

BEFORE AN INDEPENDENT HEARINGS PANEL

THE PROPOSED WAIKATO DISTRICT PLAN (STAGE 1)

UNDER the Resource Management Act 1991 (the Act)

IN THE MATTER OF Hearing 6: Village Zone – Subdivision and Part A Land use (Proposed Waikato District Plan) submissions and further submissions

**STATEMENT OF EVIDENCE FOR TANYA RUNNING FOR THE WAKA KOTAHI NZ
TRANSPORT AGENCY (PLANNING)**

DATED 22 NOVEMBER 2019

1. INTRODUCTION

1.1 My name is Tanya Running. I am a Principal Environmental Consultant with WSP where I have been employed since 2004. I hold a degree in Science from Waikato University. I am an Associate member of the New Zealand Planning Institute. I have 15 years' planning experience.

1.2 I am authorised to present this evidence on behalf of Waka Kotahi New Zealand Transport Agency (the Transport Agency), in support of its primary submissions¹ and further submissions² on the Proposed Waikato District Plan (PWDP). I was not involved in the preparation of the submissions or further submissions made to the PWDP.

1.3 I confirm that I am familiar with the Code of Conduct for Expert Witnesses as set out in the Environment Court Practice Note 2014. I have read and agree to comply with the Code. Except where I state that I am relying upon the specified evidence or advice of another person, my evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

2. THE TRANSPORT AGENCY'S SUBMISSIONS ON VILLAGE ZONE PART A – LAND USE

2.1 The Transport Agency lodged fifteen submissions points and one further submission point in relation to rules and policies in relation to the Village Zone.

3. THE SECTION 42A REPORTS

3.1 I have reviewed the Hearing 6: Village Zone - Subdivision and the Hearing 6: Village Zone Part A – Land use (s42A report/s) and their recommendations in relation to the Transport Agency's submissions and further submission. For clarity, **Annexure A** provides a table of the Transport Agency's submissions and further submission, and states whether the s42A reports recommendation is agreed or disagreed with.

4. SCOPE OF EVIDENCE

4.1 My evidence addresses the following:

- a. Submission Point 742.145: Home Occupations
- b. Submission Point 742.25: Managing the adverse effects of signs
- c. Submission Point 742.149: Managing the adverse effects of signs
- d. Submission Point 742.151 and 153: Building Setbacks

¹ Submission #742

² Further Submission # 1202

5. SUBMISSION POINT 742.145: CHAPTER 24: RULE 24.1.1 P3 – HOME OCCUPATIONS

- 5.1 The Transport Agency's submission point 742.145 considered that the activity of "Home Occupations" in the Village Zone should not involve heavy vehicles and requested a new condition to the permitted activity rule and a new Restricted Discretionary rule should heavy vehicles be involved. The s42A report rejected the submission point and invited the Transport Agency to provide evidence and/or reasoning as to why the amendment is required.
- 5.2 I consider that the District Plan should provide restrictions in relation to vehicle movements for home occupations in the Village Zone. I recognise that many home occupations can have no adverse effects on the environment and there are benefits to home occupations such as providing employment to local people. However, some home occupations have the potential to cause adverse environmental effects on the site of the home occupation, on neighbours and on the wider environment. Increased vehicle movements to and from a home occupation site can pose traffic safety issues and generate noise problems.
- 5.3 The s42A report suggests that: *it may be appropriate to utilise rules similar to those in the Operative Waikato District Plan: Franklin Section, which restrict the number of heavy and light vehicle movements (for example Rule 27.6.3.1 (vii)(i)).*
- 5.4 For simplicity and clarity of the District Plan, in my opinion, it would be appropriate to add a new condition to Rule 24.1.1 P3 limiting vehicle movements in relation to home occupations. It may be appropriate for the Hearings Panel to revisit this provision and ensure that any threshold is not at the scale provided for by Rule 14.12.1.4 P4 (1)(a) which allows for a scale of traffic generation in the Village Zone in excess of what I would consider a typical home occupation would generate. For the benefit of the Hearings Panel this permitted activity rule is reproduced below:

(1) Any activity must comply with the following traffic generation conditions:

(a) Within the Residential, Village or Country Living Zones there is a maximum of 100 vehicle movements per day, and no more than 15% of these vehicle movements are heavy vehicle movements; or

6. SUBMISSION POINT 742.25: CHAPTER 4: POLICY 4.4.7 - MANAGING THE ADVERSE EFFECTS OF SIGNS

- 6.1 The Transport Agency's submission point 742.25 has been accepted in part. The s42A report author disagrees with the proposed deletion of the word 'discourage' and inclusion of the words 'are avoided'. The reasoning given by the s42a report author for the rejection of this point is understood. However, the Transport Agency are of the opinion that illuminated, flashing or moving signs on roads (with a speed limit of over 50km) have the potential to reduce the safety and efficiency of state highways (and roads in general).

