



NZ TRANSPORT AGENCY
WAKA KOTAHI

SUBMISSION



To: Selwyn District Council
P O Box 90
ROLLESTON 7643

Submission made under Clause 6 of Schedule 1 of the Resource Management Act 1991

Submission on – Private Plan Change 8 and Private Plan Change 9 to the Selwyn District Plan

SUBMISSION OF:

New Zealand Transport Agency (NZTA)
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The New Zealand Transport Agency wishes to be heard in support of its submission.

If others make a similar submission, the New Zealand Transport Agency will consider preparing a joint case with them at the hearing.



Steve Higgs
Integrated Planning Manager

Signature of person making submission or person authorised to sign on behalf of person or organisation making the submission.

Date: 22 / 9 / 2010

INTRODUCTION

New Zealand Transport Agency

1.1 The New Zealand Transport Agency (NZTA) was established on 1 August 2008 through amendments to the Land Transport Management Act 2003 (LTMA). The NZTA is a new Crown entity created by combining the roles of Land Transport New Zealand and Transit New Zealand. The anticipated benefits of the new entity are expected to include:

- better longer-term planning and certainty;
- achieving enhanced value for money;
- enhancing integrated land use and multi-modal transport planning; and
- a co-ordinated approach to land transport decision making.

1.2 NZTA's mandate is set out under the Land Transport Management Act 2003 (LTMA). It has a statutory responsibility to undertake its functions in a way that contributes to an affordable, integrated, safe, responsive and sustainable land transport system.¹ It is also responsible for allocating land transport funding and has a requirement to give effect to the Government Policy Statement on Land Transport Funding (GPS). The GPS includes the encouragement of integrated planning as an integral part of the transport planning and evaluation processes, and states the government's view that:

*"Integrated planning is important to ensure that decisions made in relation to land use, transport and urban design collectively contribute to the efficient use of public funds and achieve the government's objectives for transport and New Zealand. To achieve integration, transport strategies and packages of activities should be developed alongside, and be clearly connected to, land use strategies and implementation plans."*²

1.3 This direction in government policy has lead NZTA to get more involved in land-use planning at the individual proposal level and at a strategic level through growth strategies such as the Urban Development Strategy for Greater Christchurch for which it is one of the partner organisations.

1.4 The NZTA opposes in part both Plan Changes.

REASONS FOR OPPOSING IN PART:

Plan Change 8 and 9 inconsistent with planned growth strategy in Plan Change 1 to the Regional Policy Statement

1.5 Plan Change 8 and 9 are inconsistent with the planned growth strategy for rural residential development as set out in the objectives and policies in Plan Change 1 to the Regional Policy Statement (PC1). NZTA supports the limits placed on the development of new rural residential areas as set out in the Commissioners decision to PC1. Given the size, scale and form of development proposed in both plan changes, the provision of such rural residential development in the

¹ LTMA 2003 section 94

² Government Policy Statement on Land Transport Funding (May 2009) p.17

manner proposed will go to undermine the integrity of the urban growth objectives and policies in PC1. The following is noted:

- Neither Plan Change satisfies the definition for 'Rural Residential' as identified in PC1 as the average density is less than 1 (household) per hectare. Both Plan Changes are effectively seeking to establish 'low density residential' development, as opposed to 'rural residential' development. Given the reduced lot sizes proposed (average 5000m² with a minimum allotment size of 4000m²) in conjunction with the internal "grid-pattern" design adopted in both plan changes, such characteristics will invite the opportunity for more intensive urban development in the future. This suggests the plan change areas can be regarded as being a 'transitional' area to more intensive urban development in the future. This outcome will go to undermine the integrity of the rural residential objectives and policies in PC1.

1.6 Rules regarding the total number of allotments proposed, when considering both respective plan changes together, are uncertain and inconsistent. It is suggested there may be an error regarding calculation of total allotments. Clarification is therefore required.

