

**BEFORE INDEPENDENT HEARINGS COMMISSIONER APPOINTED BY
ASHBURTON DISTRICT COUNCIL**

IN THE MATTER of the Resource Management Act 1991
("the Act")

AND

IN THE MATTER of an application by Farmers Corner
Development Limited for a private plan
change request (PC3) to insert a new 'Rural
Tourism Zone' chapter into the Ashburton
District Plan to provide for the continuation
of, and expansion to, tourism activities on
the site, guided by an Outline Development
Plan (ODP). on the corner of State Highway
1 and Longbeach Road, Tinwald.

EVIDENCE OF DEBORAH HEWETT ON BEHALF OF THE NZ TRANSPORT AGENCY

31 August 2020

- 1 My name is DEBORAH ANN HEWETT and I work for Waka Kotahi NZ Transport Agency (the Agency) I have been requested by the Agency to assist it in the provision of evidence regarding its submission on the Private Plan Change 3 application lodged by Farmers Corner Development for a proposed new Rural Tourism Zone and the continuation and associated expansion of tourism activities on the site, located on the corner of State Highway 1 and Longbeach Road, Tinwald.
- 1.1 The proposal seeks to rezone the site from Rural B to a newly created Rural Tourism Zone with its own suite of provisions, and subject to an ODP, including a new proposed access located off Longbeach Road.



Figure 1: the plan change site

2 Qualifications

- 2.1 I am employed by the Agency as a Senior Planner – Consents and Approvals covering the South Island. I have over ten years' experience in resource management matters having previously worked for local government in a variety of planning, consent, and policy roles, and more recently for KiwiRail, and Mahaanui Kurataiao.
- 2.2 I hold a degree in Master of Applied Science in Resource Management from Lincoln University and a Bachelor of Landscape Architecture also from Lincoln University.

3 Expert Witness Practice Note

- 3.1 Although this is a Council Hearing, I have read, and agree to comply with, the Code of Conduct for Expert Witnesses as required by the Environment Court's Practice Note 2014. In providing my evidence all the opinions provided are within my expertise. I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express, except where I state that I am relying on the evidence of another person

4 Submission

- 4.1 The Agency submitted in opposition to the proposed development for the following reasons:
- a) Transport modelling/ network effects
 - b) State Highway 1/Longbeach Road Intersection Upgrades
 - c) Reverse sensitivity effects/liveable habitable spaces

Consultation

- 4.2 The Agency has been in consultation with the applicant's planning consultant leading up to preparation of evidence and has reached agreements on the main issues which are reflected in the amendments to provisions in their evidence.
- 4.3 The Agency was initially approached by Nick Fuller of Novo Group for the applicant prior to and as part of the preparation of the Integrated Transport Assessment. The outcome of the traffic matters is generally agreed.
- 4.4 Notwithstanding there are a few minor matters to address.

5 Scope of Evidence

- 5.1 This evidence is limited to those outstanding matters and those matters within the scope of the submission lodged.
- 5.2 In preparing this evidence I have read and considered the following documents:
- a) the AEE accompanying the Application;
 - b) section 42A report; particularly policy, transport and urban design related content, and addendums; and
 - c) the statements of evidence on behalf of the applicant.

5.3 I have recently visited the Application Site.

5.4 In my evidence I provide comment on:

- a) The State Highway network
- b) Transport effects;
- c) Planning and policy framework

6 STATE HIGHWAY NETWORK

6.1 State Highway 1 is an important part of the road network in this area which includes Longbeach Road, Tinwald State Highway, Hinds Highway.

6.2 Figure 1 illustrates the location of the State Highway relative to the application site and Longbeach Road.

6.3 The Novo Group integrated transport assessment report prepared for the applicant concluded that formalising the right turn bay into Longbeach Road is required prior to establishing any additional activity at the proposed plan change site. The Agency agrees that the State Highway 1/Longbeach Road intersection needs to be upgraded prior to any development being undertaken at the site. This upgrade is based on consideration of the proposed thresholds for visitor accommodation units, the gross floor area limits for the existing commercial activities as well as the centralised facilities associated with the visitor accommodation.

6.4 The Agency supports that intersection upgrade requirement.

6.5 The upgrade will ensure that traffic turning right into Longbeach Road from the State highway occupy a dedicated turning bay, and do not wait in the northbound traffic lane. This will help avoid potential safety issues as following vehicles may not be expecting to slow down at that intersection, nor anticipate stopped vehicles in that northbound traffic lane.

