

Before Hearing Commissioners at Palmerston North

UNDER: the Resource Management Act 1991

IN THE MATTER OF: an application for a Notice of Requirement by
New Zealand Transport Agency to the
Palmerston North City Council, Manawatu
District Council and Tararua District Council for
**E AHU A TŪRANGA MANAWATŪ
TARARUA HIGHWAY.**

**STATEMENT OF EVIDENCE OF
Brent Barrett and Rachel Keedwell
on behalf of Build the Path
(submitter number 316)**

Dated
27 March 2019

1 **1**

2 **Opening**

3 We are here to speak on behalf of Build the Path, a grassroots community
4 group (core of 10 organisers) who have led the active transport response
5 to the proposal – a response that now has thousands of petitioning
6 supporters, and over 500 submissions to this NOR.

7

8 We are here to correct a major flaw, perhaps THE major flaw, that the
9 wider community has identified with the NZTA’s proposal – that the
10 proposed road does not provide a safe corridor for vulnerable users.

11

12 Our written submission contains the detail so won’t dive into that – but
13 do want to cover the highlights before responding to questions.

14

15 **2**

16 **Recommendation**

17 That a safe, separated shared path linking east-west from Ashhurst –
18 Woodville to be built in conjunction with Te Ahu A Turanga is a
19 condition of consent.

20

21 As we document, this solution is supported by thousands of people, and
22 even by NZTAs own evidence:

23

24 J Kennett use forecasts

25 Thorton Safety Audit

26

27 And strongly supported by much of the other evidence filed by e.g.

28 Harriet Fraser, planners.

29

30

31 **We use the term “In Conjunction”**

32 By this, we mean concurrent with, but not required to be adjacent / tied to
33 the side of the new road for the full length. At this stage we can't be
34 more specific than this as NZTA hasn't completed the relevant analysis.

35

36 Not yet fixed on specific route – e.g. some important detail to consider
37 there such as Wahi Tapu, and it is this work the Agency and affected
38 parties need to undertake with urgency, we'd be happy to support that in
39 any way possible.

40

41 We do not mean through the Gorge recreation area – full of uncertainty,
42 geotech risk, ageing bridges and structures – future use of that space
43 should be deferred until future designation of that road is considered – so
44 clearly a conversation for another day.

45

46 Note also the conflict within their own evidence with Kennett saying the
47 old Gorge Road would be a good route but Downes saying unsafe and
48 unlikely to be an option.

49

50 We also do not mean via Saddle Rd or Pahiatua Track as they are steep,
51 narrow, winding, unsafe shoulders, exclude most users

52

53 **3**

54 **Process**

55 This NOR process is deeply flawed, pre-emptive, and reveals a level of
56 predetermination that is inconsistent with principles and practice of RMA, and
57 good decision making in general.

58

59 In putting this forward the Agency has been negligent, and have created tension
60 and risk in the process, in the proposal and potentially in the project delivery
61 itself.

62

63 **Statutory Policy and Planning Context – NOR deficiency evident at a very**
64 **high level, and regional, local**

65 Outlined in submission so won't repeat here

66

67 **Presumptive – no analysis yet the path has been ruled out. Bias? Pre-**
68 **determination?**

- 69 • The NOR has no cost/benefit analysis so there is no justification for
70 ruling the path out of scope. The small scale analysis that has been done
71 (Kennett and PNCC expert Vuletich) both provide data that says the path
72 has some promise, depending on how it is done. NZTA has missed the
73 opportunity by refusing to consider walking and cycling in this process.
- 74 • Sarah Downes evidence tries to suggest that the proposal to cater for our
75 most vulnerable road users is something new and novel.eg:
 - 76 • the path has "only been raised recently and is yet to be properly
77 investigated" — Not true and the reason it has not been properly
78 investigated is because the agency didn't carry out the investigations
 - 79 • and that the "path has not been the subject of any transport planning
80 processes, high level or detailed investigation, engagement with iwi or
81 discussions with landowners" — this is precisely what the NOR is for
82 and Sarah is highlighting the negligence of the agency in this process
 - 83 • and a "separate path was not raised by councils as a priority when NZTA
84 first scoped the project." It is blatantly untrue that desire for walking and
85 cycling facilities is a new thing — this was raised at the RTC from the
86 beginning, as I outline in my evidence. Note PNCC even has it in writing
87 from NZTA that the NOR will address this so it is not surprising that we

88 were completely gobsmacked with what the agency put forward in the
89 NOR with regard to walking and cycling.

