

My name is Jannaya Ruttley I am one of the owners of 1305 South Road where I live with my partner and three young children. We are one of the two affected properties in opposition of the proposed three lot subdivision.

Fortunately for us our property is located away from the proposed three lot subdivision. So we aren't affected in the same way as 1305A. Our biggest concerns are around the current state and safety of the ROW and how the increased traffic on ROW will exacerbate these safety issues.

The 20kph signs on the ROW and Appendix 1 Planning evidence email by Layne Greensill and his statement around negotiation with 1305A.

"Because I was not happy to have the driveways at the rear of the two new lots because it meant that we had more traffic travelling up the tanker track to get to these properties."

Highlights that there are already serious safety issues with the ROW. Having the driveway entry point for Lot2 and Lot3 at 1305A boundary does not change this. The extra traffic will still be on the ROW and regardless of how far they travel down it the safety issues will be the same.

Referring to the Hearing Report by Luke Balchin Access, Traffic & Road Safety Function of the shared ROW

82. Currently the ROW serves 1305, 1305A, 1305B South Road and the Site (1303 South Road) including the farm and associated creamery business. The site, including any farming activities and/rural business activities are permitted and therefore lawfully established activities. The applicant has previously confirmed this based on the VEM calculations per day from the operation of the farm, creamery and dwelling within the site. Therefore my assessment of effects in relation to the ROW relates primarily to traffic safety and amenity effects associated with the increased use of the ROW. In considering this it is important to determine whether the ROW design and formation including any proposed upgrades is suitable. There is a mutually agreed speed limit of 20kph of which is signposted, although as private land this speed restriction would need to be self-regulated by ROW users.

As noted by Luke the ROW is private land and the 20kph signs are not legally enforceable. This is not something we can rely on to keep us or our children safe.

83. Under the ODP a ROW within the rural zone is required to have minimum legal width of 6m and a minimum formed width of 3m. Further the ODP design standards requires any part of a ROW within 40m of an existing dwelling shall be formed. The applicant has proposed that the ROW will comply with the minimum design standards. As such any upgrades will be required prior to 224 certification to reach the standard necessary. This is consistent with discussions had with our Development Engineers, including their recommended conditions of consent.

Are we able to get some clarity around this.?

What does this look like for the ROW.?

Is this inclusive of the dwelling that is already on proposed Lot3?

We have not been given anything on plans to show us where and how this will change the affected areas of the ROW.

Will this enable people on the ROW to pass and re pass safely around heavy machinery and mitigate the safety issues with the width and congestion of the affected part of the ROW?

Effects on Existing ROW users

85. With respect to 1305 South Road the primary concern associated with the ROW is the increased traffic and the potential safety implications this has on their use of the ROW. It has been identified that the existing hedge within Lot 3 DP 447811 creates visibility issues resulting in safety concerns which would increase with proposed lots 2 and 3. During the pre-hearing meeting the applicant indicated that they would be willing to investigate a workable solution to reduce this issue through either (or a combination of) minor updates to the landscape mitigation plan or removing some of the hedge to improve visibility. It is my opinion that where any amendments for safety purposes to the landscape mitigation plan or shelter belt would be required that these would not change the conclusions previously discussed regarding rural character and amenity effects. A further measure includes the use of convex mirrors. Through the inclusion of the above suggestions, of which would be secured through consent conditions 22 should consent be granted, I am of the opinion that traffic related safety effects on 1305 South Road would be minor in nature.

Removing the hedge within the ROW will fix the current visibility safety issues with the driveway entry points but with the proposed re planting of hedges within the boundary of Lot2 will only replace those visibility safety issues.

Without the proposed draft condition- **13. A convex mirror shall be designed and installed so that vehicles travelling down the right of way are able to see other vehicles travelling along their respective driveways toward the ROW. The convex mirror shall also be designed and located so that vehicles travelling along their respective driveways toward the ROW are also able to see vehicles travelling down the ROW and towards the State Highway.** We do not see how these safety concerns can be mitigated.

Intersection with State Highway

90. A Council Development Engineer has however visited the site and considered the Waka Kotahi conditions to be included and has recommended that the vehicle crossing will be able to continue operating in a safe and efficient manner. I have also visited the site multiple times and did not experience any safety concerns when entering or exiting the site despite the reduced visibility to the north. This is largely due to the wide and sealed crossing and shoulder present, of which is proposed to be further to a "D" standard crossing. Existing sight distances are approximately 145m when travelling south and 245m for vehicles travelling north.

Can we have clarity around this and what it will look like for the intersection?

We have serious safety concerns around the Intersection of SH45 onto the ROW.

The intersection is quite dangerous due to the 100km speed limit on SH45 and the visibility North but it's not only the visibility to the North that is affected. The visibility of the ROW is affected by the hedges and shelter belt trees of 1305B specifically for traffic coming from the South onto the ROW that cannot see cars coming down to exit the ROW. Because of this and the dangerous speeds of which the Greensills and their trucks leave SH45 onto the ROW has ended in many near miss accidents.

Although Luke has stated in this paragraph that he did not experience any safety concerns when entering and exiting the ROW when he visited the site. This is not our experience with the intersection that we have to use multiple times daily.

