
ADDENDUM TO THE S42A REPORT FOR HEARING 5

DATE: 27 September 2021

HEARING: Hearing 5 - Transport

HEARING DATE: 5 October 2021

PREPARED BY: Jon Trewin – Strategy and Policy Planner

Introduction

The purpose of this report is to provide a written update of changes made to correct errors or to provide clarification of any issues identified in the section 42A report for Transport provisions since it was published on 3 September 2021. Changes are reflected using a double underline or a double strikethrough.

Changes, Reasons and Submitters Affected

Error or issue requiring clarification	Paragraph and/or Page No. of s42A report	Affected submission point
Errors in S42a		
Numbering errors: Unfortunately it has become apparent that there has been several formatting errors in the S42a which has had the effect of repeating certain paragraph numbers. To be absolutely clear which paragraph in the S42a I am referring to, I have also included the page number when referring to a paragraph number.	n/a	n/a
Land Transport Corridor – the S42a report erroneously did not address two submission points concerning the definition of Land Transport Corridor. NZTA sought the addition of the following wording: <i>1. a road, <u>being the whole of the road corridor from one frontage to the other including footpaths and adjacent land that is held or used in conjunction with that road;</u> or</i> I note that NZTA in their evidence circulated for the Hearing now consider the change is not necessary as road has been defined in the PDP based on the RMA definition which includes the extent of the additional changes sought.	n/a	DPR-0375:003 DPR-0458:006

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I agree that no change is required and recommend that the original submission point from NZTA is rejected (this would also have the effect of accepting the KiwiRail submission point seeking the definition is retained as notified).		
Errors in expert evidence		
Abley have advised that there was an error in their recommended changes to TRAN-TABLE12 (Parking and loading area queuing space lengths). The table as originally recommended in the S42a report did not distinguish between local and collector roads and arterial roads and State Highways. A change is recommended under the scope of submission point DPR-0414:048.	14.46 P179	DPR-0414:048
Changes as a result of questions from the hearing panel		
Posted Speed Limit – the Hearings Panel have suggested a change to the definition of Posted Speed Limit. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended as a Clause 16 (2) amendment.	7.13 P23	n/a Clause 16 (2) amendment.
Vehicle Control Point – the Hearings Panel have suggested the insertion of a definition of 'Vehicle control point'. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended under the scope of submission point DPR-0375:008.	7.14 P23	DPR-0375:008
TRAN-P7 - the Hearings Panel have suggested a change to my suggested changes to TRAN-P7.1 to improve the grammar in relation to the 'lead in' sentence for the policy. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended under the scope of submission point DPR-0371:033 and DPR-0453:046.	9.6 P56	DPR-0371:033 DPR-0453:046
TRAN-P13.2 - the Hearings Panel have suggested a change to my suggested changes to TRAN-P13.2 to improve the grammar in relation to the 'lead in' sentence for the policy. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended under the scope of submission points DPR-0358:087, 0363:086, DPR-0374:092, 0384:094, DPR-0215:023.	10.12 P68	DPR-0358:087, 0363:086, DPR-0374:092, 0384:094, DPR-0215:023
TRAN-Rules - the Hearings Panel have asked whether the note regarding NZTA and access responsibilities been drafted in a similar way to the note for Heritage NZ's. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended under the scope of submission points DPR-0375:43 and 0375:44.	11.20.2 P80	DPR-0375:43, 0375:44
TRAN-R9 the Hearings Panel have noted that my recommended amendment for TRAN-R9(1) (<i>except for the upgrade of an existing utility pole with the same or similar footprint</i>) could be read as meaning that the activity in brackets is not a permitted	11.32 P101	DPR-0367:031

Error or issue requiring clarification	Paragraph and/or Page No. of s42A report	Affected submission point
activity and therefore requires consent. Refer to the Officer's Response to Hearing's Panel Questions for more detail. A change is recommended under the scope of submission point DPR-0367:031.		

Amendments to s42A Report

Changes to Main Report

TRAN-R6-Parking, manoeuvring and loading areas

11.27. I am recommending a consequential change to this rule as a result of a submission point by SDC [DPR-0207:012]—see TRAN-SCHED5 below.

11.28. ~~No amendments were sought to this rule. Due to the recommendation above, I therefore~~
recommend all submission points (NZTA, Midland Port, Lyttelton Port Company Ltd) on this provision seeking that it be retained as notified be accepted in part.

DPR-0346:011
DPR-0375:045
DPR-0367:28
DPR-0375:46
DPR-0367:29
DPR-0375:47, 0458:48

Proposed Selwyn District Plan

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Transport

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Section 42A Report

Changes to Appendix 1

<u>DPR-0458</u>	<u>KiwiRail</u>	<u>0458:006</u>	<u>DEF—Land-transport-corridor</u>	<u>Support</u>	<u>Retain-as-notified</u>	<u>Accept</u>	<u>Z</u>
<u>DPR---</u> <u>0375</u>	<u>Waka-Kotahi</u>	<u>0375:003</u>	<u>DEF—Land-transport-corridor</u>	<u>Support-in-Part</u>	<p><u>Amend^odefinition-of-Land-Transport-Corridor-as-follows:</u></p> <p><u>1. a road, being the whole of the road corridor from one frontage to the other, including footpaths and adjacent land that is held or used in conjunction with that road; or</u></p> <p><u>2. railway line (as defined in section 4 of the Railways Act) is constructed along with any adjacent land that is held or used in connection with operating a railway on that railway line. []</u></p>	<u>Reject</u>	<u>Z</u>