- 90 • The high level investigation should have been done by NZTA, so it
91 is disingenuous to say no investigations have been done therefore no one
92 is interested in it. They can't use their absence of action to justify
93 ignoring the call for walking and cycling facilities.

94

95 **Introduced Tension and Risk**

- 96 • What the agency has done is to make it more difficult to consider
97 inclusion of a path in the NOR process because other parties have not
98 been consulted about it., eg. Rangitaane o Manawatū evidence says a path
99 should not be granted as part of the NOR process because full
100 consultation with iwi has not been done.

101

- 102 • Set up unnecessary issues with iwi due only to poor process. Wahi Tapu
103 have been considered for the highway, but not the shared path..... but not
104 considered yet as NZTA pre-emptive in limiting scope. We uphold Wahi
105 Tapu and want to ensure those concerns are dealt with in the development
106 of the specific design of the shared path.

107

108 **Pre-Hearing Poor Practice / Disingenuous**

109 We would also like to note that their pre-hearing consultation has been
110 very poor practice because they entered into discussions with a hidden,
111 preconceived position, rather than an open mind and genuine desire to
112 take on board our concerns. This 'consultation' ended with them saying
113 nice idea but out of scope.

114

115

116 **Fails to meet own Objectives**

117 NOR Objectives – “to reconnect the currently closed Manawatū Gorge
118 State Highway 3 connection with a safer connection than the Saddle Road
119 and Pahiatua Track.”

120

121 However the proposal is most likely not safer, and certainly not safe, as I
122 will talk about more in a moment.

123

124 **Cannot Dismiss Safety Audit**

125 Agency’s own evidence – ignored 2018 safety audit calling for a shared
126 path – negligent in approach, and suggests a predetermination

127

128 NZTA taking a cavalier approach to their own safety audit Sam Thornton
129 / WSP Opus / April 2018 – had time to work this in, but instead say ‘out
130 of scope’

131

132 **Agency cannot use Scope / Objectives to artificially limit transport utility**
133 **and outcomes for vulnerable users**

134

135 To claim ‘out of scope’ is not valid in our view, and we understand there
136 is legal precedent that supports this view:

137 A requiring authority cannot couch its objectives in such terms as to
138 exclude consideration of alternatives: Wymondley Against the Motorway
139 Action Group Inc v Transit NZ EnvC A022/03

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146 4

147 **Expansion on Safety**

148 Safety – on the current design, and NZTA recommended conditions, it is
149 guaranteed that people on bikes will be killed and seriously injured by
150 motor vehicle drivers on this road. Not if, but when.

151

152 These are preventable deaths, preventable injuries, preventable trauma (to
153 motorists and cyclists).

154

155 When it comes to cyclists — regardless of user numbers – they need to be
156 safe. Not just less unsafe, but safe.

157

158 The NZTA experts say the project improves safety conditions for cyclists
159 and will have positive benefits for walking and cycling but the entire
160 premise is based on comparative safety, ie., comparing the project with
161 other existing unsafe routes. McLeod says this comparison of safety is the
162 objective, therefore "provision of safe pedestrian and cycling
163 facilities....is not needed for the project to achieve its objectives." The
164 positive benefits they refer to are mainly due to the lowered vehicle
165 movements on the alternative routes Saddle Road and Pahiatua Track -
166 lessening the traffic on these alternative routes does not make those
167 routes safer.

168

169 What is really telling, when it comes to safety is the response of the
170 agency's experts, when asked about whether the shoulder on the road is
171 safe. Both experts dodged the question and fell back on the answer that it
172 is safer than the existing situation. I note that the panel posed the same
173 question to Jonathan Kennett again because it was quite obvious that he
174 did not directly answer the question.

175

176 The road safety audit by Opus had a recommendation to consider a
177 separated facility for cyclists and pedestrians. This was ignored by the
178 agency. How can this project meet the goals of the new GPS where safety
179 is a primary focus if the agency ignores key recommendations for the
180 safety of vulnerable road users?

