

**In the Environment Court of New Zealand
Christchurch Registry**

**I Te Kooti Taiao O Aotearoa
Ōtautahi Rohe**

ENV-2019-CHC-076

Under the Resource Management Act 1991 (the Act)

In the matter of an appeal under clause 14(1) of the First Schedule of the Act

Between **Wayfare Group Limited**
Appellant

And **Queenstown Lakes District Council**
Respondent

**Notice of New Zealand Transport Agency's wish to be party to
proceedings**

Dated 5 June 2019

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To the Registrar
Environment Court
Christchurch

- 1 The New Zealand Transport Agency (**'Transport Agency'**) wishes to be a party to an appeal by Wayfare Group Limited (**'Wayfare Group'**) against the decisions of the Queenstown Lakes District Council on Stage 2 of the Proposed Queenstown Lakes District Plan Review (**'Proposed Plan'**) (Court reference ENV-2019-CHC-076).
- 2 The Transport Agency:
 - a made a submission (number 2538) about the subject matter of the proceedings; and
 - b is tasked with managing the State highway system, including planning, funding, maintenance and operations.¹ It, therefore, has an interest in the proceedings that is greater than the general public has, and stands to be affected by the amendments sought in the appeal if those amendments are granted.
- 3 The Transport Agency is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 4 The Transport Agency is interested in part of the proceedings, being those aspects of the appeal that are set out below at paragraph 5 of this notice.
- 5 The Transport Agency is interested in the following particular issues:
 - a The amendments sought by Wayfare Group to Chapter 25 (Earthworks) of the Proposed Plan, in particular, deletion of all 25.8 Assessment Matters on the basis that there is no need for these for resource consent applications;
 - b The amendments sought by Wayfare Group to Chapter 29 (Transport) of the Proposed Plan, in particular:
 - i Amendments sought to Policy 29.2.2.11 to not promote poor amenity outcomes when mitigating effects on the safety and efficiency of vehicle crossings and accesses;
 - ii Deletion of Policy 29.2.4.4 and Rule 29.4.11 which provide for avoiding or mitigating the effects of High Traffic Generating Activities;

¹ Under section 95 of the Land Transport Management Act 2003.

- iii Deletion of Rule 29.4.18 which provides for construction of an unformed road into a formed road, or amending the Rule to change its activity status to controlled; and
 - iv Deletion of all 29.7 Assessment Matters on the basis that there is no need for these for resource consent applications;
 - c The amendments sought by Wayfare Group to Chapter 31 (Signs) of the Proposed Plan, in particular:
 - i Amendment of Standard 31.5.2.4 to provide for a greater number of temporary events signs to be able to be erected off the site of the event; and
 - ii Deletion of all 31.19 Assessment Matters on the basis that there is no need for these for resource consent applications.
- 6 The Transport Agency's position on the amendments sought by Wayfare Group is set out below:

Chapter 25 (Earthworks):

- a The Transport Agency opposes deleting 25.8 Assessment Matters as there is a need to assess traffic effects where earthworks material is deposited off-site to ensure the safety and efficiency of the transport system is maintained;

Chapter 29 (Transport):

- b The Transport Agency opposes amending Policy 29.2.2.11 as this may result in amenity considerations over-riding or watering down safety and efficiency concerns relating to vehicle accesses and crossings, which would adversely affect the safety and efficiency of the transport system. This is particularly concerning to the Transport Agency where an access or crossing adjoins, or is close to, the State Highway;
- c The Transport Agency opposes deleting Policy 29.2.4.4 and Rule 29.4.11 regarding high traffic generating activities. These activities can adversely affect the transport system, so the Transport Agency supports measures to limit traffic generation and promote the uptake of public and active transport;
- d The Transport Agency opposes deleting Rule 29.4.18 or changing its activity status to controlled. The Rule as currently worded contributes to a sustainable transport system. It is particularly important where unformed

roads adjoining the State Highway are proposed to be formed that the safety and functionality of access to or intersections with the State Highway and any other potential adverse effects on the State Highway system are assessed;

- e The Transport Agency opposes deleting 29.7 Assessment Matters as these matters contribute to a safe, efficient and sustainable transport system, in particular, the assessment of non-accessory parking (29.7.2), of Park and Ride and public transport facilities (29.7.3), of access, manoeuvring space and queuing space (29.7.5) and of high traffic generating activities (29.7.7).

Chapter 31 (Signs):

- f The Transport Agency opposes the amendment sought by Wayfare Group to Standard 31.5.2.4 (Temporary event signs) and opposes the deletion of all 31.19 Assessment Matters. An increase in the number of signs visible from any State Highway has the potential to adversely affect the safety of users of the State Highway as drivers may become distracted by the signs or sightlines may be adversely affected. In addition, if a sign is positioned too close to the road corridor and does not meet the relevant standards, it may pose a risk to road users if they crash into the sign or the sign's support structure.
- 7 The Transport Agency agrees to participate in mediation or other alternative dispute resolution of the proceedings.



Nicola McIndoe

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Dated 5 June 2019

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