6.6 Novo Group discussed the proposal with the Agency and confirmed the requirement for the right hand turn at the intersection between State Highway 1 and Longbeach Road (contained in Appendix 7 of the application)

6.7 The Agency also sought that access to, and turning manoeuvres into, Longbeach Road be separated from the southbound State Highway through traffic. The Agency made a case that future provision should be made for a dedicated median separated left turn lane on the State Highway. The safety concern is that traffic turning left into Longbeach Road has the potential to obscure the view of following

southbound traffic, such that traffic turning out of Longbeach Road may be tempted to take unsafe gaps.

- 6.8 The Agency considered that the best approach to this safety issue was to agree a threshold whereby development of more than 100 units would be a discretionary activity through the RMA consent process, with full discretion, including of the left turn lane. I discuss this further at paragraph 8.4-8.8

[Appendix 3A-3: State Highway 1 and Longbeach Road Intersection Upgrade Layout](#)



Figure 2: The proposed right hand turn bay intersection - State Highway 1 and Longbeach Road.

7 District Plan Planning and Policy Framework

7.1 Proposed planning provisions to be included in the plan change were discussed and agreed between the Agency and Applicant's Planner in relation to most issues. This resulted in changes being made to objectives and policies to provide for:

- a) safe, efficient and effective operation of the State Highway, and
- b) management of reverse sensitivity associated with noise and vibration, including appropriate building setbacks from the State Highway, and
- c) provisions to ensure liveable habitable spaces.

7.2 A report prepared by Acoustic Engineering Services Limited for the applicant in relation to the noise effects as a result of the proposed development (contained in Appendix 10 of the application) was accepted by the Agency as an appropriate assessment of noise-related issues. I note this was peer reviewed by Marshall Day Consultants.

8 Potential Effects of the Proposed Activity

8.1 The Agency agrees with the proposal to make reference to the left-hand slip lane in the explanation to the rules as a way to draw attention to the matter for decision makers.

8.2 However, an alternative approach is to identify consideration of the need for the slip lane as a specific matter of discretion. This would provide clearer direction to decision makers.

8.3 The rules provide a permitted activity for development of visitor accommodation up to a specified threshold of 80 units within Area 2 of the Outline Development Plan.

8.4 Beyond this permitted threshold, the development of up to 100 visitor accommodation units can be considered through a discretionary resource consent process. This will allow for consideration of the appropriateness of a greater density of units, including how they will integrate into the zone and the effects of increased traffic, including whether any upgrades to the left-hand turn at the intersection between Longbeach Road and State Highway 1 are required. Beyond this higher threshold, the development of visitor accommodation may start to affect the safety and efficiency of the transport network.

8.5 Beyond that, 81 to 100 units become a discretionary activity.

8.6 The Agency has also sought to confirm that there is no current intention to provide for independent travellers. Consequently the Agency proposes a definition for

visitor accommodation units, which clarifies that the 80 (and 100) unit limits would apply to any camp sites etc – the idea being that it makes it clear that any camp or campervan sites would be counted as ‘units’ (so there wouldn’t be 80 motel-type units and various camp/campervan sites as well).

Noise and Vibration

- 8.7 The extent of the buffer is dependent on State Highway 1 traffic volumes and so the Agency in this location considers the effects of both noise and vibration within 40m of the state highway, and only noise effects between 40 and 100m of a state highway. The Agency suggests that, having considered the advice of the applicant’s acoustic engineer, Policy/rule 3A.9.3(b) be amended to a 40m setback rather than 20m. Provision 3A.9.3(c) could also be amended to refer to between 40 – 80m. Policy/rule 3A.7.1. could be strengthened by adding reference to vibration in this manner “....,as well as ensuring reverse sensitivity effects that could arise from traffic noise and vibration are avoided.”
- 8.8 The Agency requests that the ODP be amended to clearly show the relevant 40 metre setback to align with the Policy/rule amendments proposed.

Site Boundary Fencing along SH1

- 8.9 The Agency has observed that the current Farmers Corner site has deer fencing while the site further south has lower conventional post and wire fencing. To address a potential safety issue, and to dissuade persons/pedestrians within the site from attempting to access the highway directly, the Agency considers the lower fencing adjoining the State Highway should be replaced with deer fencing. There is a risk that tourists unfamiliar with the location could inadvertently or otherwise directly access the State Highway and be harmed.
- 8.10 A rule has been agreed with the applicant to provide fencing along the site boundary adjoining State Highway 1 thereby providing for safe pedestrian circulation within the site without potential to access State Highway 1.

9 Summary

- 9.1 NZ Transport Agency concerns with the proposal were due to the potential impacts on the surrounding transport network including on the safe and efficient operation of the State Highway1/Longbeach Road intersection and potential for reverse sensitivity.
- 9.2 The Agency is satisfied that the proposed Plan Provisions as amended in the applicant’s evidence are adequate to manage the potential adverse effects and

seeks that these provisions are included, along with amendments identified in the NZ Transport Agency evidence, for proposed Plan Change 3.

Deborah Hewett