181

182 • This safety aspect also shows their design does not fit with the Safer
183 Journeys approach — the premise of this approach is that people make
184 mistakes but good design can mean those mistakes don't have to cost
185 lives. The project design does not adhere to these principles at all because
186 any mistake (by cyclist or motorist) will cost a cyclist their life.

187

188 • Another safety aspect that has not been mentioned is the fact that the road
189 cannot be exited once it is entered, ie., there are no turnarounds and you
190 must continue travelling to the other end before being able to come back.
191 What is a cyclist to do if they for some reason need to turn around? Carry
192 their bike across four lanes of traffic and clamber over the median
193 barrier? If they strike a problem, it is not so easy for a cyclist to continue
194 to the end of the road and turn around as it is for a motorist. Proper
195 facilities for cyclists would eliminate this issue.

196

197 Instead of aiming for a project that is marginally less unsafe than the
198 existing situation, why not aim for a project that provides a truly safe
199 environment for all road users? We support the approach provided in the
200 evidence of Harriet Fraser and Mark Read, both of whom conclude that
201 the project is not safe for cyclists and that a separated facility should be
202 provided. The detail in their evidence addresses our concerns about safety
203 and provides strong justification for the need of a separated facility.

204

205 **5**

206 **Access**

207 Access – a major theme of the GPS and transport legislation and practice.

208

209 GPS is explicit on the matter of Access – prioritising access for all
210 modes, and critically supporting access for all people – not just fearless
211 expert riders, and not just super athletes. But access for all, including
212 vulnerable users.

213

214 Despite this – the NOR proposal severely constrains access for vulnerable
215 active transport users.

216

217 Safety concerns alone will limit access to the fearless bike warrior type,
218 less than 3% of the population.

219

220 In addition to being unsafe, a shoulder on a high speed highway simply
221 isn't up to an access standards.

222

223 Access is also about place. So why is access at this location important?
224 Unlocks the northern side of Manawatu River Gorge. But also accessing
225 existing active transport infrastructure along the Manawatu River,
226 including the shared path from city all along the river from
227 Longburn/Linton out to Ashhurst. This shared path network is our
228 primary Access Point, like a conveyor belt of transport and recreation
229 users to the start of this corridor.

230

231 That conveyor belt doesn't lead to Saddle Road. It doesn't lead to
232 Pahiatua Track. It leads directly to this corridor – a corridor that needs to
233 provide access that is safe for all users, including vulnerable user.

234

235 **6**

236 **The Opportunity: Economic / Outcome benefits**

237 Yes some economic response from tourism, but the much bigger
238 economic driver is around new business and talent recruitment. Business
239 investment and business talent are attracted to places with Inclusive
240 Transport, Amenity, Recreation – all of which the shared path would
241 provide. That is the big economic prize the path offers.

242

243 Unique Link (reasonable distance, east-west, divide, town-town)
244 This is a once in several lifetimes opportunity – well signalled in local
245 planning – and one not to be missed. This is something we further
246 contextualise in appended planning analysis, which we ask to table as
247 evidence.

248

249 **7**

250 **Fairness / Equity Issues**

251 A consequential issue of real concern, and there are at least three ways in
252 which the NOR falls short from an equity point of view.

253

254 1 Regional

255 Compare this proposal with recent builds in other regions – e.g. Kapiti
256 and Taupo have highways shared paths with great design / great result.
257 Manawatu not proposed, not even seriously considered, actively excluded
258 from consideration. So why is our region the poor cousin here? Patently
259 unfair. We pay taxes and expect comparable levels of service.

260 On the basis of comparability with other regions, the NOR is unfair /
261 inequitable for our region compared with others with recent new highway
262 projects.

263

264

265 2 Value of a Life

266 The proposal is basically for a five star safety route for motorists, but a
267 zero star safety route for cyclists and vulnerable users.

268 Why should we design a connection so that one mode of transport is
269 super safe, and others are risky, even deadly – when there is a simple,
270 proven design solution that would make it much much safer for all? Are
271 some lives more valuable than others?

272 On this basis of differential safety standards, we maintain the NOR is
273 unfair and inequitable for vulnerable road users.

274

275 3 Who gets the upgrade?

276 Te Ahu A Turanga Highway being compared to Gorge by some as Like
277 for Like, simply a replacement. It is absolutely not like for like.

