

**BEFORE THE HEARINGS COMMISSIONERS FOR THE WAIKATO DISTRICT COUNCIL**

**UNDER** the Resource Management Act 1991

**AND**  
**IN THE MATTER** of hearing submissions and further submissions on the  
Proposed Waikato District Plan

Hearing 25 – Zone Extents

**PARTIES REPRESENTED** **POKENO WEST LIMITED (97) & CSL TRUST & TOP END  
PROPERTIES (89)**

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**REBUTTAL EVIDENCE OF LEO DONALD HILLS FOR  
POKENO WEST LIMITED (97) & CSL TRUST & TOP END PROPERTIES (89)**

**Transportation**

**May 2021**

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## **1. INTRODUCTION**

- 1.1 This rebuttal statement relates to evidence in opposition filed by Wesley Edwards for Pokeno Village Holdings Limited relating to Pokeno west Limited (97) and CSL Trust / Top End Properties (89).
- 1.2 This rebuttal statement also addresses matters raised in the evidence filed by Michael Wood (Planning) for Waka Kotahi (NZTA) and Council's section 42A report.
- 1.3 I confirm that I have the qualifications and expertise previously set out in paragraphs 2, 3 and 4 of my primary evidence.
- 1.4 I repeat the confirmation given in my primary evidence that I have read the Code of Conduct for expert witnesses contained in the Environment Court Practice Note 2014 and that my evidence has been prepared in accordance with that Code.
- 1.5 I have structured my rebuttal statement based on the key issues raised by Mr Edwards, including:
  - (i) Detailed assumptions
  - (ii) Wider effects assessment
  - (iii) Walking and cycling accessibility
  - (iv) Ridge Road intersections (for CSL Trust & Top End Properties)

## **2. DETAILED ASSUMPTIONS**

- 2.1 Mr Edwards disagrees with some of the fine detailed assumptions of traffic generation / distribution. While these can be debated in detail, I still consider the assumptions to be generally valid and in any event in my opinion these would not materially change the overall result.

## **3. WIDER EFFECTS**

- 3.1 Mr Edwards considers that the traffic assessment (all potential development areas) fails to demonstrate that it is practical to provide sufficient transport infrastructure to serve the proposed rezoning and fails to provide an adequate assessment of the likely effects on the transport environment. Mr Edwards generally concentrates on what is the cumulative effects of the wider Pokeno area and considers that a comprehensive structure planning exercise is required to support the development plans. He does

however concede that this exercise would demonstrate that it is possible to provide sufficient infrastructure for some additional development around Pokeno, but not all.

3.2 Mr Edwards concludes that the ITA does not consider the cumulative impact with the other submissions seeking land to be rezoned.

3.3 In this regard, it is difficult to ascertain the number or size of other submissions that will be approved / changed zoning, the traffic expected to be generated, the traffic patterns and therefore the traffic effects to the surrounding road network. In this regard I consider that, when writing my evidence, Council's s42A Framework Report provided the best basis for determining the appropriate future environment as it reviews all proposals.

3.4 My evidence assesses the traffic effects at the key local intersections considered relevant to the rezoning proposal. That assessment had been undertaken using traffic volumes extracted from the Beca report (2016).

3.5 Mr Edward's initial evidence for Pokeno Village Holdings (dated 6th September 2018) outlined that the future traffic volumes used in the Beca report were excessive, that is:

*Our conclusion was that the future traffic volumes used in the Beca report were excessive, and that the recommendations for changes to intersections were based on incorrect data and incomplete assessment.*

3.6 This is also generally indicated in para. 8.3 and 8.4 of Mr Edwards latest evidence where he describes the Beca analysis having issues such as:

*"using outputs from a superseded version of the PSP Paramics model with a population 30% higher...."*

*"adding traffic from additional development that was already included in the PSP model, and at a high trip generation rate"*

*"adding excessive growth from Tuakau....."*

3.7 In a general context, I agree with Mr Edwards that the volumes in the Beca report are likely conservatively high. As such, if as Mr Edwards suggests the traffic volumes provided in the Beca report are excessive, then there is potential that the upgrades required will be of a lesser extent and /or even greater levels of development is possible in Pokeno.

3.8 As per my primary evidence and the ITA, I consider there are upgrades required for intersections / roads in wider Pokeno area to serve rezoning within Pokeno. The exact form and detail of the upgrades in a wider context is however difficult to predict at this

stage and I consider is something for Council to consider who have oversight into all proposals.

