

**BEFORE INDEPENDENT HEARINGS COMMISSIONERS APPOINTED BY SELWYN
DISTRICT COUNCIL**

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

AND

IN THE MATTER Lodgement of Private Plan Change 61 with
Selwyn District Council to rezone
approximately 30.76ha of Rural Outer
Plains to Business 2 and Living 1 Zones,
east of Darfield

**EVIDENCE OF STUART PEARSON ON BEHALF OF WAKA KOTAHI
NZ TRANSPORT AGENCY**

8 April 2021

My name is **STUART PEARSON** of Christchurch and I work for Waka Kotahi NZ Transport Agency. I have been requested by Waka Kotahi to assist them in the provision of evidence regarding their submission on the Private Plan Change 61 (PC61) application lodged by Rupert and Catherine Wright to rezone land from Rural Outer Plains to Business 2 and Living 1 Zones.

1 Qualifications

- 1.1 I am employed by the Agency as a Planner covering the South Island. I have been practicing as a Planner for 4 years in this role at Waka Kotahi.
- 1.2 I have a Bachelor of Environmental Management and Planning and a Master of Applied Science (Environmental Management) from Lincoln University.
- 1.3 I am a member of the New Zealand Planning Institute.

2 Expert Witness Practice Note

- 2.1 While not a Court hearing I note 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 of the opinions provided are within my expertise and I have not omitted to consider any material facts known to me which might alter or qualify the opinions I express.

3 Scope of Evidence

- 3.1 The Private Plan Change request has been lodged by Rupert and Catherine Wright to rezone approximately 30.76 hectares of land from Rural Outer Plains to Business 2 and Living 1 zones. The land is located east of Darfield and has frontages to both West Coast Road / State Highway 73 (SH73) and Creyke Road. The Plan Change seeks to insert an Outline Development Plan (Darfield East ODP) with site-specific rules to facilitate the development of a business zone adjacent to SH73 and up to 35 residential sections.
- 3.2 The application, section 42A reports and evidence of experts on behalf of the applicant have provided detailed descriptions of the proposal including assessment of the various aspects of the proposed activity. The submission of Waka Kotahi was in opposition to the proposed Private Plan Change and the content of the submission was limited to concerns around intersection safety and efficiency, multi modal transport options, Operative Selwyn District Plan, Urban Development Strategy (UDS) and the Canterbury Regional Policy Statement (CRPS).
- 3.3 This evidence is limited to those matters within my expertise and those matters within the scope of the submission lodged.

3.4 In my evidence I provide comment on:

- Background
- Intersection Improvement
- Multi Modal Connections
- Operative Selwyn District Plan
- Canterbury Regional Policy Statement
- A summary of my evidence.

4 Background

- 4.1 PC61 seeks to rezone an area 30.76 ha in size to Business 2 and Living 1 zones. Vehicular connections to the site will be via Creyke Road and future connections with adjoining land to West and South will be available as adjoining land is developed. These physical connections to adjoining land are not currently available and are reliant on that land being developed. The site will connect to Creyke Road approximately 400 metres southwest of the intersection of Creyke Road and SH73. The location of the connection from the site to Creyke Road is considered appropriate. The intersection of Creyke Road and SH73 will need to be upgraded due to the impacts of the proposed activity. There is no debate between parties that improvements to the intersection will be required as a consequence of the increase in vehicle movements from development as a consequence of the proposed plan change.
- 4.2 An upgrade to the intersection of Creyke Road with SH73 has been proposed as part of PC61. The upgrade will include a realignment of Creyke Road to be at a 90-degree angle with SH73 on the southern side, which will off-set the Creyke Road intersection on the northern side. The section of SH73 where the intersection is located has a posted speed limit of 100km/h. The intersection upgrade originally included a trigger rule, which stated that the auxiliary turning lanes for a right-turn lane and a left-turn lane at 10% and 85% of the land being developed, respectively.
- 4.3 The Waka Kotahi submission stated that there were concerns with the proposed trigger rule as it may be difficult to implement and that any upgrade to the intersection should be undertaken at the same time as the formation of the internal road network of the Plan Change area. Essentially requiring the intersection upgrade to be made prior to any residential or business land being developed.
- 4.4 A pre-hearing meeting was held on 11 March 2021 to discuss transport related issues. During this meeting the applicant proposed an updated trigger rule where the full

suite of upgrades is undertaken prior to any development of business zoned land but after residential land is developed. The reasoning for this was related to Plan Change 24 (PC24) and Plan Change 48 (PC48) not requiring any upgrade to the intersection for the associated residential development, which provides for 224 residential lots.

