

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

AND

**IN THE MATTER Of an application be
Transwaste Canterbury
Limited to vary a
condition of consent
RC020069**

**CONCLUDING COMMENTS
REGARDING TRANSPORTATION**

Prepared for

HURUNUI DISTRICT COUNCIL

By

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Revision A

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INTRODUCTION

1. These notes cover transportation-related points that have arisen in the course of the hearing. This revision incorporates amendments to figures in clauses 24, 25 and 34.

ISSUES I HAVE ADDRESSED

2. In her opening statements, Ms Appleyard suggested that I have been selective in the list of considerations I have addressed in the course of my report. I can only assert that –being tasked with considering the traffic engineering and transportation planning matters – I have endeavoured to be thorough in my coverage of the relevant elements of the regional and district planning documents. The role of balancing these matters against the wider ambit of these documents and the Act lies quite properly with the Council’s Senior Resource Planner, and the Commissioner.

‘TRIPS’ vs ‘MOVEMENTS’

3. The issue that has precipitated this hearing is the apparent confusion surrounding the words in Condition 22 “...vehicle movements to or from the site...”. I understand the Council has suggested that this condition means 300 heavy vehicle trips to the landfill in a week and 300 away, while the applicant is contending that it means 600 trips to the landfill and 600 trips away.
4. The following chronology lays out what I see are the primary inputs to the discussion on the interpretation of these terms.
5. April 2002. Original Application – Appendix W – Traffic Generation. Page 9. This presents a Table W1 which includes as the bottom line Total Annual Heavy Vehicle Trips. These figures are used verbatim in Mr Huish’s table, so (as will be shown below) there is no ‘disconnect’ between the original application, Mr Huish’s table and hence Condition 22
6. Mr McKenzie’s first supplement. November 2002, paragraph 6, bullet point 1. Mr McKenzie details figures including *11415 return trips or 22830 movements* and *10335 return trips or 20670 movements*. These are averaged to the figure of 21750 and this figure is used verbatim in Mr Huish’s table.
7. Mr McKenzie’s second supplement, December 2002 paragraph 9. “..*that the maximum daily heavy vehicle traffic flow expected to and from the landfill would be... some 630 movements in a seven day period.*” (My emphasis on the and)
8. Mr Huish’ Supplementary Traffic Report – January 2003, paragraph 2. “...*The average heavy traffic movements averaged over 360 days of the year remains at 60 vehicle movements (i.e. 30 heavy vehicle truck-trailer units in and 30 out). The maximum of 100 heavy vehicle movements (50 in and 50 out) is as described in Mr James’ supplementary evidence...*” These figures are then reflected directly in his table appended to his supplement.
9. In his paragraph 42 Mr Huish then takes these figures, and earlier evidence from the applicant to arrive at his recommendation regarding the traffic volumes. He then presents the condition that was subsequently adopted as Condition 22.

10. In February 2003 Mr McKenzie presented his third supplement, in which [at para 23 to 26] he discusses Mr Huish's suggested condition without any debate on the meaning of the term 'movement', and concludes with the applicant's suggested modification to that condition involving increasing heavy traffic movements from Mr Huish's 600 to the applicant's 705 movements. This figure of 705 has been restated by the applicant at this hearing as being their position at the end of the earlier hearings.
11. All the above evidence is then consolidated in the Commissioner's decision. In section 24.4.14 the commissioners rejected the higher figure sought by Mr McKenzie and settled on the 1090 total and 600 heavy vehicle condition. The decision then uses these figures in Condition 22.
12. In August 2003 Mr McKenzie's evidence before the environment court paragraph 22 – first bullet point he notes: "...(*10,335 return trips or 20,670 movements*)..."
13. In that same evidence, Attachment 2 includes a table titled Expected Annual Trips (Heavy Vehicles). This tabulates the expected numbers of heavy vehicle return trips generated by the proposed landfill. Under the heading ANNUAL HEAVY VEHICLE TRIPS (return trips per year) Mr McKenzie reflects the numbers found in Mr Huish's table.
14. Finally in the applicant's form of the application amended in February 2006 – in Attachment 2 – Amended Appendix 1, page 7 a table is presented. This table is titled Original Application Heavy Vehicle Return Trips Assessment for 240,000 Tonnes.
15. These figures accurately reflect the figures in Mr Huish's table, which in turn reflect those figures found in the original application of April 2002.
16. I believe from this that there has been a consistent interpretation of the terms 'return vehicle trip' and 'movement' throughout the hearing process. A movement has always conformed with the classical traffic engineering definition as a journey between an origin and a destination.
17. This was reiterated by Ms Appleyard in her opening comments, where she observed in response to a question from the Commissioner that "A trip from Christchurch to Kate Valley is a trip, and a trip from Kate Valley to Christchurch is another trip."
18. I believe that over the course of the preceding hearings there have been adequate opportunities for the applicant to correct any misconception about the distinction between return trips and movements. Instead the applicant's traffic engineer has continued to restate the distinction between *return trips* and *movements*.

