

12 April 2018

Senior Policy Planner
Whakatāne District Council
Private Bag 1002
Whakatāne 3158
Via email: planning@whakatane.govt.nz

Dear Sir/Madam

RE: PROPOSED PRIVATE PLAN CHANGE 2 – KEEPA ROAD, WHAKATĀNE – NZTA SUBMISSION

Thank you for the opportunity to provide feedback on proposed Private Plan Change 2 to the Whakatāne District Plan. In addition to the high-level commentary in this letter, provision-specific feedback is attached.

This submission provides input from the New Zealand Transport Agency (*Transport Agency*), reflecting its land use and transport integration role as well as its perspective as the operator of New Zealand's state highway network. This feedback also takes into account the Transport Agency's objectives and statutory obligations.

The Transport Agency supports aspirations to supply additional land for residential development in Whakatāne as part of the direction set in the Whakatāne Integrated Growth Strategy. However, there are challenges affecting this proposed land use change, particularly with respect to pedestrian/cyclist safety and accessibility. In terms of relief sought, the Transport Agency considers that the proposed plan change should not proceed without amendments, and wishes to present in support of this submission at the hearing. The Transport Agency also suggests that a joint approach be explored in order to address some of its key concerns at a broader level. We appreciate that the applicant has been receptive to the Transport Agency's feedback through preliminary consultation, and we look forward to working with both the applicant and Whakatāne District Council (*Council*) to achieving an acceptable outcome.

The subject sites are located in an area that is not well-suited to the safe or convenient movement of pedestrians and cyclists. This is reflective of the area's existing industrial zoning and development pattern. The proposed residential land use will generate pedestrian/cyclist movements to both the Hub shopping centre on the southern side of State Highway 30 (SH30) and across the bridge to the Whakatāne town centre. The resulting safety and accessibility issues are a key concern for the Transport Agency, and the proposal in its current form does not address these.

Residents are likely to walk or cycle to the Hub to access amenities such as its café and shops, despite the fact that the centre and transport network were not designed to adequately accommodate this level of demand. SH30 is a wide, high-speed road (80km/h) and the existing pedestrian refuge at the Keepa Road/SH30 roundabout would not provide a safe crossing point for the additional movements. This is particularly true for the elderly and disabled. This safety risk would be highest during peak traffic periods when there would be limited opportunities to cross.

Residential use in this locality would also generate pedestrian/cycle trips across the SH30 bridge to and from the town centre. There is currently insufficient footpath width for off-road cyclists, and the shoulder lanes across the bridge are very narrow. Moreover, the handrails along the bridge's shoulder lanes are too low, particularly for cyclists. The additional demand associated with the proposed land use change would exacerbate the effects of these issues.

The plan change documentation did not include a Traffic Impact Assessment. The Transport Agency considers that this assessment should be undertaken to provide an understanding of what impact the proposed land use change will have on existing traffic, particularly the level of service and que lengths at intersections during peak hours. The additional pedestrian/cyclist demand and how this can be safely accommodated should also be assessed.

The Government recently released the draft [Government Policy Statement on Land Transport](#) (GPS), which outlines New Zealand's strategic transport priorities and guides investment. The draft GPS lays out four new priorities and six objectives, which include safety, improved transport access to economic and social opportunities as well as providing more resilience and choice, better environmental outcomes and infrastructure that delivers the best value for money. The draft GPS places particular emphasis on mode choice (including walking and cycling), and the integration of land use and transport planning. While the draft GPS is currently open to public engagement, and will not be finalised until it is adopted by the Government sometime before the 30 June, it is a strong indication of the Government's future strategic transport priorities and these should be considered in the development and decision processes for the proposed plan change.

While the developer will be required to mitigate their localised transport effects, the Transport Agency suggests exploring a joint approach with Council and the applicant to take a broader view of the corridor in the context of land use change and the necessary mitigation. This being said, the proposed plan change would generate new effects and exacerbate existing issues, so as a starting point the onus is on the applicant and subsequent developers to address these.

Residential development within the subject sites will be sensitive to road noise associated with SH30. Road noise can cause annoyance and sleep disturbance to residents, potentially leading to adverse health effects. In turn, complaints to the Transport Agency can cause reverse sensitivity effects by restricting network operation. Moreover, investigating and responding to complaints and mitigating noise effects can impose unreasonable costs on the Transport Agency. Where a sensitive land use such

as this is to be established near an existing state highway, the responsibility for managing noise effects lies with:

- a. the Council to include appropriate land-use controls in District Plan; and
- b. landowners/developers to implement these controls.

Taking a lead from World Health Organisation best practice guidelines, the Transport Agency considers that the proposed plan change should make provision for a maximum outdoor noise level of 57dB $L_{Aeq24hr}$ within the subject sites. The submitted Assessment of Noise Effects (Hegley Acoustic Ltd, Ref: 16329, December 2016) demonstrates that compliance with this standard can be reached. However, the recommended mitigation measures are not reflected in the plan change itself. As detailed in the attached table, the Transport Agency seeks amendments to address this. Following preliminary discussions, we understand that both Council and the applicant are amenable to changes along these lines. The Transport Agency's noise specialist has also noted minor technical matters, which we seek be addressed.

The Transport Agency appreciates the consultation undertaken thus far and welcomes the opportunity to discuss any of these matters in more detail, whether these be in pre-hearing meetings or otherwise. Please contact Rodney Albertyn (Rodney.albertyn@nzta.govt.nz, DDI: 07 928 7918 M: 027 597 87 48) the first instance.