278 New highway a radical increase in safety, speed, amenity, and level of
279 service for motorists, which we support.

280 But for vulnerable road users, people on bikes, no such upgrade – if
281 anything, fearless bike riders are being baited into a danger zone, and the
282 interested but concerned rider is put off using the connection entirely.

283

284 This is a fundamental inequity of service upgrade and service provision to
285 different groups of transport users, it is deeply unfair to propose and fund
286 a five star motorway and a zero star cycleway.

287

288 **8**

289 **Community Views**

290 The obvious benefits case for the shared path, and the issues of process,
291 safety, access, fairness have all contributed to what you are grappling
292 with today – a significant divergence of view between community and
293 NZTA proposal, with regards a safe separated shared path.

294

295 Community support is wide and deep, including
296
297 Build the Path Petition – thousands of signatories in support of a safe
298 separated shared path. Many hundreds of submissions, overwhelmingly
299 in support.
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301 Road Transport Assoc. Broadly supportive of safe separated shared paths
302 for vulnerable road users, as outlined in our submission.
303
304 Automobile Association. Broadly supportive of safe separated shared
305 paths as per submission.
306
307 Policy at all levels in support at all levels, and support from Mayors,
308 community leaders etc.

309

310 **9**

311 **Precedent**

312 So, what are Commissioners to do with this divergence of views, in this
313 unique case?

314

315 Well the decision is yours – but we assert that precedent is a key issue
316 here.

317

318 Because if in fact you were to accept the NZTA proposal without
319 requiring a safe separated shared path – it is our view that you would
320 establish a substantive retrograde precedent in transport planning in New
321 Zealand.

322

323 Yes the context of this NOR is unusual. We had an unexpected road
324 closure – there is real urgency in establishing the new connection.

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But urgency is no excuse for poor process, for missed opportunities, for unsafe substandard transport connections, for dismissing community concerns or for steamrolling the concerns of vulnerable road users.

To be clear - granting what NZTA has proposed would set a very risky precedent of sweeping aside purpose of legislation, sweeping aside government direction via current GPS, sweeping aside local policy, sweeping aside good process, overlooking or ignoring safety concerns, discriminating against vulnerable road users, ignoring proven safe solutions, – all in order to hammer through an east-west connection. A connection that would be, in the absence of a shared path, inherently unsafe and access limiting, and therefore not fit for purpose.

So we ask: Is that the precedent you want to set? That a rush job can be a poor job? Can be an unsafe job? Can place vulnerable road users in high risk environments?

It would also set a precedent giving standing to any number of excuses and claims.

Here’s a sampler of what we’ve heard from the Agency so far:

We’ve heard it is Out of Scope. Of course this wasn’t mentioned until after all the consultation and at the very end of pre-hearing activity, behind closed doors. This is a rather dangerous precedent in light of the process and consultation requirements under the RMA and other enabling statutes – and would substantially weaken the RMA in practice to allow this scope argument to stand. Can the Agency just set scope at will, and thereby limit the RMA? Limit the community? We say no.

355 Furthermore, can they do it without a rigorous Cost Benefit Analysis?
356 Again we say no. We assert that the Agency, in attempting to rule out a
357 shared path before it is even given rigorous analysis, is on very shaky
358 ground to attempt to place the path out of scope, even if it were good
359 practice to do so. But of course it is not good practice to use scope to
360 artificially limit the RMA, as the courts have shown.

361

362 We've heard the project planning started under the former GPS, so can't
363 possible adapt now to new GPS, despite only being at the initial NOR
364 stage. Accepting this excuse would set a dangerous precedent with
365 regards the Agency accountability for current GPS and government
366 direction. How many old projects could get dragged through on that
367 basis?

368

369 We've heard there's not enough money... but it there's not enough
370 money, then why is motorway component of the project a five star gold
371 plated affair? And why is there no rigorous debate around how money
372 is allocated within the project? Shared path cost would be less than 5%
373 of total. This is no doubt far less than the contingency envelope for the
374 whole project. Cost is not a major barrier, and should not be allowed to
375 set precedent for unsafe infrastructure putting users at risk.

376

377 And just this week we've heard the latest new excuse – that is would be
378 “Over-Complicated” Really??? Shared paths are proven models for
379 delivery in transport projects throughout NZ. The thing that would be
380 over-complicated is a retrofit!

