 122 Alexandra 9340

Via email: resource.consent@codc.govt.nz

Dear Sir/Madam,

Submission on Richard Hart application RC240234 – 2500 Tarras-Cromwell Road, Central Otago

Attached is the NZ Transport Agency Waka Kotahi (NZTA) submission on resource consent application RM230874 by Richard Hart for subdivision and land use consent to undertake a two-lot subdivision creating one new residential allotment and building platform in a rural resource area at 2500 Tarras-Cromwell Road (State Highway 8).

We welcome the opportunity to discuss the contents of our submission with council officers and/or the applicant as required.

If you have any questions, please contact me.

Yours sincerely



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System Design, Transport Services

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FORM 13, SECTION 96, RESOURCE MANAGEMENT ACT 1991

Submission on Richard Hart Subdivision and Land Use Consent Application RC240234 – 2500 Tarras-Cromwell Road

To: The Chief Executive
Central Otago District Council
PO Box 122 Alexandra 9340

Via email: resource.consent@codc.govt.nz

From: NZ Transport Agency Waka Kotahi
Dunedin Office
PO Box 5245
Dunedin 9058

1. **This is a submission on an application RC240234 from Richard Hart for:**
 - 1.1 Subdivision and land use consent to undertake a two-lot subdivision creating a new residential allotment and residential building platform in a rural resource area at 2500 Tarras-Cromwell Road (State Highway 8; SH8). The subject site is legally described as Lot 1 DP 7416.
2. **NZ Transport Agency Waka Kotahi (NZTA) could not gain an advantage in trade competition through this submission.**
3. **Role of NZTA**
 - 3.1 NZTA is a Crown entity with its functions, powers and responsibilities set out in the Land Transport Management Act 2003 (LTMA) and the Government Roadway Powers Act 1989. The primary objective of NZTA under Section 94 of the LTMA is to contribute to an effective, efficient, and safe land transport system in the public interest.
 - 3.2 An integrated approach to transport planning, funding and delivery is taken by NZTA. This includes investment in public transport, walking and cycling, local roads and the construction and operation of state highways.
4. **State highway environment and context**
 - 4.1 The subject site is located directly east of, and has physical frontage to, SH8.
 - 4.2 SH8 has a posted speed limit of 100 km/hr, and has been declared a Limited Access Road (LAR) adjacent to the subject site. It has an Annual Average Daily Traffic volume of 1945, with approximately 12% heavy vehicles.
 - 4.3 The subject site has an existing vehicle crossing onto SH8, which has previously been authorised by NZTA pursuant to Section 91 of the Government Roadway Powers Act 1998; it is identified as 'Crossing Place 35' (CP35). Both proposed allotments intend to use this existing vehicle crossing for access, with Proposed Lot 2 gaining access to this vehicle crossing via a Right of Way easement over Proposed Lot 1.