4.5 As background to this issue, I have researched Waka Kotahi records and it is my understanding that Waka Kotahi did not submit on either of these Plan Changes. However, Waka Kotahi did comment on PC24 by advising the applicant that there were no objections to the proposed development relating to the state highway.

4.6 While not being able to be confirmed by way of records it assumed there were valid reasons for Waka Kotahi not submitting. Reasons might have included:

- That at the time, in the existing environment when the PC24 was notified, the increase in traffic movements might not have had the same level of impact on the function of SH73 that would necessitate intersection improvements.
- The direction of Government policy has evolved over time. At the time PC24 and PC48 were considered there was a greater emphasis on efficiency and possibly those plan changes may not have impacted on the efficiency or performance of the intersection.
- PC24 provided roading links to Mathias Street where the greatest density of residential lots are situated (figure 1), which may have resulted in less reliance on the Creyke Road and the SH73 intersection.
- At the time of the Plan Changes for PC24 and PC48 were seeking to rezone areas that were already anticipated for residential development and were identified as deferred Living 2, albeit at a lower density than what was approved through PC24.

4.7 It is noted that as part of the second bullet point above, a Government Policy Statement on Land Transport (GPS) was released in 2018 which placed a significantly greater emphasis on safety. The GPS since been updated and the GPS 2021 was released, which builds on and consolidates the priorities of the 2018 GPS. The strategic priorities for the 2021 GPS are safety, better travel options, improving freight connections and climate change. Transport outcomes framework includes:

- Inclusive access by enabling all people to participate in society through access to social and economic opportunities, such as work, education, and healthcare.
- Healthy and safe people by protecting people from transport-related injuries and harmful pollution, and making active travel an attractive option.

- Environmental sustainability by transitioning to net zero carbon emissions, and maintaining or improving biodiversity, water quality, and air quality.
- Economic prosperity by supporting economic activity via local, regional and international connections, with efficient movements of people and products.
- Resilience and security by minimising and managing the risks from natural and human-made hazards, anticipating and adapting to emerging threats, and recovering effectively from disruptive events.

4.8 As part of the above the Road to Zero program has been released as part of Ministry of Transport's Long-Term Strategy which sets a target to reduce deaths and serious injuries on New Zealand's roads, streets, cycleways and footpaths by 40 percent over the next 10 years. Reaching that target would mean reducing annual road deaths to 227 and serious injuries to 1,680 by 2030. The long-term goal is for zero deaths and serious injuries to occur on New Zealand's roads.

4.9 Importantly it needs to also be realised that PC24 and PC48 went through a formal assessment process and Council were required to consider the impacts of the plan changes. This included traffic related effects. It is assumed traffic related matters were considered and formed part of the ultimate determinations on those plan changes.

4.10 Regardless of the above, it has been identified that the proposed activity will have an impact on the existing intersection and any historical differences does not mean or take away from the need for the impacts on the intersection to be appropriately assessed and addressed.