381

382 Finally, there is a red herring being dangled about the path causing a
383 possible delay – but with no substantive grounds to prove that requiring a
384 shared path would actually delay the project.

385 In fact, we assert a consent condition requiring a path will actually assure
386 and may even accelerate delivery timeframes, a point we'll touch on
387 again in a moment.

388

389 **10**

390 **NZTA Proposed Condition**

391 NZTA have made some progress since the NOR was lodged, including
392 efforts to engage. While we support the proposed conditions for access
393 across the existing bridge and to the gorge carpark, they ignore the
394 elephant in the room, and fall well short of the key recommendation we
395 put forward, a recommendation that enjoys broad support in the
396 community.

397

398 • We are also concerned that a number of other suggestions from NZTA
399 are not encapsulated in the conditions, eg., pedestrian access across new
400 Manawatu River bridge has not been made a condition; on road
401 improvements for cyclists such as a rumble strip between the margin and
402 the lane are mentioned a few times but are not in the conditions. If these
403 are not specified in the conditions, there is no guarantee that these crucial
404 gains to safety and access will be undertaken.

405

406 • We support the conditions that pertain to cycling safety and access that
407 are proposed by Fraser and are disappointed that the NZTA planning
408 expert has chosen to reject most of them. We would like to see adoption
409 of Fraser's proposed conditions, rather than the ones listed by Mcleod.

410

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414 **11**

415 **Now is the Best Time to Build the Path**

416 I want to comment on timing. Some have suggested the Agency should
417 wait – just build it later.

418

419 One thing we know is that later can be a long time, or may never come.
420 So there is a risk that later equals never. Later is also very expensive
421 both in real terms and in terms of lost opportunity – e.g. the Auckland
422 Harbour Bridge – active transport slashed in the original design – only
423 now and at great cost being realised many decades later.

424

425 Build the Path's view is that a requirement to build now will be the most
426 cost effective, and deliver on the least cost, most efficient economic
427 mandate in the GPS 2018.

428

429 Waiting will be very costly, and would jeopardise delivery. For instance
430 - narrow road cuts through hills will largely preclude retrofit of a shared
431 path, or will seriously exacerbate costs.

432

433 In contrast, doing it now when we will have equipment and soil and
434 labour on site and in motion – very much more efficient.

435

436 There's one last myth that's hanging out there that needs to be busted.
437 That myth is that the path could slow the whole highway project up.

438

439 Some say it could – but the Agency has proved it can move mountains
440 when it decides to. Just in November, they were globally recognised at
441 Inst of Civil Engineers People's Choice Awards with Kaikoura SH1
442 repairs. Here, NZTA achieved an amazing result, and I quote “pulled off
443 a project that would normally take years, in a matter of months” Years to

444 Months for a complex highway project of that magnitude – but now are
445 we to believe that they are suddenly stymied by a 10 km shared path, to
446 be delivered over multiple years? Doesn't really ring true – when we see
447 what the Agency is capable of. They can do this.

448
449 But that is only part of the timing story. There's another side to the coin.
450 Far from delaying the project, it is Build the Path's view that committing
451 to building a shared path will actually increase certainty around timing,
452 and may even accelerate project delivery. How could it accelerate
453 delivery? We assert that if you, the panel, were to allow the proposal to
454 proceed without a safe separated shared path, it raises the very real risk of
455 appeal and extended litigation prior to consent – and that is a guaranteed
456 recipe for a substantive and material delay.

457
458 Discussing the risk of material delay due to an appeal should not be mis-
459 construed as a threat as some have tried to do, nor should it be seen as
460 idle chatter. We are simply stating the obvious, and asking that you be
461 clear minded about the decision you make, the risk of appeal, and it's
462 very real effect on certainly with regards time to delivery.

463
464 Any credible risk analysis around timeframes would tell you that
465 including a shared path in a multi-year four lane highway project needn't
466 change overall timeframes, provided there is commitment and resource.

467
468 That same risk analysis would tell you that in failing to require a safe
469 separated shared path, and that based on track record in other
470 communities, the risk of a legal challenge of the consent, lodged in the
471 interests of a safe corridor for vulnerable users, cannot be discounted, and
472 such an appeal would materially delay project delivery.