Changes to Appendix 2

Posted speed limit	<i>The legal and sign posted speed limit that applies to a <u>local, collector or arterial</u> the [DPR-0375:007] road as per the Selwyn District Council's Speed Limit Bylaw 2006, Speed Limit Bylaw 2009 and Speed Limit Bylaw 2018¹ [Clause 16 (2) amendment] <u>or on a State Highway.</u> [DPR-0375:007]</i>
<u>Vehicle control point</u>	<i><u>means a point on a vehicle access route controlled by a barrier (or similar means) at which a vehicle is required to stop.</u> [DPR-0375:008]</i>

TRAN-P7

Recognise and protect the function of the District's land transport network and systems by managing land use activities and subdivision development to ensure the safe and efficient movement of people and goods by:

- 1. ~~Managing~~ Avoiding significant adverse effects and minimising ~~other adverse effects~~ from activities on the safe, efficient and effective operation of land transport corridors and land transport infrastructure, particularly where it may reduce safe and efficient traffic flows within the strategic transport network and links with Christchurch City;*
- 2. Ensuring land transport corridors and land transport infrastructure can efficiently and effectively support ~~provide for~~ the volume and type of transport movements based on the network road classifications;² [DPR-0371:033, DPR-0453:046] and*
- 3. Requiring the design, positioning, and maintenance of accessways, corner splays, vehicle crossings, intersections, footpaths, plantings, and signs to ensure appropriate sightline visibility is provided to road users to support safe and efficient vehicle, pedestrian, and cycle movements.*

TRAN-P13

Minimise the adverse effects of the development of new land transport infrastructure and corridors on the physical and natural environment by:

1. Locating, designing and operating ~~development~~ new land transport infrastructure and corridors while minimising the effects on, the amenity values of the surrounding environment, public access, and the health and safety of people.
2. Encourage ~~ing developers of development~~ new land transport infrastructure and corridors
3. Limiting the presence and effects of the development of new land transport infrastructure and corridors
4. Requiring restoration of indigenous biodiversity and habitat following the development of new land transport infrastructure and corridors [DPR-0358:087, 0363:086, DPR-0374:092, 0384:094, DPR-0215:023] in areas of Areas of Significant Indigenous Vegetation and habitats of indigenous fauna, and the on-going monitoring of that restoration
5. Considering biodiversity off-setting or compensation where the loss of significant indigenous vegetation cannot be restored and significant habitats of indigenous fauna or wetlands cannot be fully mitigated where the adverse effects cannot be avoided or remedied.
6. Using the substantial upgrade of land transport infrastructure as an opportunity to reduce existing adverse effects.

TRAN-Rules

Note for Plan Users:

Plan Users should, in conjunction with this chapter, read the designations chapter for works associated with the State Highway and rail network in the district. [DPR-0375:042] Separate to any requirements under the Resource Management Act, there may be other legislative requirements that regulate access or crossing rights to State Highway or rail infrastructure. Further advice should be sought from NZTA and KiwiRail. [DPR-0375:43 and 0375:44].

TRAN- R9 Structures and trees near level crossings

All zones

Activity Status: PER

1. The establishment of a new, or expansion of an existing structure ~~(except for the upgrade of an existing utility pole with the same or similar footprint)~~, or the planting of a tree.

Where:

i The development is not located within:

- a. a approach sight triangle of a level crossing with give way signs as shown in TRAN-DIAG11; and
- b. a restart sight triangle of a level crossing as shown in TRAN-DIAG12, or

ii The development is an upgrading of an existing utility pole with the same or similar footprint. [DPR-0367:031]

Activity status where compliance is not achieved:

2. When compliance with any of TRAN- R9.1 is not achieved: RDIS

Matters for discretion:

3. The exercise of discretion in relation to TRAN-R9.2 is restricted to the following matters:

a. TRAN-MAT1.1 Visibility [DPR-0414:023]

~~a~~ b TRAN-MAT1.2 Safety and efficiency

c. TRAN-MAT1.4 Consultation with KiwiRail [DPR-0458:035]

~~b~~ d.TRAN- MAT1.7 Characteristics of the site or use

Notification:

4. Any application arising from TRAN-R9.2 shall not be subject to public notification. Absent their written approval, notice shall only be served on KiwiRail. [DPR-0458:035]

TRAN - **Parking and loading area queuing space lengths** [DPR-0414:048]
TABLE12

Number of on-site vehicle spaces	Minimum queuing space length (m) if <u>car park accessed from local or collector road</u>	<u>Minimum queuing space length (m) if car park accessed from State Highway or arterial road</u>
<u>4-10</u>	<u>0</u>	<u>6</u>
4 <u>11-20</u> ³	5.5 <u>6</u>	<u>12</u>
21-50	10.5 <u>12</u>	<u>12</u>
51- 100 <u>150</u>	15.5 <u>18</u>	<u>18</u>
101-150	20.5 <u>24</u>	<u>24</u>
151 or over	25.5	