CHANGES IN VOLUMES - PEAKS vs AVERAGES

19. Condition 22 imposes a limit on the peak traffic activity over any week. The application and witnesses have identified the range between the average and peak traffic conditions, and Mr James has confirmed that there are a variety of factors needed to move between the average and peak volumes. This is accepted.
20. Mr James has indicated that increasing waste volumes will see more days on which the maximum acceptable vehicle numbers will need to access the site. This does not impact unduly on a singular peak value, but it does affect the weekly and annual totals. Likewise

as waste volumes increase the ‘threshold’ of amenity effects determined by the Commissioners will be approached more frequently.

21. However, in any case, the Commissioners in their previous decision discussed this issue, and decided that limiting the weekly peak volume would be the most appropriate method to apply to control the amenity effects. I agree with this approach, and this is why I have not presented any detailed analysis involving average volumes. Likewise, for the same reason I have not dwelt on the present non-complying traffic volumes as opposed to the difference between the consented situation and the applicant’s preferred and fallback positions.
22. In my tables I have utilised the figures presented in the application, and to avoid confusing the matter further I will return to the table included in the amended application.
23. This is Attachment 2 – Amended Text for Appendix 1. The tables that form the basis of the application are on pages 6 and 7 of that appendix.
24. In regard to traffic increases the applicant is showing average annual refuse traffic increasing from 11,873 to 18,000 return trips – an increase of 51% over the original expected scenario.
25. The peak refuse vehicle volumes increase from 299 to 459 return trips – an increase of 53% over the original expected scenario.

TURNING TRUCKS AWAY FROM THE LANDFILL

26. In Ms Appleyard’s opening statement [78(d)] she suggests that a consent limiting truck volumes will exercise ‘...*a form of negative control on others in five years through turning trucks away...*’
27. In the Councils decision, the Commissioners imposed condition 22 limiting truck and total vehicle numbers. In clause 24.4.12 the decision notes that ‘...*it is appropriate to control the traffic effects of this proposal by placing limits on the number of vehicle trips to the landfill.*’ .
28. In clause 24.4.13 the decision confirms the basis for the condition, and in particular that a weekly volume limit would be sensitive to cumulative traffic effects.
29. Clause 24.3.16 notes: “*In our view, this is an important decision particularly given that we have decided not to restrict the source of refuse...*” and (significantly, from my perspective) ‘...***we are of the view that the best way to control traffic effects is through a strict condition on traffic numbers...***’ (All emphasis mine.)
30. For Condition 22 to have any effect at all, I can only imagine that the Commissioners must have envisaged that the condition would actually and practically impose a limitation on vehicle traffic generation by the activity. It would have been pointless to have imposed a condition ‘limiting’ traffic volumes to say 100,000 trips per week, as such a condition would never have any ‘bite’. But the condition proposed represented the Commissioner’s best assessment of the level of traffic activity which, if exceeded, would give rise to undesirable traffic effects.

31. So, from my perspective, Condition 22 was imposed to control amenity effects AND to give effect to that condition it is clearly implied that the applicant would so arrange its operation in a way that keeps the traffic volumes (and hence the traffic-related effects) at the level selected by the Commissioners.
32. The same issue applies to any new threshold that may be established at this hearing, and again the applicant will have to contrive to operate within that limit. Thus, in response to Ms Appleyard, Condition 22 is already imposing ‘..a form of negative control..’ on the activity, and any new condition limiting amenity effects by a limit on traffic volumes will continue to exert this control.

DURATION vs RATE

33. In considering the nature of the effects, it is useful to observe that the application is to establish a new weekly volume of traffic, and not just to see the landfill fill up faster and be closed. Thus while consideration of the life of the landfill and the road may appear to present a finite horizon after which traffic activity will decline, the impact of the proposal on the time it takes the landfill to be completed is not as significant (in terms of day to day traffic effects) as the new ‘rate’ at which the activity is to operate.
34. Broadly, the application is seeking to increase average and peak traffic volumes by about 50%. This impact on average and peak conditions will be reflected directly upon the amenity, and health and wellbeing of the community.