473

474 So if you want speed and certainty on project timeframes for this project -
475 and we all do – then your best decision is to require a shared path as a
476 condition of consent, and work with iwi, vulnerable road users and others
477 to resolve the detail in design at an early stage from here on in.

478

479 **12**

480 **Conclusion**

481 Wrapping up now – as we have outlined there is a comprehensive and
482 strong case supporting the view that the most reasonable solution is to
483 commit now to a safe, separated shared path as we have outlined.

484

485 This is the position supported by many hundreds of Submissions to this
486 hearing, and now 3500+ petitioners who have joined their voice to ours.

487

488 Prospective users see a shared path as the best solution.

489

490 Freight industry sees a shared path as the best solution.

491

492 Automobile Association at a national level supports shared paths.

493

494 A shared path enjoys strong community support on both sides of the
495 ranges, despite scaremongering about delays, costs etc.

496

497 The best solution is a safe separated shared path linking east-west from
498 Ashhurst to Woodville and built in conjunction with the highway – and
499 we respectfully submit that as independent Commissioners you make this
500 an absolute condition of consent.

501

502

503

504 **13**

505 **Appended Planning Analysis**

506

507 **Is the current proposition safe?**

508 NZTA – states that with respect to a separated path ‘Such a facility is not
509 considered to be an appropriate investment as part of the Project because the
510 Project already provides adequate cycling facilities’. – are they adequate?
511 Harriet Fraser does not agree. Her view is that the vertical and horizontal
512 alignments of both routes with frequently limited forward sight distances, high
513 vehicle speeds and very little, if any shoulder provision, neither route comes
514 near to meeting the requirements for a safe cycling route; and is of the view that
515 the proposed shoulder cyclist provision along the Project route is adequate.

516

517 NZTA contends that 1.5- 2.0 metres of sealed shoulder width will be sufficient
518 to accommodate cyclists safely. Ms Fraser identifies in her evidence that such
519 provision is inadequate from a safety perspective and does not meet best
520 practice guidance as set out in the Austroads Guide to Road Design Part 3
521 (Geometric Design, Section 4.8.4). For a speed limit of 100 km/h, where the
522 volume of vehicles exceeds 3000 vehicles per day, a minimum clearance of
523 2.0m from the cyclist ‘envelope’ to nearest vehicle is required, with a preferred
524 clearance of 2.5m. An envelope of 1m is required to accommodate the cyclist
525 and the shoulder must also make provision for clearance from the outer barrier.
526 The risks of driver or cyclist error associated with poor weather conditions will
527 be exacerbated by high winds, steep topography and type of traffic
528 (predominance of trucks).

529

530 Ms Fraser considers a best practice shoulder width to make safe provision for
531 cyclists where there is a speed limit of 100km/h would be 3.5m plus a 0.2-0.5m
532 clearance to any side barrier or structure (resulting in a total shoulder width of

533 up to 4m). It is her view, which we share, that it is reasonable for proper
534 provision for cyclists to be made between SH3/ York Street in Ashurst and
535 SH2/ Pinfold Road in Woodville, including across any existing or future bridge
536 structures and through any roundabouts.

537 If the decision makers agree with Harriett then the view of NZTA that the
538 current provision is adequate, will need to be reviewed.

539

540 **Alternatives,**

541 NZTA is of the view that provision for walking and cycling facilities on the
542 road are not required as the Saddle Road and the Pahiatua Track currently
543 provide such options. We do not agree. These roads are not fit for purpose and
544 do not provide suitable usable connections to between Manawatu and the
545 surrounding regions. This view is shared by Ms Fraser who identifies that the
546 cross-sections of Saddle Road and the Pahiatua Track have limited, if any
547 shoulders, tight vertical and horizontal geometry in places, with limited forward
548 sight lines, fast vehicle speeds and heavy and farm vehicles, which means that
549 neither route provides a safe cycling environment.

