

**BEFORE THE CLUTHA DISTRICT COUNCIL**

**Hearings Panel**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of a resource consent application for a subdivision and residential activity within the Coastal Resource Area of the Clutha District Plan.

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**BRIEF OF EVIDENCE OF GRANT COLIN FISHER**

31 January 2024

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## **INTRODUCTION**

1. My full name is Grant Colin Fisher.
2. I hold a Bachelor of Science Degree in Land Planning and Development from the University of Otago, New Zealand. I am an Affiliate Member of Engineering New Zealand. I am also vice chair of the Engineering New Zealand Transport Group Southern Branch committee.
3. I have over 15 years' experience in traffic engineering, transport planning, and road design and construction in New Zealand.
4. I am the director of Modal Consulting Limited, a specialist traffic engineering and transport planning consultancy which I established in early 2021. My role primarily involves undertaking and reviewing traffic assessments for land development projects, including resource consent applications and proposed plan changes, across a variety of land use activity classes.
5. I have been previously employed by the Dunedin City Council (DCC) as their Transport Planner/Engineer to advise on traffic engineering and transport planning matters, covering a wide range of road safety and traffic management issues. I have prepared in the order of 3500 transportation assessments and peer reviews for use by the DCC Planning Department during my time with the DCC.
6. I have also undertaken many peer reviews of transport assessments for major, often publicly notified, developments in Dunedin including rural land use developments and subdivisions.
7. I consider that my experience enables me to assess all relevant traffic-related issues associated with the development of sites of the nature proposed.
8. While this is not an Environment Court proceeding, I have reviewed the Environment Court's code of conduct for expert witnesses and confirm that this evidence has been prepared in accordance with it and that all opinions that I offer in this evidence are within my expertise. I have not omitted to refer to any relevant document or evidence except as expressly stated. I agree to comply with the code, in particular to assist the hearings panel in resolving matters that are within my expertise.

## **PURPOSE AND SCOPE OF EVIDENCE**

9. I have been asked by the planner for the applicant to evaluate and respond to the transportation matters covered in the Council's Section 42A report prepared by Mr Craig Barr. In this statement of evidence, I will:
  - Summarise the nature of the existing transport environment in the immediate vicinity of the site;
  - Adopt and summarise the findings of the Transport Assessment Report I prepared in relation to the proposed subdivision.
  - Summarise my assessment of effects of the subdivision on the transport environment, and including mitigation measures that may be required;

- Comment on the Council planner’s Section 42A report, associated engineering assessment, and draft conditions of consent; and
- Comment on the transport related matters raised in the submissions to the application.

## **TRANSPORT ASSESSMENT REPORT SUMMARY**

### **Existing Transport Environment**

10. The subdivision site is located between Coast Road and Toko Mouth Domain Road. Primary access to the site will be via Coast Road, which is an unsealed road with a formed width generally around 6m wide.
11. According to MobileRoad RAMM data, Coast Road has an annual average daily traffic volume of 50 vehicles per day, of which 13% is classified as being heavy traffic. It has a posted speed limit of 100km/h, however I have estimated a lower operating speed of the road in the vicinity of the proposed new road intersection for reasons detailed in my Transport Assessment Report dated April 2023.

### **Proposed Development**

12. Resource consent is sought to subdivide the subject site into 18 new residential allotments with a balance lot containing the existing farm dwelling and sheds. Also proposed is construction of a new road to vest, construction of a new intersection with Coast Road, and upgrade of the existing Coombe Hay Lane ROW to the southeast of the site which raises up from the Toko Mouth settlement.

### **Road Design**

13. The design of the proposed new road, and upgrade of Coombe Hay Lane ROW, is assessed in my Transport Assessment Report. These assessments reference the ARRB Unsealed Roads Best Practice Guide (ARRB), and NZS 4404:2010, which in my view are appropriate guides to use in appraisal of the proposed development.
14. The proposed new road will comprise a 5.5m wide formation with drainage on both sides of the road. Upgrade of Coombe Hay Lane ROW will comprise a 5.5m wide formation with drainage on the northern “uphill” side of the road. These cross sections comply with both the ARRB and NZS 4404:2010 guidelines.
15. I note that the proposal for the proposed new road, and upgraded existing road, to be unsealed is not supported by the Council’s Land Development Engineer. I respond to this matter later in this brief of evidence.
16. Overall, I consider the proposed road designs will result in the operation of a safe and efficient road network. In my Transport Assessment Report I recommended that certain consent conditions be included with respect to road formation and upgrade requirements. These have been accepted by the applicant and are promoted within the application for subdivision consent.

