

MEMORANDUM OF THE NEW ZEALAND TRANSPORT AGENCY WAKA KOTAHI ON THE POUND ROAD INDUSTRIAL DEVELOPMENT [FTAA-2505-1057] Comments on the Draft Conditions 31 MARCH 2026

1 Introduction

- 1.1 This memorandum provides comments by the New Zealand Transport Agency Waka Kotahi (**NZTA**) on the Draft Conditions, released 17 March 2026 along with the Draft Expert Panel Decision (**the Draft Decision**), for the Pound Road Industrial Development (**Application**), submitted by Nga Tahu (**the Applicant**) under the Fast Track Approvals Act 2024 (**FTAA**), application reference FTA-2505-1057.
- 1.2 NZTA appreciates the opportunity to comment on the Draft Conditions pursuant to section 70 of the FTAA.

2 Comments on the Draft Conditions under FTAA section 70

- 2.1 Appendix 1 (attached to this memo) contains the Draft Conditions relevant to NZTA with suggested amendments recorded as tracked changes. The relevant conditions are Condition X (**the Condition**) and Condition 125. The rationale for NZTA's proposed changes to the Condition is outlined below.

Development Staging and Impacts

- 2.2 The Draft Decision notes that Stage 3 of the Application is the point at which the impacts of the development on the transport network become significant and requires upgrades to the Pound Road / SH1 intersection and Pound Road / Waterloo Road intersection (**Intersection Upgrades**).¹ This finding is consistent with the Applicant's own assessment, and the comments and evidence presented by NZTA that, by completion of Stage 3, both intersections would be over capacity during peak periods without the Intersection Upgrades.
- 2.3 Furthermore, the Draft Decision notes that the Application will reach a break-even point during Stage 3 and that, without certainty that the development would proceed past Stage 1, there is a significant risk to it proceeding.² However, the Draft Decision also notes that the precise break-even point within Stage 3 was not identified, and that break-even may occur relatively early in

¹ Draft Decision, Pound Road Industrial Development, 17 March 2026, paragraph 277

² Para 297

Stage 3.³ This point is of particular concern for NZTA, as the Condition allows development of Stage 3 to proceed, and significant impacts to occur, without any mitigation being provided by the Applicant.

- 2.4 NZTA considers that there is a risk that Stage 4 may never occur, and therefore the Applicant may not be required by the Condition to deliver or contribute to any mitigation that addresses the significant impacts generated by the development of Stage 3. The Draft Decision notes that Stage 4 is currently only a balance lot, that the Applicant has not acquired all of the land associated with Stage 4, and therefore that stage may not ultimately proceed.⁴ A condition that only requires the Intersection Upgrades to be undertaken prior to the development of Stage 4, disincentivises the Applicant to actually develop Stage 4, as this will require further investment to not only acquire the land, but will also trigger the requirement to contribute to the Intersection Upgrade.
- 2.5 Therefore, NZTA consider that the proposed wording of the Condition presents a risk of significant impacts arising without any mitigation. The current wording of the Condition arguably places all of the risk on NZTA and minimal-to-no risk on the Applicant. The Applicant is able to complete their development beyond the break-even point (and potentially more). There is no requirement (and therefore no incentive) for the Applicant to address the impacts before the start of Stage 4. As such the Condition allows the Applicant to potentially wait until the intersections deteriorate due to the additional trips generated by the development to such an extent that NZTA and Christchurch City Council (**CCC**) must undertake the Intersection Upgrades at their own cost. The Applicant could then complete Stage 4, without any mitigation or contribution to mitigating the impacts of the development.
- 2.6 NZTA considers that the Condition should require the Intersection Upgrades to be undertaken, prior to the completion of Stage 3. NZTA notes that the format and wording of the Condition in the Draft Decision⁵, is notably different from the wording in Appendix A of the Draft Decision. NZTA agrees with the Panel's proposed format of the Condition in paragraph 308 of the Draft Decision, particularly the requirement that consent notices be placed on the balance lots as subdivision progresses, albeit NZTA considers that this should apply to Stage 3 of the development rather than Stage 4. NZTA seeks the amendments to the Condition set out in Appendix 1 to ensure the impacts of the development are appropriately addressed.

Timing of Contribution

- 2.7 As the Conditions are currently worded, they do not necessarily compel the Applicant to make its contribution to the cost of the Intersection Upgrades before a significant impact has occurred. NZTA considers that the Applicant's contribution to the cost of the Intersection Upgrades should be made before issue of titles for Stage 3, to ensure there is sufficient time for the Intersection Upgrades to be completed prior to the impacts of Stage 3 of the development being realised.