550

551 This view is shared by Jeff baker in his evidence (paras 56 and 57):

552 *“I do not consider that a Saddle Road option would be better than an option*
553 *that utilised the safe facilities over the new Gorge road. The gradients on the*
554 *Saddle Road are much steeper, up to 15 degrees in places; the road is narrow*
555 *and is perceived to be unsafe for local riders, irrespective of vehicle traffic*
556 *volumes. A safe option over the new road is a more logical and desirable option*
557 *for inclusion in the Heartland Rides, to cater for a broader user group, and*
558 *incorporating the benefits of connectivity with the existing facilities at the*
559 *Gorge and the features of the new road, including the bridge.*

560 *I do not agree with Mr Dunlop’s assessment that either the Pahiatua Track or*
561 *Saddle Road routes provide more convenient routes parallel to the Project*
562 *(Transportation Assessment para 164). I defer to Ms Fraser in relation to*
563 *safety.”*

564

565 **Recreation**

566 From recreation standpoint there is significant opportunity in this Project to
567 develop a separated shared path to safely re-route NZCT cyclists over the
568 Ruahine Ranges in the Te Apiti Area instead.. The alternative routes of Saddle
569 Road and Pahiatua Track are considered not suitable routes for the majority of
570 leisure/recreational users, due to the presence of blind corners, fast traffic, poor
571 shoulders, sharp gradients and inclines, and the length of these routes.

572

573 Mr Baker notes that the proposal will provide a ‘faint benefit’ in respect of
574 opportunities for cyclists. The benefit is simply that cyclists will not be
575 prevented from the new road and will therefore have the benefit of the increased
576 connectivity that it provides and the shorter journey for those travelling between
577 the Ashhurst side to the Woodville side. The benefit is limited, because the
578 proposed method of providing for cyclists via a 2m shoulder (which actually
579 would be 1.5m in most places) will result in a poor recreation experience for
580 users, as compared with various other methods by which the road could provide
581 for vulnerable users.

582

583 It is our view that the current proposition has little to no recreational benefits.
584 However, the recreation potential associated with a separate trail is significant
585 to both local riders as well as domestic and internationals. This aspect has not
586 been considered by NZTA in this process. There is an acknowledged
587 recreational and economic benefit of having safe transregional biking and

588 walking connections, which the Heartland and Great Rides networks have
589 demonstrated.

590

591 The recreational (as well as the safety, economic and health) benefits of
592 providing for a separate walking and cycling path associated with the proposed
593 road, need to be seriously considered.

594

595 **Statutory Planning**

596 From a statutory planning perspective, planning evidence from PNCC identifies
597 that by not providing for safe multimodal access along the route then the
598 proposed route is contrary to a number of key pieces of statutory documents,
599 including:

600

601 The **Government Policy Statement (GPS)** on Land Transport 2018/19 2027/28,
602 National Land Transport Plan and Safer Journeys. This document includes two
603 key strategic land transport priorities as follows:

604 a) Safety-a safe system, free from death and serious injury,

605 b) Access – a system that provides increased access to economic and social
606 opportunities, enables transport choice and access, and is resilient

607 The GPS 2018 supports investment towards improving the safety of cyclists and
608 pedestrians, recognising that improving the safety of these activities is key to
609 improving accessibility and encouraging uptake, as well as enabling transport
610 choice. Investment in “appropriately designed and maintained infrastructure,
611 (e.g. cycleways)” is particularly important to “increase access to, and uptake of,
612 active travel”(GPS, paragraph 38).

613

614 We note and agree with PNCC planning evidence that disagrees with the
615 NZTA’s assessment that the Project is directly aligned with the Government
616 Policy Statement on Land Transport 2018/19-2027 priorities in relation to “a
617 safer journey” and “greater access for all road users.” And that the Project fails
618 to adopt a Safe System approach to design for vulnerable road users.

619

620 Sharing a busy road with many thousands of vehicles per day travelling at (and
621 in some cases over)110kmh is not safe. Such an environment is particularly
622 unforgiving for vulnerable users in the case of human error and mechanical
623 fault. The **National Land Transport Programme 2018-21** (“NLTP”) notes
624 that the GPS 2018 “reflects a significant lift in ambition for improving the
625 safety of the land transport system” (NLTP, page 12). The NLTP responds to
626 this by proposing a programme of initiatives that is targeted to the most
627 significant risks, with the focus of investment on “making roads and roadsides
628 more forgiving in the event of human error or mechanical fault” and “protecting
629 vulnerable users such as pedestrians, cyclists and motorcyclists” We agree with
630 the planners that the Project fails to provide a ‘forgiving’ roadside and to
631 protect vulnerable users such as pedestrians and cyclists.

