

## Addendum to a Report on a Publicly Notified Resource Consent Application

(Section 42A)

<b>Application Reference:</b>	RMA/2018/2029
<b>Applicant:</b>	Foodstuffs South Island Limited
<b>Site address:</b>	171 & 165 Main North Road; 7, 7A, & 7B Northcote Road
<b>Legal Description:</b>	Lot 1 DP 21207, Lot 1 DP 479583, Lot 1 DP 1440, Lot 7 DP 14400, Lot 9 DP 14400, Lot 2 DP 479583, Lot 1 DP 76152
<b>Proposal:</b>	Establish and operate a supermarket with associated self-service petrol station, ancillary offices, emergency coordination facility, car parking, roading realignment (addition of a signalised intersection along Main North Road), signage, earthworks, and modifications to the Lydia Street Drain (a network waterway)
<b>Zoning:</b>	Industrial General, Commercial Local, and Residential Suburban
<b>Overlays and map notations:</b>	Christchurch International Airport Protection Surfaces overlay Liquefaction Management Area Water Body Setback (Network Waterway) Flood Management Area Major Arterial Road (Northcote Road) Minor Arterial Road (Main North Road)
<b>Activity status:</b>	Discretionary (District Plan) Discretionary (NES)
<b>Submissions:</b>	Eleven in support (four of these submitters seek to be heard) Six in opposition (four of these submitters seek to be heard) Three neutral to the proposal (two of these submitters seek to be heard)
<b>Date of Hearing:</b>	3 <sup>rd</sup> – 5 <sup>th</sup> December 2019
<b>Recommendation:</b>	Decline

### Background to this Addendum

1. My name is Nathan Harris. I am employed as a Planner at the Christchurch City Council. I completed a Section 42a officers report on this notified resource consent application on the 11<sup>th</sup> November 2019, recommending it be declined pursuant to Sections 104 and 104B of the Resource Management Act 1991. One factor taken into account when making this recommendation related to effects on the transport network, which I considered had the potential to be significant. The concern in this regard related to the veracity of the transport modelling, which Council's Transport Network Planner, Mr Mark Gregory, did not consider sufficient to understand effects on the transport network.
2. Prior to finalising my Section 42a report, an independent peer review of the transport modelling had been undertaken by Mr John Falconer of Quality Transport Planning ('QTP'), with this identifying a number of issues with the modelling. This was received by Council on the 8<sup>th</sup> November 2019 and is referenced within my report, as well as in an addendum to Mr Gregory's assessment (included as Appendix R to my report). Mr Gregory considered that the QTP findings supported his view on the modelling at that time.

3. Following receipt of the QTP peer review, the Applicant confirmed that they would work to address the issues raised prior to the hearing and I understand that this has been taking place. Council received an updated peer review from QTP on the 19<sup>th</sup> November 2019, in which Mr Falconer considers the issues he raised have been sufficiently resolved and that the modelling undertaken can be relied upon for an assessment of effects. Mr Falconer concludes his review by stating:

*“On that basis, there is strong evidence that the model is in the right ball-park and adequately reflecting future year operation with development in place. It is reasonably clear that the anticipated traffic effects are likely to be less than minor, but (allowing for uncertainty and model limitations) not necessarily an improvement as currently reported.”*

4. The purpose of this addendum is to clarify my own and Mr Gregory's assessments following receipt of the updated QTP peer review. I have restricted my comments to matters relating to transport modelling and the efficiency of the transport network. I note that the Applicant's brief of evidence has been received and circulated, in which they provide further information on a number of additional transport related matters (e.g. integration with public transport, pedestrian connections). They have also referenced a number of changes to the development plans that will be circulated prior to the hearing. I have not considered the Applicant's evidence or changes to the plans below.