Yours faithfully



Alan Catchpole
Principal Planner
Consents and Approvals

New Zealand Transport Agency Submission on Proposed Plan Change 25 Wairakei Urban Growth Area to the Tauranga City Council Plan

Section(s)	Support/ Oppose/ Amend	Submission	Decision sought
Reverse Sensitivity			
Proposed Appendix 2.6.4 (Keepa Road structure Plan)	Amend	<ul style="list-style-type: none"> The applicant's acoustic report identifies that it is possible to achieve 57dB L_{Aeq24hr} outdoors within the structure plan area if an acoustic fence is constructed along the frontage of SH30. However, this is not reflected in the proposed plan change itself. The Transport Agency considers this to be a significant omission and seeks that fence location and height be referenced on the structure plan. 	<ul style="list-style-type: none"> Amend proposed Appendix 2.6.4 to illustrate the height and location of the acoustic barrier required to achieve an external noise level of no more than 57dB L_{Aeq24hr} within the subject sites. In accordance with the applicant's Assessment of Noise Effects, this constitutes a combination of a 2m and 3m high acoustic barrier located entirely within the subject sites along the frontage of SH30.
Proposed Section 2.3.4 (Subdivision of Residential Zoned Land at Keepa Road)	Amend	<ul style="list-style-type: none"> The acoustic barrier will need to be located entirely within private property as the Transport Agency will not assume ownership or responsibility for ongoing maintenance of this structure. At the subdivision or development stage, responsibility for ongoing maintenance of the will need to be addressed. To this end, the Transport Agency seeks that assessment criteria allowing for consideration of maintenance provisions be included in proposed Section 2.3.4. Maintenance provisions could take the form of consent notices registered on the allotments' certificates of title. The Transport Agency can confirm from prior experience that the acoustic fence along the frontage of the State Highway is highly likely to be vandalised with graffiti unless adequate screening vegetation is planted along its southern side. Landscape planting will also soften the 	<ul style="list-style-type: none"> Amend proposed Section 2.3.4 to include assessment criteria enabling consideration of whether adequate provision has been made for ongoing maintenance of the acoustic barrier by private landowners or Council. Amend proposed Section 2.3.4 to include assessment criteria enabling consideration of whether adequate has been made for landscape planting address the visual impacts, including graffiti, associated with the acoustic barrier

Section(s)	Support/ Oppose/ Amend	Submission	Decision sought
		visual impact of barrier when viewed from the state highway. The Transport Agency seeks that assessment criteria to this effect be included in proposed Section 2.3.4.	fronting the State Highway.
Section 11.2.8 (Noise sensitive activities near any of State Highways 2, 30 and 34)	Amend	<ul style="list-style-type: none"> Due to the traffic characteristics of this section of SH30, the District Plan's internal noise provisions should apply to dwellings within 80m of the state Highway. The default for residential sites is 40m. 	<ul style="list-style-type: none"> Amend Section 11.2.8.1 so that the Keepa Road structure plan is subject to the 80m area of influence, not the default of 40m.
N/A	N/A	<ul style="list-style-type: none"> The submitted Assessment of Noise Effects assumes 6% heavy vehicles, whereas current counts show 11%. This should be corrected and will slightly increase predicted sound levels. Assessment of Noise Effects assumes grade 2 chip, the seal is a two-coat chip (generally the loudest type). The model corrections are unlikely to change the output, but this should be confirmed nevertheless. 	<ul style="list-style-type: none"> Minor technical amendments to acoustic report.
Pedestrian/Cyclist Safety and Accessibility			
Proposed Section 2.3.4 (Subdivision of Residential Zoned Land at Keepa Road)		<ul style="list-style-type: none"> Given the area's significant pedestrian/cyclist access and safety issues, specific reference to this i should be included in assessment criteria. 	<ul style="list-style-type: none"> Amend proposed Section 2.3.4 to enable consideration of the subdivision/development proposal includes adequate provision, including physical works within SH30, for safe and convenient access for pedestrians and cyclists to the shopping centre on the southern side of the state highway as well as the town centre to the south east.

Section(s)	Support/ Oppose/ Amend	Submission	Decision sought
General			
Section 2.2.2 (Structure Plans for Ōpihi, Port Ōhope and Shaw/Huna Road)	Amend	<ul style="list-style-type: none"> • Due to the significant challenges in terms of pedestrian/cyclist safety as well as reverse sensitivity considerations, Council should have the option of declining consent under certain circumstances. The Transport Agency therefore seeks that subdivision and development in general accordance with the Keepa Road structure plan be considered as a Restricted Discretionary activity, instead of a Controlled activity. • The proposed Keepa Road Structure Plan will set out the most fundamental and important elements of subdivision and development within the subject sites. The Transport Agency therefore seeks that subdivision and development that is not in general accordance with the Structure Plan be considered as a Non-Complying activity, instead of a Restricted Discretionary activity. It is considered that any such subdivision or development should be subject to the gateway test. 	<ul style="list-style-type: none"> • Amend Section 2.2.2 to provide for consideration of subdivision and development in general accordance with the Keepa Road structure plan area as a Restricted Discretionary activity, instead of a Controlled activity. • Amend Section 2.2.2 to provide for consideration of subdivision and development that is not in general accordance with the Keepa Road structure plan area as a Non-Complying activity, instead of a Restricted Discretionary activity.



- a) This is a submission on Plan Change 2 (Keepa road) to the Whakatāne District Plan.
- b) The Transport Agency could not gain an advantage in trade competition through this submission.
- c) The Transport Agency does wish to be heard in support of its submission.
- d) The Transport Agency does not wish to present joint evidence.

Signed by Alan Catchpole
Principal Planner, Consents and Approvals
Pursuant to the Authority of the NZ Transport Agency

A handwritten signature in dark ink, appearing to read 'Alan Catchpole', is written over a horizontal dashed line.

Date 12/04/2018