

# Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

**Name of submitter:**

Peter Nixon

[State full name]

**This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):**

District Plan Review - NZTA Requirement NZTA - 1

[State the name of proposed or existing plan and (where applicable) change or variation].

**I ~~could~~ could not\* gain an advantage in trade competition through this submission.**

[\*Select one.]

**~~\*I am/am not† directly affected by an effect of the subject matter of the submission that—~~**

~~(a) adversely affects the environment; and~~

~~(b) does not relate to trade competition or the effects of trade competition.~~

~~[\*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]~~

~~[†Select one.]~~

**The specific provisions of the proposal that my submission relates to are:** [Give details]

Rolling over the requirement 192 in to a State Highway 1 corridor requirement NZTA - 1 would mean the conditions imposed on the original requirement regarding traffic noise measure in particular would be lost.

**My submission is:** [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

**Background:**

On 11 March 2003 NZTA accepted the recommendation of the Timaru District Council on the requirement 192 for realignment of State Highway 1 at Normanby. This was after a public meeting, submissions from residents affected, and a hearing by an independent commissioner.

There were several conditions imposed relating to construction noise, dust emissions, landscape and visual effects, traffic noise, water courses and cultural and heritage values.

**District Plan Review:**

NZTA now proposes to "roll over" and amalgamate the existing requirements, including 192 relating to the Normanby realignment, in to one the state highway corridor for ease of administration.

NZTA states in the letter to TDC dated 4 May 2021: (Paragraph 2.4 of the requirement) "there are no designation conditions listed within the operative plan and therefore there are no conditions to be retained and rolled over into the proposed plan".

While the 2003 conditions were met at the time of construction, the replacement of the quiet seal with a chip seal in 2016 alerted the residents to the traffic noise issue and reminded them of the condition regarding quiet seal imposed at the time. If the surface is to be resealed every 15 years, then the original condition must remain.

Many of the properties have changed hands since 2003 but due diligence by the new owners before purchase meant they were satisfied with the measure to reduce the noise levels. The 2016 reseat with a chip seal without consultation raised the old issues all over again.

NZTA also state that "No physical works are proposed as part of this roll over" and this may well be true but tenders have been called for the design of safety works on this section of SH1 with roundabouts and median strips being considered.

You may ask "what is special about this section of SH1 that requires a quiet seal?" This section of realigned road goes through a small community and does not follow the contours of the rolling hills. It is built on a cut and filled base which means the finished road is well above the valley floor and noise is transmitted up and down the valley. In recent years NZTA has specified larger chip sizes on many highways which produces more noise for car passengers and residents (as well as more broken windscreens!). A concern is allowing NZTA to use chip seal could mean larger (cheaper) chip making the situation even worse than the 2016 small chip experiment.

**I seek the following decision from the local authority:** *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

What I am asking for is the reinstatement of the Requirement 192 condition relating to traffic noise in the proposed new requirement NZTA - 1. This requires the installation and maintenance of OGPA quiet road surfacing on this section of the Normanby realigned section of SH1.

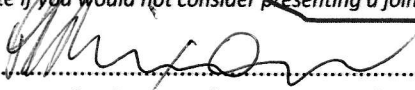
**I wish (or do not wish) † to be heard in support of my submission.**

*[\*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*

*[†Select one.]*

**\*If others make a similar submission, I will consider presenting a joint case with them at a hearing.**

*[\*Delete if you would not consider presenting a joint case.]*



**Signature of submitter (or person authorised to sign on behalf of submitter)**

*[A signature is not required if you make your submission by electronic means]*

Date 29-11-2022

Electronic address for service of submitter: nixons16@outlook.com

Telephone: 027 4310638

Postal address (or alternative method of service under s352 of the Act):

16 Daniels Road, RD 1 Normanby, Timaru 7971

Contact person: *[name and designation, if applicable]* Peter Nixon

**Note to person making submission**

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
  - It is frivolous or vexatious:
  - It discloses no reasonable or relevant case:
  - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
  - It contains offensive language:
  - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.