6.2 As the Transport Agency has the role of providing safe and efficient state highways that meet the needs of road users and communities, any such possible effects should be avoided, it is requested that there is a slight amendment to this policy to confine it to adverse safety effects on road users as follows:

(b) Signs that generate adverse safety effects from illumination, light spill, flashing, moving or reflection on road users are avoided

7. SUBMISSION POINTS 742.149: CHAPTER 24: RULE 24.2.7.2 P1 – SIGNS - EFFECTS ON TRAFFIC

7.1 The Transport Agency's submission point seeks the inclusion of the following words to Rule 24.2.7.2 P1(a) (v) as follows (insertions underlined):

(v) Contain a no more than 40 characters and no more than 6 words, symbols or graphics;

The s42A report has requested elaboration as to why these amendments are required and the reasoning for the restrictions on words and graphics.

7.2 The amendment sought is based on the Transport Agency's brochure: *Advertising Signs on State Highways* which the Transport Agency uses to manage applications for signage within and adjoining the State Highway reserve area. This brochure has adopted elements from the Transport Agency's 2010 Bylaw relating to signs on state highways; this Bylaw has been prepared with input from the Transport Agency's Traffic Safety Engineers.

7.3 Controlling the amount of information on a sign is critical (especially in higher speed environments) to avoiding driver distraction and confusion; both of which can reduce the safety and efficiency of state highways (and roads in general). It is acknowledged that these documents and the Transport Agency's interest relate to state highways, however the requirements in my opinion can also be directly applied to local roads.

7.4 Therefore, I reiterate the Transport Agency's requested changes to Rule 24.2.7.2 P1(a) (v) as outlined in paragraph 7.1 of my evidence. Should the Hearings Panel determine that there is no appetite to extend this provision to local roads, an advisory note could be added to the rule stating the following:

Note: in relation to clause (v), where the sign is intended to be viewed from the state highway the following shall apply – Contain no more than 40 characters and no more than 6 words, symbols or graphics

8. SECTION 4.3 CHAPTER 24: RULES 24.3.6.1 AND 24.3.6.2 BUILDING SETBACKS – ALL BOUNDARIES AND SENSITIVE LAND USE

Submission Point 742.151: Rule 24.3.6.1 P1 and P2 Building Setbacks- all boundaries

8.1 In relation to this submission point to Rule 24.3.6.1 P1 and P2 the Transport Agency does not wish to pursue this submission point; the Transport Agency's concerns relates to the building setbacks for habitable buildings (for sensitive land use).

Submission Point 742.153: Rule 24.3.6.2 D1 Building setback- sensitive land use

8.2 This submission point seeks to retain the above rule as notified subject to relief sought on acoustic treatment of buildings containing sensitive land uses. The Transport Agency notes in their submission point:

that the setback distances proposed [in this rule] will not be sufficient to avoid adverse effects on occupiers in their own buildings without acoustic treatment.

8.3 The PWDP as notified does not specify acoustic treatment requirements for sensitive land uses in proximity to state highways. The relief sought by the Transport Agency under submission point 742.153 assumes that the Transport Agency submission points (742.182 and 742.244)³ are accepted. For clarity these submission points seek the insertion of a more comprehensive response (which would include acoustic treatment requirements) for the management of sensitive land uses in proximity to the state highway network

8.4 I understand that these submission points have been allocated to Hearing 25D Infrastructure 4. If these amendments are accepted through this hearing there would be consequential changes required to this Rule 24.3.6.2 D1.

8.5 The s42A report notes the submission points on acoustic treatment and has assumed that this submission point would be dealt with at a later topic. I am of the opinion that if this is the case then the recommendation to reject this part of the submission point can be accepted.

Tanya Running

22 November 2019

³ These submission points collectively seek to include new rules to Section Chapter 14: Infrastructure and Energy which would manage noise sensitive land uses within 100 metres of a state highway.

ANNEXURE A

		The Transport Agency's Submission or Further Submission Number	S42A report's recommendation	The Transport Agency's Comment
1	Rule 24.2.9 Road Frontage	S742.155	Reject	Agree
2	Section 4.4 Residential and Village Zones – Amendment – Policy 4.4.2 - Noise	S742.33	Accept in part	Agree
3	Section 4.4 Residential and Village Zones – Amendment – Policy 4.4.3 - Artificial outdoor lighting	S742.24	Accept in part	Agree
4	Section 4.4 Residential and Village Zones – Amendment – Policy 4.4.7 - Managing the adverse effects of signs	S742.25	Accept in part	Agree in part
5	Section 4.3 – Village – Amended provisions – Home occupations – 24.1.1	S742.145	Reject	Disagree
6	Section 4.3 – Village – Retention - Temporary event – 24.1.1 – P4	S742.146	Accept	Agree
7	Section 4.3 – Village – Glare and artificial light spill – 24.2.3	S742.147	Accept	Agree
8	Section 4.3 – Village – Amendments – Signs – 24.2.7	S742.148	Accept in part	Agree
9		S742.149	Reject	Disagree
10		S742.150	Accept	Agree
11	Section 4.3 – Village – Amendments - Building setbacks – all boundaries and sensitive land use – 24.3.6.1 and 24.3.6.2	S742.151	Reject	Agree
12		S742.152	Reject	Agree
13		S742.153	Reject in part	Accepted subject to consequential changes occurring to this rule
14		S742.154	Accept in part	Agree

15	Section 24.1 – Village – Land use Activities – New provisions – Education facilities	FS1202.92 to 781.16	Accept in part	Agree
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