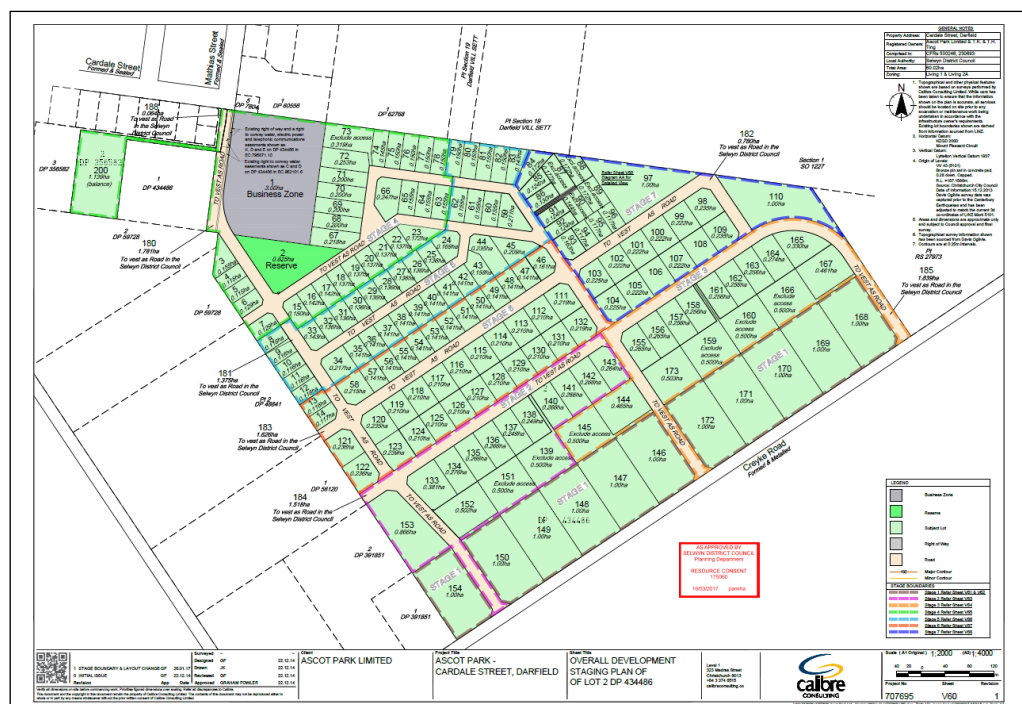


Figure 1 – Ascot Park Subdivision Consent – PC24 Area

5 Intersection Improvement

- 5.1 On the basis of there being agreement that the intersection of Creyke Road and SH73 needing to be improved consideration has been given to how this may occur and the scale of any improvements.
- 5.2 Regarding the question of at what point improvements are required, within the s42a report, Mr Smith has stated that it is unclear if and how the 'trigger' rules would need to be adjusted and that piecemeal upgrading of the intersection may have a greater impact on the operation of SH73 than if the works were completed all at once. He recommends that the full improvement works be undertaken prior to development (or subject to an agreed trigger rule) to minimise the effect on the state highway network. I agree with Mr Smith that a piecemeal approach would have greater impact on the operation of the intersection and the state highway.
- 5.3 The applicant has proposed an updated trigger rule which would allow up to 35 residential allotments to be constructed prior to any intersection upgrade. The intersection would need to be upgraded prior to any business land being developed. I consider that the updated trigger rule is easier to be implemented and enforced than what was originally proposed. However, I do not agree with the proposed trigger rule requiring that the intersection should only be upgraded prior to any Business 2 Zone being developed, as this would allow residential development to occur without any intersection improvements.
- 5.4 The intersection should be upgraded prior to any development on residential or business zoned land. The roading environment has changed since PC24 and PC48 were accepted. There has also been a change in Government policy where the GPS includes a greater emphasis on safety. Mr Long will present in his evidence the safety reasons as to why the intersection should be upgraded, and to what standard, prior to any residential or business development taking place within the PC61 area.
- 5.5 Mr Carr has since provided in his evidence that an upgrade to the Creyke Road and SH73 intersection will occur prior to residential development by squaring up Creyke Road with SH73. It is then further stated that business zoned land will not develop prior to an upgrade to the intersection without any need to specify exactly what upgrade is required because any upgrade required would need the approval of Waka Kotahi through the Corridor Access Request process.
- 5.6 As part of the above I also note Mr Smith's statement that a more comprehensive assessment of impacts on the state highway should be undertaken including consideration of safety effects along the SH73 corridor between Creyke Road and Mathias Street as there could be approximately a 23% increase in traffic in this corridor. This matter is also addressed by Mr Long.