UNCERTAINTY IN WASTE VOLUME PREDICTIONS

35. I have considerable sympathy for the applicant in the difficulty that Mr James has confronted in trying to reliably predict waste volumes. Other witnesses have also carried out analysis of the likely waste volumes.
36. In imposing Condition 22, it appears to me that the commissioners have arrived at what they feel is a threshold of traffic activity beyond which the amenity effects become undesirable. While the applicant’s situation has changed over the last year or so, I do not think that the situation of those impacted by the adverse effects of traffic have. Indeed from submissions, I feel that the community is now even more sensitive to these adverse effects than it was in 2002 and 2003.
37. Thus in my view the difficulty in predicting future waste volumes and the associated road traffic activity reinforces the need to impose some sort of limit on the amenity effects of the activity.

TRAFFIC ACCIDENTS

38. While my investigations led me to find that trucks are not under or over-represented in the traffic crash statistics, I do make the point in my paragraph 115.27 that the number of traffic crashes will rise in direct proportion of the increase in traffic volumes arising from the activity. In this case this is expected to see a 2.7% in crease in traffic accidents near Waipara, reducing to 1.6% in Woodend - as the proportion of non-landfill-related traffic increases towards Christchurch.

39. The point being that while the proportion of truck-related crashes on the road will only change in terms of the change in the proportion of trucks in the traffic stream, the overall accident rate will increase in terms of the overall volume.
40. The impact of crashes on the community is perhaps the most overt outcome of incremental increases in traffic volumes. The increase in traffic volumes will lead directly to an increase in traffic crashes. The District and Regional planning documents all recognise this, and in some cases they anticipate that an overall reduction in crashes will be achieved.
41. Unfortunately I cannot define any level of additional traffic crashes that passes a threshold of 'not significant/significant' – this is a very subjective matter. I can only remind the Commissioner of the numerous provisions in the district and regional planning documents that revolve around the preservation of the health and wellbeing of the people of the district. I also accept that – on a wider canvas – the disbenefits of traffic crashes associated with the activity must be viewed in terms of any health and wellbeing benefits arising from the operation of the landfill.

CONSIDERATION OF ALTERNATIVES

42. The applicant and a number of submitters have discussed the appropriateness of considering alternatives that could lead to reductions in on-road effects. I understand that this matter revolves around whether or not any effect arising from this application can be considered to be 'significant' in RMA terms.
43. I have raised the matter of alternative waste handling, treatment and transport systems (including the use of rail) in the course of considering the points made by submitters, and the possible impact this may have on the present and anticipated road-traffic-related effects.
44. My discussion on the use of Rail as a transport mode is also intended to highlight the possibility that there may be some alternatives available to the applicant should a limitation on road traffic continue to be imposed on the activity. As noted by the submitter for Ashburton District Council yesterday, under the present regime of economic signals the use of rail begins to become economic for hauls above 100km. However I have made the point that – should the economic signals change for the applicant – then rail (or some other mode) may become more economic in the future, and lead to the anticipated amenity outcomes.

MAINTENANCE OF MT CASS ROAD

45. From the discussions at this hearing, it appears that this hearing may not offer an opportunity to revisit the present maintenance agreement between the applicant and the Council.
46. The addendum to my report identified that the increased traffic volumes will give rise to both a redistribution and an increase in direct costs to the community for the maintenance of Mt Cass Road. This is calculated as leading to an increase in recoverable annual costs from the present level of \$5850.00 per annum to a new level of \$9140.00 per annum.

47. I am satisfied, from the detailed work done in the preparation of that addendum, that this is a fair representation of the additional costs required to maintain the road asset in a workable condition for both the applicant, and for the other people who use Mt Cass Road. If these additional costs are not carried by the applicant, then the community will have to bear this increased cost, as the road does still provide a service to other ratepayers living on Mt Cass Road.
48. I recognise now that any modification to this agreement may be outside the ability of this hearing to resolve. If that is the case, then the increased maintenance effort appears in the balance as an adverse effect that will arise from this changed level of traffic activity.
49. The only recourse the community will have to recover these increased costs would be by direct negotiation with the applicant. The outcome of such negotiations is, of course uncertain.

PASSING LANES ON MT CASS ROAD

50. Submitters have reasserted the need for some sort of passing facility on Mt Cass Road above the river bridge.
51. I have a lot of sympathy for those people who find that they are having to follow a slow-moving vehicle up the hill sections approaching the site. This situation will be compounded as the number of vehicles approaching the recreation areas east of the site increase.
52. In a perfect world a number of passing lanes could be built on the hill section to provide for passing manoeuvres. However as I have identified it is difficult to determine the optimum location for such a passing lane. From the present position, considering the alignment of the now-existing road, the only practical approach would be to widen the east-bound lanes to two lanes for most of the distance between the Omihi River bridge and the access to the site.
53. Regrettably the allocation of funding for such works is based on conventional cost-benefit analysis, and this work would be unlikely to rank high enough to receive the considerable funding required. The only way that could be achieved in the short term would be for the work to be funded by someone other than the Council. This appears unlikely.

~ End~