632

633 **Horizons Regional Land Transport Plan (RLTP) 2018 – 2028** requires a safe
634 land transport system increasingly free of death and serious injury, and A
635 reliable multi-modal transport system with less modal conflict, including
636 walking and cycling, that mitigates potential environmental effects and
637 improves environmental outcomes. It also requires an integrated walking and
638 cycling network; and Effective, efficient, accessible and affordable multi-modal
639 transport networks. This important road does not fulfil those requirements.

640 At a district planning level, there are numerous provisions which support at
641 least. The consideration of a safe path as follows:

642 All forms of transport, including public transport, walking, cycling and private
643 vehicles are adequately provided for to assist with sustainable energy use and a
644 healthy lifestyle (Palmerston North City Plan, City View Obj 24)

645 Encourage the development of safe and accessible pedestrian paths and
646 cycleways, as well as convenient and accessible cycle parking, to support the
647 opportunity for people to use active and non-vehicular modes of transport
648 throughout the City (Palmerston North City Plan, Section 20, Policy 1.6

649 To ensure that the adverse effects of vehicle movements to and from roads are
650 managed by...d) Providing appropriate facilities for pedestrians and cyclists,
651 particularly in urban areas (Manawatu District Plan, Chapter 3B, Transport,
652 Policy 1.1)

653

654 To support and encourage walking and cycling as alternative modes of transport
655 (Manawatu District Plan, Section 3B, Transport, Policy 3.3)

656 To seek better access to the Districts major rivers, namely the ... Manawatu
657 (Objective EM6, Policy d., and to improve public access for recreation to those
658 parts of the following streams which are relatively close to formed road access
659 or reserves...i) Pohangina River (Manawatu District Plan Policy f.).

660 To enable the establishment of activities and facilities which meet the
661 environmental, economic, social, recreational, educational, and cultural needs of
662 the District's inhabitants, in locations where their effects are compatible with
663 the surrounding area (Taranua District Plan, Urban Land Management,
664 Objective 2.2.2.2 Policy c.),

665

666 To protect the natural, scenic, ecological, cultural and amenity values of the
667 District's lakes, rivers, and wetlands and maintain and/or enhance public access
668 to and along their margins (Taranua District Plan, 2.6.6.1 Objective)

669 To maintain existing public access to and along rivers and lakes, except where
670 such access is in conflict with other riparian management objectives where

671 conservation values are of higher priority (Tararua District Plan, 2.6.6.2 Policy
672 b.)

673

674 To encourage and promote public access and the provision of facilities in areas
675 of conservation, recreational and amenity value within the District (Tararua
676 District Plan, 2.6.6.2 Policy e.)

677

678 The PNCC planning evidence identifies that there is a deficiency in the
679 proposal in that there is no dedicated separated shared path as part of the
680 Project. We also consider there has been inadequate consideration and
681 assessment of recreation and tourism opportunities in the NOR as submitted,
682 and national, regional and local policy indicates that there should have been. We
683 agree and support that view. We support the planners recommendation at para
684 306 for “a new condition to require provision of such a path, and amendments
685 to Draft Condition 5 to require a detailed design to be submitted with the
686 Outline Plan. Considerations at the detailed design stage will include route
687 alignment, width, length, grade, surfacing, fencing, seating, amenity planting,
688 drainage and a maintenance regime. We have also made amendments to Draft
689 Condition 26: Network Integration Plan to provide demonstration of how the
690 requirements for the shared path will be met.”

691

692 Not doing so would not only be inconsistent with the statutory documents listed
693 above but would not also be consistent with good practice.

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701 **Summary**

702 The proposed road does not provide a safe corridor for vulnerable users.
703 Provision of a separate path would be safer and more appropriate than relying on
704 the Pahiatua Track and Saddle Road. The recreational benefits of providing
705 such a path have not been considered by NZTA and should be. The lack of
706 provision for vulnerable users is inconsistent with relevant statutory documents
707 including the GPS, National Land Transport Programme, Horizons Regional
708 Land Transport Plan, the Palmerston North City Plan, Manawatu District Plan
709 and the Tararua District Plan.

710

711 ENDS