## Intersection Upgrade

17. The Council, in their request for further information (RFI) dated 9 November 2022, requested specific assessment of the proposed new road intersection with Coast Road, including assessment of sight distances.
18. In my Transport Assessment Report I have undertaken a high-level assessment of the proposed new road intersection with Coast Road and have determined that available sight distances will be acceptable, subject to relatively minor earthworks immediately adjacent to the site. I have also recommended consent conditions with respect to the upgrade of this intersection and these have been accepted by the applicant. These conditions also appear to have been accepted by the Council and are included in Appendix 2 of the Section 42A report – see draft conditions 9, and 9(c).

## COUNCIL PLANNER'S REPORT

19. The Council's Section 42A report details transport matters that are relevant to the proposed subdivision, including commentary from the Council's Land Development Engineer. I note that the Land Development Engineer did not raise any concerns regarding the proposed road intersection, nor use of the road by active road users, which were both items specifically raised in the Council's RFI. I have therefore assumed that the Council agree with the assessments made in my Transport Assessment Report regarding these matters.
20. The primary area where I disagree with the Section 42A report is in regard to the surfacing of the proposed new road and upgraded existing road. This matter was in fact canvassed in some detail with Council's roading engineer James Allison, at a site meeting on 2 December 2022, prior to production of my Transport Assessment Report.
21. At that site meeting, it was agreed between Council's roading engineer and I that unsealed roads would be acceptable to serve the development. The only exception to this was the steep section of the proposed new road that would rise up from Coast Road, where the Council's engineer requested investigation and assessment of the need to seal this for future maintenance purposes. The request for this assessment is reflected in my Transport Assessment Report (refer paragraphs 16-18 of that report).
22. I also note that clause 1.8.3.2 of NZS 4404:2010 states that "*Alternative designs provide flexibility to meet the circumstances and requirements peculiar to the site, or as a means of encouraging innovative design, or to meet the principle of life-cycle costing.*" Roads to, and within, Toko Mouth are substantially unsealed, including Coast Road, Toko Mouth Domain Road, and Riverview Road. The nearest roads to Toko Mouth that are substantially sealed are approximately 11km to the north, and 16km to the south, which is relatively unique for a small township/settlement in the southern region (Otago/Southland). Most small towns would typically have a sealed main road acting as a connector to wider regional areas.
23. For these reasons, it is my view that provision of unsealed (metalled) road formation is appropriate in the context of this development, except where dictated by steep gradients (i.e. where the road exceeds 8%). This is reflected in the recommended conditions of consent in my Transport Assessment Report, and again was agreed to by Council's roading engineer on site.

24. Overall, I note that the Section 42A report accepts that transport effects relating to the proposal can be appropriately managed via consent conditions.
25. Appendix 2 of the Council's Section 42A report outlines a framework of draft conditions of consent, should the hearings panel be prepared to grant consent to the proposed subdivision. I have reviewed the proposed consent conditions 9 (a) to (f) which relate to transport matters, and confirm that I consider them to be reasonable and appropriate in the context of the proposed development, except under 9(a):
- The requirement to seal the full extent of the proposed new road and upgraded existing road: In my view an unsealed (metalled) road formation is appropriate in the context of this development.
  - The minimum formed width of 5.7m: In my view a minimum formed width of 5.5m is compliant with both the ARRB and NZS 4404:2010 guidelines and should therefore be the minimum road formation width adopted.

## COMMENTARY ON SUBMISSIONS

26. I have read the key transport-related matters contained within submissions received in respect of the application, as set out in the Council's Section 42A report. There were two submissions that raised transport matters. These are summarised, and responded to, in the table below:

Submission	Response
The Wallace submission identifies an increase in traffic and the use of Coombe Hay Lane ROW as a through road as adverse effects associated with the subdivision.	It is considered unlikely that the proposed development would significantly increase vehicle traffic to the east, via Toko Mouth Domain Road, given the steep topography of this connection, and proximity of the more desirable connection via Coast Road.  Vehicle traffic generated by full development of the site would be low even at peak times, and in my view the existing and proposed road network are more than capable of handling such traffic.
The Brensell submission has raised the issue of dust from metalled roads but only in relation to increased traffic along Toko Mouth Road near their property at 1360A Toko Mouth Road and seek that the road is sealed for a distance of 100m to the north of the existing edge of seal to alleviate dust.	The matter of unsealed roads is discussed earlier in this brief of evidence. I agree with the Section 42A report that it would be unreasonable to seal Coast Road.

## CONCLUSION

27. I conclude that the proposed subdivision will result in low overall traffic volumes using the road network in absolute terms, with the surrounding road network being able to easily cater for such traffic and operate safely and efficiently.

28. The design of the proposed new road, upgraded existing Coombe Hay Lane ROW, and new road intersection with Coast Road, will result in a safe road environment for all users.

29. I have addressed matters raised by submitters, and those included in the Council planner's Section 42A report and associated staff commentary, and have concluded that there are no compelling transport reasons that the proposal should not be approved.

**Grant Fisher**

**31 January 2024**