- 4.4 The existing vehicle crossing (CP35) is formed to the NZTA Diagram C access standard.
- 4.5 CP35 is located approximately 130 metres north of CP37 and 141 metres south of CP34 (neighbouring vehicle crossings).
- 5. The specific parts of the application that this submission relates to are:**
- 5.1 The effects of the proposal to the extent that they could compromise NZTA statutory obligations in terms of ensuring a safe, efficient and effective transport system.
- 6. The submission of NZTA is:**
- 6.1 NZTA is neutral to the proposal to the extent outlined in this submission.
- Suitability of existing vehicle crossing onto SH8
- 6.2 The application includes a transport assessment undertaken by Mr Fuller of Novo Group. That assessment states that the combined vehicle generation from both allotments is estimated to be 29 vehicle movements per day¹, which is an increase of ten vehicle movements per day over the current number of vehicle movements per day associated with the existing dwelling and consented joinery business (RC240104) on Proposed Lot 1. Peak hour traffic generation is expected to be four vehicle movements.
- 6.3 It is noted in the application that the existing vehicle crossing to the subject site doesn't comply with the separation distances (200m) between vehicle crossings set down in the District Plan. That separation distance is also recommended in the NZTA Planning Policy Manual (2007) for vehicle crossings onto a state highway with a posted speed limit of 100 km/hr. The vehicle crossing is existing, so the non-compliance with the District Plan standard is not a 'new' non-compliance and has arisen due to the expected intensification in the use of the vehicle crossing.
- 6.4 There is no practicable alternative means of accessing the site other than access via SH8. The existing vehicle crossing is generally located halfway between the vehicle crossings on adjoining properties, and therefore is located to achieve as-compliant-as-possible separation distances to other crossings. The sub-optimal separation distance is mitigated to some extent by the compliant (280m) sightlines achieved from the vehicle crossing on the subject site.
- 6.5 NZTA Safety personnel have assessed the proposal and consider that the existing location and formation standard of the vehicle crossing onto SH8 is acceptable for the intended use. The proposed use of the vehicle crossing is not expected to adversely affect the safe and efficient functioning of SH8. As such, no changes to the existing vehicle crossing are being sought by NZTA.
- Authorisation of use of Crossing Place 35
- 6.6 As noted in paragraph 4.3 of this submission, SH8 has been declared a LAR in this location, meaning all vehicle crossing, and their proposed use, requires authorisation from NZTA. It follows that, should resource consent be granted to the applicant, CP35 will need to be amended to reflect the intended use by Proposed Lots 1 and 2, and registered on the respective allotments Records of Title. To ensure this occurs in a timely manner, NZTA seek the following condition be included on the subdivision consent:

¹ Where one vehicle movement is one ingress or one egress vehicle movement.

Prior to the issuing of a certificate pursuant to Section 224(c) of the Resource Management Act 1991, the consent holder shall provide to Council confirmation that the New Zealand Transport Agency has been advised of relevant documentation (such as proposed title references, draft LT (Land Transfer) plan or SO (Survey Office) plan) to facilitate the registration of any new Crossing Place (CP) Notices against those new titles, under Section 91 of the Government Roading Powers Act 1989.

Reverse sensitivity noise effects

- 6.7 Noise effects arising from vehicles driving on the state highway can interrupt amenity and enjoyment, as well as the ability for nearby residents to sleep, which can have significant impacts on people's health and wellbeing. At its closest point, the residential building platform on Proposed Lot 2 is located approximately 70 m from the sealed edge of SH8. NZTA modelling indicates that noise from the normal operation of SH8 may emit up to 100m from the sealed edge of the highway carriageway. As the residential building platform on Proposed Lot 2 is located, in part, within the area where noise sensitive activities could be adversely affected by noise from the operation of SH8, it is important that the intended residential building is designed, constructed and maintained to ensure appropriate internal noise levels are achieved. NZTA recommend that the following condition is imposed on the subdivision consent, to ensure that any actual or potential reverse sensitivity noise effects are appropriately managed:

A consent notice pursuant to Section 221 of the Resource Management Act 1991 shall be registered against the title of Proposed Lot 2 of the subdivision of land shown on the scheme plan titled 'Proposed Subdivision of Lot 1 DP 7416', Revision C, dated 05/09/2024, that addresses potential reverse sensitivity effects resulting from the normal operation of State Highway 8. This consent notice shall read as follows:

- (a) *Any new dwelling or other noise sensitive location on Proposed Lot 2 in or partly within 100m of the edge of State Highway 8 carriageway must be designed, constructed and maintained to achieve an indoor design noise level of 40 dB $L_{Aeq(24hr)}$ inside all habitable spaces.*

7. NZTA seeks the following decision from the consent authority:

7.1 NZTA seeks:

- (i) If the consent authority is of a mind to grant consent to this proposed activity, it is sought that conditions are imposed, as discussed in sections 6.6 and 6.7 above.
- (ii) Any other relief that would provide for the adequate consideration of potential effects on the state highway road network and its users.

8. NZTA does wish to be heard in support of this submission.

9. If others make a similar submission, NZTA will consider presenting a joint case with them at the hearing.

10. NZTA is willing to work with the applicant in advance of a hearing.

Signature:



Principal Planner / Senior Planner – Poutiaki Taiao / Environmental Planning
System Design, Transport Services
Pursuant to an authority delegated by NZ Transport Agency Waka Kotahi

Date 25 November 2024

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