### Effects on the Transport Network

5. I discuss effects on the efficiency of the transport network in the following paragraphs of my Section 42a Report:
- Paragraphs 46 to 52. This set out the concerns of Mr Gregory and his position that the modelling cannot be relied upon. It concluded that: *“I understand that the Applicant has committed to addressing the issues raised in the peer review prior to the hearing, however, without that modelling I have difficulty concluding as to effects on the transport network. Given the fact that the intersections are shown as operating at capacity without development, combined with the potential that development traffic has been underestimated, it appears that adverse effects may be more than minor and potentially significant”*;
  - Paragraphs 66 to 67, which set out six key concerns that Mr Gregory considered needed to be addressed, in lieu of which he held significant concerns. It concluded that: *“In light of his concerns, I am of the opinion that adverse effects as they relate to transportation matters will be more than minor, and potentially significant. This includes with respect to the safety and efficiency of the roading network, including the strategic transport network<sup>1</sup>”*; and
  - Paragraph 130, which set out my overall conclusion with respect to effects on the environment. This identified that adverse effects as they related to transport could potentially be significant.
6. Mr Gregory has reviewed the report provided by QTP, which includes the Applicant's responses to the twenty issues raised by Mr Falconer, as well as Mr Falconer's comments on those responses. Mr Gregory does not share Mr Falconer's opinion on a number of matters, stating at paragraph 23 that:

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<sup>1</sup> “means:

- a. the strategic road network;
- b. the rail network;
- c. the region's core public passenger transport operations and significant regional transport hubs (including freight hubs), such as Christchurch International Airport and Lyttelton Port of Christchurch; and
- d. the strategic cycle network of major cycle routes.”

NB: The 'strategic road network' is defined in the District Plan as “state highways and major arterial roads”.

*“i. The remaining inconsistencies identified by Mr Falconer do not convince me that the model can accurately be used to assess effects.*

*ii. This uncertainty means that critical impacts on the network – for example the queueing back to QEII cannot be quantified with certainty.*

*iii. Mr Falconer’s assessment that the effects will be less than minor is not well supported.”*

7. Mr Gregory’s assessment and interpretation is that the model provided is not sufficient to enable a high degree of confidence in the reported outcomes. However, he goes on to state:

*“37. Whilst I do not disagree with the majority of Mr Falconer’s specific findings, I am unable to agree with a less than minor outcome and would recommend effects would more likely be at least minor.”*

8. Mr Gregory has reached a conclusion that adverse effects on the efficiency of the network will be at least minor. Noting this position, as well as the transport engineers from QTP and on behalf of the Applicant, it does appear that one can discount a conclusion that effects on the efficiency of the transport network may be significant, a possibility I was unable to be conclusive on within my Section 42a report. This is important for the consideration of objectives and policies, discussed below.
9. Noting that there are a number of other transport related issues identified in the Section 42a report, and that this addendum is restricted to matters relating to the review of transport modelling<sup>2</sup>, I consider that adverse effects as they relate to transport will be more than minor.

#### **Relevant Transport Objectives and Policies of the District Plan**

10. My position with regard to the objectives and policies of the District Plan remains largely unchanged from my Section 42a report. The exceptions are within paragraphs 202 – 203 and 213:
- At paragraphs 202 and 203 where I reference Policy 7.2.1.2(vii) ‘High trip generating activities’ I now consider that significant adverse effects on the transport network will be avoided. I retain my position that the proposal will be inconsistent with Policy 7.2.1.2.
  - At paragraph 213 where I conclude that the proposal is potentially contrary to the objectives and policies of Chapter 7. I now consider it to be inconsistent with that framework.
11. For clarity, my position with regard to Policy 16.2.1.4(b) ‘Activities in industrial zones’ at paragraph 183 of my report is unchanged. I do not consider that sufficient information has been provided to demonstrate that the proposal will not hinder or constrain the ongoing operation or development of the strategic transport network, noting that this sets a high threshold. For clarity, I note that my concerns with respect to this policy extend to the future development of Northcote Road and how this may impact the ability for vehicles travelling east to enter Lydia Street via right hand movements.

#### **Conclusion**

12. In light of the above, my position within paragraph 245 of my Section 42a report should be changed such that adverse effects on the environment are considered to be more than minor, rather than “...more than minor and potentially significant”.

<sup>2</sup> It has not, for instance, considered the Applicant’s evidence and updated plans. I understand the updated plans will be circulated the week of the 25<sup>th</sup> November.

**Recommendation**

13. My recommendation remains unchanged from my Section 42a report and consider that it should be declined pursuant to Sections 104 and 104B of the Resource Management Act 1991.



Nathan Harris  
**PLANNER**

**Reviewed by:**



Mal Nash  
Team Leader Planning