- 5.7 The second part of the question is the scale of improvements required. In my opinion a balance is required where the general nature of any improvements required should be determined as part of a plan change. The detailed design elements can then be determined at a later stage. This provides surety for all parties and a rule framework can then be developed around the works required. It is not appropriate to leave this matter to a later date based on Waka Kotahi Corridor Access Request requirements. Accordingly, in my opinion, the Hearings Commissioner needs to turn their mind to the scale of works required and how such works are incorporated into any plan change provisions.
- 5.8 It is my understanding that the proposed residential allotments will create the need for improvements to the intersection. It is my understanding that if the development only consisted of the residential allotments an upgrade generally in line with what the applicant has proposed by squaring up Creyke Road with SH73 could be appropriate. As stated by Mr Long in his evidence, that a left-in and left-out option could also be considered as part of these upgrades to improve the safety of the intersection.
- 5.9 Beyond the residential zoning of the site, it has been projected that the proposed business zone will generate a significant number of vehicle movements and it is this number of movements which would create the need for further improvements to the intersection. Mr Long suggests a roundabout would be required. I also understand that on the basis of the proposed plan change, and the overall number of vehicle movements it would generate, that a roundabout would be required regardless of any other vehicle movements generated by any other activities in the area.
- 5.10 I rely on the engineers to determine the appropriate scale of any intersection improvements required.
- 5.11 Therefore, the issue for the Hearings Commissioner is how the effects on the state highway intersection are suitably addressed through a combination of intersection design and the point at which such improvements are required. I agree there is the ability to be flexible as to the appropriate methodology to achieve this, but any rules need to provide the assurance that the necessary improvements will occur at the appropriate time and to the appropriate standard.
- 5.12 With this in mind, and as an example, any intersection upgrades should be completed prior to section 224 approval for any subdivision or prior to any operation of an activity on an allotment, whichever comes first.
- 5.13 Overall, if the intersection is not upgraded the proposal will have a significant adverse effect on the safety and efficiency of SH73. Appropriate mechanisms need to be determined to ensure these effects are avoided, remedied or mitigated prior to the development of the site.

6 Multi Modal Connections

- 6.1 Multi Modal Connections provide a critical role in any new residential development and important as they significant impacts on people's behaviour, liveability and sense of community. Walking and cycling are key components of the transport system to achieve this and are recognised in the strategic priorities for the GPS 2021. Having better walking and cycling connections can promote less reliance on vehicles that use fuel, which also help with the Government's emissions reduction targets and protect public health.
- 6.2 The applicant has included walking and cycling links to the Ascot Park (PC24 area) to the south and Development Area 5 to the west. It is considered positive that regard has been given to the adjoining properties and appropriate connections have been promoted. However, it is noted that these links require the two areas to be developed before the connections to the existing Darfield township can be made. Until such connections are available there is the potential that pedestrians and cyclists will use the state highway frontage to access Darfield township.
- 6.3 Mr Smith has identified that he is concerned with the potential use of Creyke Road and SH73 for walking and cycling as they are unsafe given the high speeds and lack of dedicated walking and cycling facilities. Mr Long has confirmed his agreement with these concerns. I agree with Mr Long and Mr Smith that these risks exist if the development in PC61 were to go ahead prior to any walking and cycling links being made possible through Ascot Park or Development Area 5.
- 6.4 Mr Long and Mr Smith both state that no walking and cycling connections from PC61 should be established along the SH73 corridor in the 100km/h speed zone.
- 6.5 The Selwyn District Council Walking and Cycling Strategy has identified a Darfield to Kirwee connection, which runs adjacent to the railway on the northern side of the state highway. Funding has not yet been provided for this walking and cycling connection. I do not consider it appropriate for the applicant to make a future link to this walking and cycling connection if it was made in the 100km/h speed environment. Mr Long also supports this view due to the potential safety concerns for crossing the highway in a high-speed environment. It would be more appropriate for the link to the walking and cycling connection to be made within the Darfield township in the 50km/h speed environment.
- 6.6 I consider that the inclusion of the walking and cycling links to Ascot Park and possibly Development Area 5 are appropriate. However, the question of timing remains an issue as there are risks if connections are not available at the time that the PC61 area is developed. If connections are not available, the subject site should not

be reliant on Creyke Road or SH73 without appropriate safety mitigation given they are high speed environments.

