

NZ Transport Agency Waka Kotahi Reference: 2023-1598

28 February 2024

Mackenzie District Council  
PO Box 52  
Main Street  
Fairlie 7949

Via email: [districtplan@mackenzie.govt.nz](mailto:districtplan@mackenzie.govt.nz)

### **Further Submission on Proposed Change 27 to the Mackenzie District Plan**

The NZ Transport Agency Waka Kotahi (NZTA) thanks Mackenzie District Council for the opportunity to engage in this Mackenzie District Plan Review process. Please find attached our further submissions on Proposed Change 27 to the Mackenzie District Plan.

These further submissions focus on ensuring that the NZTA state highway assets are adequately provided for in the draft provisions, as sought to be amended by other submitters, that the approach to the transport planning in the Mackenzie District align with the NZTA strategic direction, and that NZTA delivers on the mandate from Central Government to promote best practice transport solutions across the country.

We welcome the opportunity to discuss the contents of our further submissions with council officers as required.

If you have any questions, please contact me.

Yours sincerely / nāku noa, nā



**Nick Reuther**

Senior Planner – Poutiaki Taiao / Environmental Planning  
Te Toki Tārai – Transport Services, Systems Design  
Phone: 03 741 8553  
Email: [Nick.Reuther@nzta.govt.nz](mailto:Nick.Reuther@nzta.govt.nz)  
[environmentalplanning@nzta.govt.nz](mailto:environmentalplanning@nzta.govt.nz)

**Form 6**

**NZ Transport Agency Waka Kotahi Further Submission on the notified Plan Change 27:  
Earthworks, Subdivision, Public Access and Transport under Clause 8 of Schedule 1 of the  
Resource Management Act 1991**

**To:** Mackenzie District Council

**Name of Submitter:** NZ Transport Agency Waka Kotahi  
Address for Service:  
Attention: Nick Reuther  
PO Box 1479  
Christchurch 8140  
Phone: (03) 741 8553  
Email: [environmentalplanning@nzta.govt.nz](mailto:environmentalplanning@nzta.govt.nz) & [nick.reuther@nzta.govt.nz](mailto:nick.reuther@nzta.govt.nz)

**This is a further submission in support of, and in opposition to, submissions on a change proposed to the following plan:**

Mackenzie District Plan – Plan Change 27: Earthworks, Subdivision, Public Access and Transport

**The NZ Transport Agency Waka Kotahi (NZTA) is a Crown entity representing a relevant aspect of the public interest, and which has an interest in the proposal that is greater than the interest the general public has for the following reasons:**

The provisions of the proposed Plan Change 27 have the potential to have a direct effect on the ability of NZTA to carry out its statutory functions under the Land Transport Management Act 2003 (LTMA). These are set out in Section 95 of the LTMA and include, amongst others, the requirements to contribute to an effective, efficient, and safe land transport system in the public interest and to manage the state highway system in accordance with LTMA and the Government Roadway Powers Act 1989.

Overall, NZTA has an interest in the Proposed Mackenzie District Plan Change process as a result of its role as a transport investor; a planner of land transport networks; a provider of access to, and the use of, the land transport system; and a manager of the state highway network.

**NZTA supports or opposes the submissions on Plan Change 27 as detailed in Table 1 (attached). Table 1 clearly indicates which parts of the original submissions NZTA supports or opposes, and the reasons for the support or opposition. It also details which submissions NZTA seeks to be allowed or disallowed.**

**NZTA requests to be heard in support of its submissions and further submissions.**

Signature of person authorised to sign on behalf of Waka Kotahi:



**Nick Reuther**  
Senior Planner – Poutiaki Taiao | Environmental Planning  
NZ Transport Agency Waka Kotahi

**Table 1: Decisions Sought on the Proposed Mackenzie District Plan Change 27**

| Submitter Name/Contact                              | Submission Number | Chapter / Provision                 | Support or oppose | The particular parts of the submission NZTA supports or opposes are:   | The reasons for our support or opposition are:  | NZTA seeks that the whole or part (describe part) of the submission be accepted or rejected: |
|---|-------------------|-------------------------------------|-------------------|--|---|--|
| <b>Part 1 – Introduction and General Provisions</b> |                   |                                     |                   |  |   |  |
| <b>Interpretation</b>                               |                   |                                     |                   |  |   |  |
| <b>Definitions</b>                                  |                   |                                     |                   |  |   |  |
| <b>Meridian Energy Limited</b>                      | PC27.30           | New definition –Reverse Sensitivity | Support           | The submission seeks the inclusion in PC27 of the definition for the term ‘reverse sensitivity’ that is also included in PC23.   | NZTA supports this request as the term ‘reverse sensitivity’ is used in the PC27 provisions but not defined.  | The submission be accepted.  |
| <b>Part 2 - District Wide Matters</b>               |                   |                                     |                   |  |   |  |
| <b>Energy, Infrastructure and Transport</b>         |                   |                                     |                   |  |   |  |
| <b>TRAN – Transport</b>                             |                   |                                     |                   |  |   |  |
| <b>Rules</b>  |                   |                                     |                   |  |   |  |
| <b>Helios Energy Limited</b>                        | PC27.08           | TRAN-R1                             | Support           | Helios Energy seeks an additional condition for the permitted activity rule to ensure granted land use consents to undertake solar farm developments are considered in the rule for the event that repair works are necessary. | The proposed additional condition is supported in principle as long as during the resource consenting phase, effects on adjacent land transport corridors have been considered (incl. consultation with road controlling authority) and adequately assessed. That said, works within a transport corridor will still require to go through a ‘Corridor Access Request’ process, which is in addition to the RMA requirements. | The submission be accepted.  |
| <b>Fire and Emergency New Zealand</b>               | PC27.05           | TRAN-R7                             | Oppose            | The submission requests that the requirement for an Integrated Transport Assessment (ITA) does not apply to emergency service facilities as vehicle movements are infrequent and usually only                                  | NZTA is supportive in general of the requirement for ITAs to be carried out, but there will be instances where the on-site activities are of a scale that full ITA is not necessary, and the assessment can be  | The submission should be rejected.   |

| Submitter Name/Contact   | Submission Number | Chapter / Provision | Support or oppose | The particular parts of the submission NZTA supports or opposes are:   | The reasons for our support or opposition are:   | NZTA seeks that the whole or part (describe part) of the submission be accepted or rejected: |
|--|-------------------|---------------------|-------------------|--|--|--|
|  |                   |                     |                   | during emergencies, shift change or training exercises.  | reduced in scale. NZTA considers that basic ITAs, as detailed in TRAN-Table 2, would cover those scenarios. Also, note the NZTA submission points on Table TRAN-Table 1 and the request to replace that table with a new table that is based on the ECM principle. |  |
| <b>Standards</b>   |                   |                     |                   |  |  |  |
| <b>Fire and Emergency New Zealand</b>                              | PC27.05           | TRAN-S8             | Support           | The submission requests that landscaping should not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut off valves or other emergency response facilities. Where this is not possible, mitigation should be required. | NZTA supports this submission as it promotes the safe operation of the transport network and emergency service assets within it.   | The submission be accepted.  |
| <b>EW – Earthworks</b>   |                   |                     |                   |  |  |  |
| <b>Policies</b>  |                   |                     |                   |  |  |  |
| <b>Transpower New Zealand Limited</b>                              | PC27.11           | EW-P2               | Support           | The submission raises concerns that clause (2) of the Policy could be understood to suggest that earthworks can have 'reasonable' effects on the stability of adjoining land, infrastructure, buildings, and structures. Alternative wording is suggested.   | Subject to the additional amendments requested to the policy in the NZTA submission, the alternative wording provided by Transpower is acceptable to NZTA in principle.  | The submission be accepted.  |
| <b>Rules</b>   |                   |                     |                   |  |  |  |
| <b>South Canterbury Province, Federated Farmers of New Zealand</b> | PC27.21           | EW-R4               | Support           | The submission seeks that the time period in which earthworks can occur up to the permitted activity volume threshold is amended from 5 years to 12 months.  | NZTA supports this relief sought as it will be less restrictive to any maintenance or repair works required to the state highway network.  | The submission be accepted.  |