³ Para 302

⁴ Para 300

⁵ Para 308

NZTA seeks the amendments to the Condition as set out in Appendix 1 to ensure the impacts of the development are appropriately addressed at the time the impacts become significant.

- 2.8 NZTA considers that the amendments to the Condition as set out in Appendix 1 clearly indicate the timing of the Intersection Upgrades and the cost sharing arrangements to address the impacts, and there is no requirement for a clause related to any alternative arrangements.

Level of Service

- 2.9 The proposed wording of the Condition requires the Intersection Upgrades to achieve a prescriptive level of service (LoS). NZTA supports the inclusion of a reference to the LoS, noting that the LoS reflects the degree of saturation so reference to the saturation is not necessary. NZTA recommends referencing the Austroads standard in the advice note for Condition 125 as outlined in Appendix 1.

3 Conclusion

- 3.1 NZTA considers that the Pound Road Industrial Development will generate significant impacts on the state highway network that require mitigation. For this reason, NZTA considers amendments to the Panel's draft conditions are required to align the development with the implementation of the necessary intersection upgrades.
- 3.2 NZTA would welcome the opportunity to discuss these issues with the applicant/panel further and work constructively on solutions.

Appendix 1

Comments and changes proposed to Draft Condition X and Condition 125.

Proposed Conditions	
X	<p>New Condition X</p> <p>a) The Records of Title for lots located in Stage 1 of the subdivision as shown on the plan titled "Pound Road Industrial Subdivision - For Consent Purposes," (drawing reference E20739 Revision 2, dated December 2025) shall not be issued before 31 December 2027;</p> <p>b) The Records of Titles for lots located in Stage 2 or Stage 3 of the subdivision as shown on the plan titled "Pound Road Industrial Subdivision - For Consent Purposes," (drawing reference E20739 Revision 2, dated December 2025) shall not be issued before 1 January 2029;</p> <p><u>c) As the subdivision of Stage 3 progresses, consent notices shall be placed on the titles of the balance lots requiring that Stage 3 is not completed until the intersection of State Highway 1 and Pound Road and the intersection of Waterloo Road and Pound Road (the intersections) are upgraded achieve Level of Service C or better in general accordance with the concept drawing shown in drawing 0383-012-DWD1001-B prepared by Novo Group dated 27 June 2025;</u></p> <p>e) Records of title shall not be issued for lots located in Stage 4 of the subdivision as shown on the plan titled "Pound Road Industrial Subdivision - For Consent Purposes," (drawing reference E20739 Revision 2, dated December 2025), unless the intersection of State Highway 1 and Pound Road and the intersection of Waterloo Road and Pound Road (the intersections) are upgraded to achieve Level of Service C or better and Saturation of 0.9 or less in general accordance with the concept design shown in drawing 0383-012-DWD1001-B prepared by Novo Group dated 27 June 2025;</p> <p><u>d) The issue of Titles for Stage 4 shall not occur before the intersections are upgraded in accordance with Condition X c); and</u></p> <p>de) The consent holder shall fund 20% of the costs of the upgrades to the intersections referred to in the clauses above before the issue of titles for Stage 3.; and</p> <p>e) Condition X a), X b), X c) and X d) shall not apply if the consent holder enters into a developer agreement with NZTA and CCC for an alternative arrangement as to timing of intersection upgrades and cost sharing.</p>

Consent Notices	
125.	<p>The following consent notices pursuant to Section 221 of the Resource Management Act 1991 will be issued by the Council:</p> <p>d) Condition X Traffic: The following condition must be recorded pursuant to Section 221 of the RMA in a consent notice registered on the titles of all lots in any balance land left at the completion of each stage of the subdivision:</p> <p>Records of title shall not be issued for lots located in Stage 4³ shown on "Pound Road Industrial Subdivision For Consent Purposes", (drawing reference E20739 Revision 2,</p>

dated December 2025) unless the intersection of State Highway 1 and Pound Road and the intersection of Waterloo Road and Pound Roads (the intersections) are upgraded to achieve Level of Service C or better ~~and Saturation of 0.9 or less~~ in general accordance with the concept design shown in drawing 0383-012-DWD1001-B prepared by Novo Group dated 27 June 2025.

Note: Council will prepare the Consent Notice.

Note: Level of Service is determined the Austroads Guide to Traffic Management Part 3: Transport Studies and Analysis Methods (AGTM03-20), 28 April 2020, Edition: 4.0