- 6.7 Ms Bensemann has stated that consideration could be given to including a further assessment matter specific to the application site at the time of subdivision by seeking that residential development did not progress until such time external walking and cycling connections were in place, either through Ascot Park, or via other suitable means. I agree that this approach, but the details of such arrangement would need to be considered further particularly including whether an assessment matter is the appropriate means of control.
- 6.8 The issue for this matter is one of timing and ensuring that development only occurs when safe connections are available for pedestrians and cyclists.

7 Operative Selwyn District Plan

- 7.1 Mr Trewin has identified that aspects of PC61 are inconsistent with Objective B2.1.1 and B2.1.2, and Policies B2.1.2 and B2.1.3 of the Operative Selwyn District Plan. This is based on Mr Smith's evidence. These relate to effects of safety on the state highway and implications with safe access to walking and cycling.
- 7.2 I also consider that Objective B2.1.3 and Policy B2.1.5 are also relevant to PC61. They set out how the future road networks and transport corridors are designed, located and protected to promote transport choice. It relates to improving the permeability (providing choice and ease of movement through the network) and accessibility to achieve greater connectivity. As currently proposed, without the adjacent land being developed or providing alternative safe walking and cycling infrastructure, it does not provide ease of movement through the network and does not provide an attractive choice for alternative modes of transport.
- 7.3 In Ms Bensemann's evidence it is stated that Objective B2.1.3 provides for acceptable future connections for walking and cycling by providing an approved subdivision layout showing such connection. As stated above, I do not consider that this objective has been met. Again, like section 6 of my evidence, the question is one of timing.
- 7.4 Both Mr Long and Mr Smith have identified concerns with the safety implications on the state highway network and the connections for walking and cycling to Darfield. Therefore, I question whether PC61 will be able to give effect to specific provisions of the Operative Selwyn District Plan.
- 7.5 Mr Smith has identified that this is a concern as there is no mechanism to ensure that safe access to Darfield will be in place prior to development. There could be implications with how this site would then be managed and achieve the objectives

and policies of the Operative Selwyn District Plan. Further consideration should be given to how this issue can be addressed, such as by way of a rule in the Plan which would then enable greater consistency with Plan provisions.

- 7.6 It is my opinion that PC61 could achieve the Objectives and Policies of the Operative Selwyn District Plan if the connections are made through Ascot Park and possibly Development Area 5 or an agreed approach with Waka Kotahi is made to provide a safe connection within the state highway corridor, as identified by Mr Long in his evidence. Also, if an appropriate design for the Creyke Road and SH73 intersection was agreed upon to ensure safe access to and from the state highway.

8 Canterbury Regional Policy Statement

- 8.1 Waka Kotahi is a partner to the Greater Christchurch Urban Development Strategy. The development of that strategy has resulted in the incorporation of provisions in the CRPS regarding urban growth. Darfield is outside of the development boundary area and as such the relevance of certain parts of the CRPS is lesser. However, the intentions of Chapter 5 of the CRPS are relevant to PC61 and consideration should be given to ensure that this plan change aligns with the intentions of Chapter 5.
- 8.2 Chapter 5 of the CRPS highlights the strategic integration of land-use and regionally significant infrastructure in the wider region as they are important for functioning communities and economic wellbeing at the national, regional and local scale. If effective integration is not achieved, then the benefits of the development will decline, or the development will result in unacceptable adverse effects on the environment.
- 8.3 The impacts of chapter 5 of the CRPS for Waka Kotahi are that any changes to land that may have a direct effect on the state highway network will need to be appropriately integrated to ensure a safe, effective and efficient transport network. Therefore, for PC61 Waka Kotahi would want to ensure that the change of zoning from Outer Plains to Business 2 and Living 1 zones can integrate with state highway infrastructure and suitable walking and cycling links are provided to achieve the objectives and policies of Chapter 5 of the CRPS.
- 8.4 I consider that Objective 5.2.1 (Location, design and function of development (Entire Region)), 5.2.2 (Integration of land-use and regionally significant infrastructure (Wider Region)) and 5.2.3 (Transport network (Wider Region)), as well as Policy 5.3.7 (Strategic land transport network and arterial roads (Entire Region)) and Policy 5.3.8 (Land use and transport integration (Wider Region)) of the CRPS can be applied to PC61. Mr Trewin has stated that he believes PC61 currently is unable to fully 'give effect' to the CRPS at a strategic level in respect of chapter 5.
- 8.5 Objectives 5.2.1, 5.2.2 and 5.2.3 of the CRPS include the avoidance of development that may have an adverse effect on the strategic land transport network and arterial

