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**Appendix 3F**  
**Designation procedures and model provisions**

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## Appendix 3F – Designation procedures and model provisions

### Information sources

Information relevant to the obtaining, alteration of and maintenance of Transit's designations is available from the following sources:

**Transit New Zealand State Highway Control Manual (SHCM) (SMO12)** – this manual contains specific information relevant to Transit's operating procedures and requirements for designations.

**Transit New Zealand State Highway Geometric Design Manual (Draft) (SHGDM)** – this manual contains information relevant to the design of state highways, in particular information in relation to formation and shoulder widths, alignment and clear zones.

**The Quality Planning Website** – while not being specifically transport related, this website contains a great deal of information on procedural aspects of planning and the RMA, with two documents of particular relevance to designations:

*A Guide to Designations under the Resource Management Act 1991*, Ministry for the Environment, September 2003 –  
<http://www.mfe.govt.nz/publications/rma/rma-designations-sep03/>

*Designations in Proposed District Plans*, Ministry for the Environment, July 2003 - <http://www.qp.org.nz/plan-development/requirements.php>

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### Designations authorise particular projects or works

Transit obtains designations for particular projects or works or, in some cases, to restrict the use of land where a restriction is necessary for the safe or efficient functioning of a state highway.

Transit will generally specify in its notices of requirement for designations the exact wording which it seeks to have included in the relevant district plan to describe the project or work or restrictions to which the designation relates.

Once a designation is confirmed the designation is included in the relevant district plan – this involves recording in the plan a description of the project or work, or restrictions to which the designation relates (as well as recording that Transit is the requiring authority in respect of that designation and amending the plan maps to identify the area of land subject to the designation).

Once a designation has been included in a district plan, Transit does not need to obtain any land use consents from the relevant territorial authority in respect of any project or work to which the designation relates (although it still needs to obtain any necessary regional land use consents).

Therefore, the description of the relevant project or work included in the relevant district plan determines what activities are authorised under the designation without the need to obtain district land use consents.

Set out below is the wording that Transit will generally seek to have included in the relevant district plan to describe its designations.

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### All state highways (including expressways/motorways)

For all state highways the designated purpose should be:

*“Road purposes – State Highway [X]”.*

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### Expressways/state highways

It is important that the plan description of a designation for a state highway that is/is proposed to be managed as an expressway is the same as that for other state highways. “Expressways” do not have any particular legal status that is different to any other state highway, so a designation for an “expressway” could create confusion and uncertainty.

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### Motorways

Motorways are state highways – i.e. state highways that have been declared to be motorways. Further, under section 2(1) RMA, “road” for the purposes of the RMA includes “a motorway as defined in section 2(1) of the Transit New Zealand Act 1989”. Therefore, use of the wording “*Road purposes – State Highway [X]*” in a district plan is wide enough to encompass use of the designated land for a state highway that is declared to be a motorway.

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### Future motorways

Some state highways are designed and built with a long-term view to upgrading the road. The intention may be to seek a declaration of the state highway as motorway once upgrades have been completed. Depending on how the designation for the road that is to become a motorway is worded in the relevant district plan, that designation may need to be amended or replaced if the road becomes a motorway.

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### Designations for limited purposes

In certain circumstances Transit may designate land where restrictions on the use of that land are necessary for the safe or efficient functioning or operation of a state highway e.g. to protect sightlines or restrict access to/from a state highway. The description of such designations in the relevant district plan will generally be very specific e.g. “Sightline restrictions – state highway [X]” or “Access control – state highway [X]”. Transit is unlikely to need to own or manage the land which is subject to a designation of this type. Transit will generally seek for such designations to be subject to conditions along the following lines:

This designation does not authorise the construction of a state highway but instead is for the purpose of restricting the use of the designated land to seek to ensure the safe and efficient functioning and operation of State Highway [X].

The particular restrictions that apply to the use of the designated land are, for example:

- no structure may be constructed, erected, installed or maintained on the land; and
  - no vegetation exceeding [X] metres in height shall be planted, placed or maintained on the land; or
  - this land cannot be used for the purpose of driving or moving any vehicle or animal onto or from state highway [X]”.
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### Designation width

Historically, the width of the designations Transit has sought for state highways has been determined by the width of the carriageway and shoulders of the state highway. More recently, Transit has sought designations which are wide enough to include the state highway formation, areas of land required for the mitigation of environmental effects and any additional land required for construction activities.

Overall, the appropriate width of a designation is dependent on a case-by-case assessment, which takes into account:

- the classification of the state highway – *national* state highways are likely to have wider designations, particularly where they are more likely to require future upgrading and may have higher requirements for mitigation of environmental effects. In addition, state highways in *urban* areas will be inherently limited by the available land and affordability of additional width. In *peri-urban* areas, additional width should be designated wherever practicable, to provide for future upgrading and buffering against likely urban expansion;
  - the likelihood of the need for future upgrading, widening and grade separation of intersections – all of these activities suggest a greater width and/or additional areas should be designated early (the “safeguarding tests” in section 3.6 of the PPM can be helpful in decision-making);
  - the need for additional width for measures to mitigate environmental effects (such as noise bunds and fences, storm water swales and treatment facilities and landscaping areas);
  - the need for additional width to separate the general state highway carriageway from facilities for other transport modes, such as a cycleway or a bus lane;
  - the need to designate land for new areas of local road required to provide access to the state highway, or other local amenities, e.g. walkways. Once such local amenities are constructed, Transit may either seek to withdraw that part of the designation over those local amenities or, if separate designations were obtained for those amenities, transfer responsibility for those amenities/designations to the local authority;
  - the realistic area needed for construction activities, recognising that once construction and any maintenance period, has been completed Transit is likely to seek to withdraw the parts of any designation solely required for construction purposes and to rely on either short-term property agreements or the disposal of the surplus land following construction and the completion of any maintenance period; and
  - the need to protect additional land where restriction of the use of that land is necessary for the safe or efficient functioning or operation of the state highway (see above).
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