- Proposed Amendment 45 to Plan Change 8 (and corresponding Proposed Amendment 43 to Plan Change 9) reads as follows:

"Within the Living 3 Zone at Rolleston in respect of land lying west of Dunns Crossing Road:

- i) no more than 125 rural residential allotments shall be created by subdivision within the period ending 31 December 2016; and*
- ii) no more than a further 125 rural residential allotments shall be created by subdivision within the period 1 January 2017-31 December 2026.*

As currently worded, this rule suggests for both Plan Change areas, 125 allotments will be created up to 31 December 2016 and a further 125 allotments will be created between January 2017 and December 2026 resulting in an overall total of 250 rural residential allotments anticipated for the plan change area. Proposed Amendment 47 to Plan Change 8 (Allotment Sizes) states *"The maximum number of allotments within the area defined by the Outline Development Plan at Appendix 37 shall be 125."* Proposed Amendment 45 to Plan Change 9 (Allotment Sizes) states *"The maximum number of allotments within the area defined by Outline Development Plan at Appendix 38 shall be 100."* The maximum total number of allotments as defined by Outline Development Plans is 225 rural residential allotments.

Reverse Sensitivity – Plan Change 8

1.7 Amendment 28 adds new Rule 4.9.27 requiring dwellings, family flats and any rooms within accessory buildings used for sleeping or living purposes to be setback 80m from State Highway 1. The inclusion of such a rule goes to avoiding reverse sensitivity effects of traffic noise from State Highway 1. This is supported by NZTA.

- 1.8 However, as currently worded, the rule fails to recognise the potential for traffic noise to impact upon other 'noise sensitive activities' that could establish in this low density residential area such as traveller accommodation, educational facilities, medical facilities and the like. NZTA consider the current rule to be too narrowly applied to effectively manage the adverse effect of traffic noise and seek that the setback rule be widened apply to "other noise sensitive activities".
- 1.9 Amendment 31 adds a new matter of discretion when a resource consent is required. The matter of discretion refers to "satisfactory" sound levels as recommended in AS/NZS 2107:2000 *Acoustic -Recommended Design Sound Levels and Reverberation Times for Building Interiors*. While an assessment link to AS/NZS 2107:2000 is supported, as currently worded, discretion is limited to "habitable rooms" only. NZTA considers the discretion to be too narrowly applied and the matter of discretion should be widened to apply to bedrooms and other noise sensitive activities.

DECISION SOUGHT

1. That the minimum allotment size for rural residential allotments proposed in both Plan Changes be increased to 1 hectare to be in alignment with the definition for 'rural residential' in the PC1.
2. In both Plan Changes, the maximum number of rural residential allotments permitted within a staging period in new Rule 12.1.3.39 for Subdivision General Standard (Page C12-007) is reduced to properly reflect the average density requirement in PC1 of 1 household per hectare.
3. For Plan Change 8, proposed Amendment 28 (new Rule 4.9.27) be amended (bold and underlined) as follows:

*Any dwelling, family flat, **and any rooms within accessory buildings used for sleeping or living purposes, and any internal areas associated with noise sensitive activities** in the Living 3 Zone at Rolleston (as shown on the Outline Development in Appendix 37) shall be setback at least 80 from State Highway 1.*

For the purpose of this rule, noise sensitive activities means any residential activity, travellers accommodation, educational facility, medical facility, hospital or other land use activity, where the occupants or persons using such facilities may be likely to be susceptible to adverse environmental effects or annoyances as a result of traffic noise from State Highway 1 over its location.
4. For Plan Change 8, proposed Amendment 31 (new matter of discretion 4.9.34.4 for Buildings and Building Position) be amended as follows:

4.9.34.4 *In the Living 3 Zone at Rolleston as shown in Appendix 37, whether the building development ~~ensures habitable rooms meet "satisfactory" internal sound levels as recommended in AS/NZS 2107:2000 Acoustics Recommended Design Sound Levels and Reverberation Times for Building Interiors.~~ **meets the internal sound levels listed in the table below.***

<u>Type of occupancy/activity</u>	<u>Recommended Internal Design Sound Level</u> <u>dBA Leq (24hr)</u>
<u>Residential Dwelling/Family Flat/Accessory buildings - bedrooms.</u>	<u>35</u>
<u>Residential Dwellings/Family Flat/Accessory buildings - other habitable rooms.</u>	<u>40</u>
<u>Noise Sensitive Activities</u>	<u>35</u>

4. And any consequential changes associated with the matters raised in this submission as required.