roads. In my consideration, due to the potential safety issues of the intersection that are identified by Mr Long, if the intersection is not upgraded to an appropriate standard and the risk of walking and cycling in high-speed environments, that it currently does not achieve these objectives. I note that the plan change does achieve aspects of these objectives, but I do not believe that it gives effect to the key parts that are of interest to Waka Kotahi. Further consideration needs to be given by the applicant to avoid, remedy or mitigate the adverse effects on the state highway before it can achieve these objectives set out in the CRPS.

- 8.6 Consideration should also be given to the impacts of PC61 on the wider region, including Greater Christchurch. The above objectives in the CRPS seek to ensure that the plan change can appropriately integrate the proposed land-use with the significant infrastructure and how travel demand may be impacted due to this change in zoning. This is an issue for the wider Selwyn District, particularly given the number of plan changes now being processed by Council, together with the District Plan review.
- 8.7 Policy 5.3.7 refers to the avoidance of development that may adversely affect the safe, efficient and effective functioning of the strategic land transport and arterial roads. Following this, Policy 5.3.8 refers to the integration of land use and transport planning that promotes the use of transport modes which have low adverse effects and promotes the safe, efficient and effective use of transport infrastructure, and reduces where appropriate the demand for transport. In my consideration of PC61, these policies can be considered at both a wider and a local level. At a wider level it needs to be ascertained whether the plan change will promote an increase in the number of people commuting to Christchurch, which is realistically going to mean an increase in private vehicle usage. At a local level it needs to be ascertained whether the plan change will impact transport infrastructure.
- 8.8 At the wider level, possibly the inclusion of a business zone will provide opportunities for people to live and work in Darfield but further analysis would be required to demonstrate this. At a local level the plan change does promote alternative transport modes, being walking and cycling, which could reduce vehicular use, but, as per earlier in my evidence, this currently cannot be achieved due to the lack of development on adjacent land. Also, with the safety concerns identified by Mr Long and Mr Smith for walking and cycling and Creyke Road and SH73 intersection, PC61 does not promote a safe, efficient and effective functioning strategic network. If appropriate mitigation is not included as part of PC61 that reduces these concerns, it is considered that PC61 would not be consistent with the policies set out in the CRPS.
- 8.9 Achieving the objectives and policies will depend on what is agreed for the intersection upgrade and how the walking and cycling connections to Darfield can be established. It is therefore recommended that the hearing commissioner applies

appropriate consideration to the impacts of CP61, relating to integration of the proposed land-use and the strategic infrastructure, on the provisions of chapter 5 of the CRPS.

9 Summary

9.1 Overall, approval is sought to rezone approximately 30.76 hectares of land from Rural Outer Plains to Business 2 and Living 1 zones.

9.2 In my opinion the issues for the plan change which need further consideration and addressing are as follows:

- The appropriate controls or 'trigger points' for the intersection upgrades to be required;
- What the appropriate intersection improvements should be;
- How multi modal transport is achieved including the provision of pedestrian and cycleway connections;
- Ensuring consistency with the provisions of the Selwyn District Plan and Canterbury Regional Policy Statement.

9.3 My concern is that the proposed trigger rule associated with the intersection upgrade is not appropriate due to the safety implications on the state highway network. The intersection upgrade should be undertaken prior to any residential or business zoned land being developed. An appropriate design of the intersection should also be agreed upon as part of the plan change to ensure that the safety implications have been addressed.

9.4 I consider that the walking and cycling links identified in PC61 to Ascot Park and Development Area 5 are appropriate, but further consideration should be given to the timing of PC61 being developed so that these connections can be made after these other sites are developed. This will reduce the risk of people walking or cycling in high speed environments using either Creyke Road or the state highway.

9.5 The provisions of the CRPS should be considered by the Commissioner to confirm that PC61 can appropriately integrate with the strategic network to ensure functioning communities and economic wellbeing at the national, regional and local scale.

9.6 PC61 should only be accepted if these matters are suitably addressed.

Stuart Pearson

8 April 2021