- 3.9 I therefore consider it appropriate to first confirm the extent of live zoning before the details of the upgrades are finalised (both Residential and Business zoning) within Pokeno. Subsequent to this, (with some certainty of the extent of live zoning), Council can choose to undertake further investigations, such as reviewing existing assessments (e.g, the Beca report) to ensure the initial assumptions align with the development estimates and update / finalise if necessary.
- 3.10 In my opinion there are no traffic/ transportation engineering constraints that would prevent the zonings sought. There are detailed engineering solutions / intersection upgrades that can be found in the future to enable the subject rezoning to occur.
- 3.11 The approach to address traffic effects in the wider Pokeno area (and Waikato region) should be equitable. In this regard there are options to include standard development contributions or specific Pokeno wide approach (targeted rates) or a Precinct by Precinct approach to address traffic impacts in an equitable manner.
- 3.12 This is similar to the process in the development of the Auckland Unitary Plan (AUP) which I was extensively involved with both for private developers and New Zealand Transport Authority (NZTA). While significant areas of land were up zoned in the production of the AUP, the exact details of the upgrades were left to future applications / processes. In my experience this includes:
- (a) Resource consent applications of developments by way of Traffic Assessments which are undertaken when fine details / timings are known and result in specific upgrades being required and funded by developers (eg individual intersection upgrades relating to a direct effect);
  - (b) Development Contributions from each residential dwelling / non-residential development that essentially is a fee for new developments to contribute to the costs of building the infrastructure that supports them. The contribution charges are derived by dividing the capital expenditure for growth in the 10-year Budget Long Term Plan (LTP) by the estimated number of new residential and non-residential developments; and
  - (c) Infrastructure Funding Agreements (IFA's) which are an agreement between a Council and a private developer under which the private developer agrees to

provide infrastructure as an alternative to paying all or part of a development contribution.

#### **4. WALKING AND CYCLING ACCESSIBILITY**

- 4.1 Mr Edwards considers the accessibility of the site is exaggerated for pedestrians and cyclists as he considers the “*industry standard distances of 400m and 800m<sup>1</sup>*” should be used rather than the 1.5km applied in the ITA which was based on Austroads Guide to Traffic Engineering Practice. While Mr Edwards does not quote the “industry standard”, I do agree that for access to public transport, distance of 400-800m is appropriate. However, the walking distances in the ITA were not meant to show walking distance to public transport but rather general distances to amenities in the area.
- 4.2 I do consider that with the existing transport provisions / topography in the area and given the location of the site in relation to the central Pokeno town centre, there is potential for less travel to be made by foot or bicycle to the Pokeno town centre itself. However, I agree with the S42A report which indicates that there is potential for a neighbourhood centre to be provided that serves the site as well as nearby neighbourhoods and the existing Helenslee block. In this regard, through careful planning exercises and the provision of future public transport provisions within and near the site (Initially outlined in Section 10.2 of the ITA), there is potential to improve the accessibility of the site to the surrounding existing and future key destinations.
- 4.3 In my opinion, given the level of rezoning proposals being considered within Pokeno, it is important to plan now for a comprehensive walking / cycling and public transport network to ensure that any development that occurs within the area does not preclude active mode and public transport facilities being provided.

#### **5. RIDGE ROAD INTERSECTIONS**

- 5.1 In regard to CSL Trust & Top End Properties, Mr Edwards outlines that there is no appropriate location for an intersection on Ridge Road and there is no evidence that it is practical to provide the infrastructure necessary to support development of the land. The subject site considers two intersections onto Ridge Road however the ITA outlines that the specific location of these intersections proposed should be considered during the detailed design stage and comply with relevant standards including The Franklin Engineering Code of Practice, Austroads Guide and NZS4404:2010. In this regard, I

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<sup>1</sup> Paragraph 8.13 of Mr Edwards evidence

consider this to be a matter for subsequent assessments to determine if there is an appropriate location on Ridge Road (and its design and upgrade) to cater for such a development.

## **6. NZTA**

6.1 Mr Wood provides commentary of the CSL Trust & Top End Properties proposal in paragraph 7.11 of his evidence which states that “*In particular Mr Swears has advised that this proposal is unlikely to have a detrimental impact on SH1 and now considers a neutral stance to the proposal (in contrast to opposing this as part of the earlier evidence)*”. In summary, I agree with this comment, however I do consider that the cumulative effects of growth within Pokeno on the existing road network (as well as SH interchanges) will need to be re-assessed once the extent of live zoning has been settled.

## **7. RESPONSE TO SECTION 42A REPORT**

7.1 The council S42A report addresses key submission points and provides an assessment of each development considered within Pokeno West (including that of the subject site and the various other sites). I am in general agreement with the Council report relating to transport matters.

7.2 I especially agree with paragraph 244 of the S42A report that any transportation issues can be addressed through subdivision processes and related Local Government Act (LGA) processes.

7.3 I agree with the S42A report (paragraph 274) that the effects of transport implications of growth generated through the combined rezoning requests can be managed once the zoning requests for Pokeno are settled as per the quote below.

*“As I discussed earlier in relation to Munro block, my understanding is that these effects can be suitably managed once the zoning requests for Pokeno are settled and more comprehensive planning around ‘downstream’ (or off-site) stormwater and transport infrastructure can be undertaken”*

7.4 As I have outlined in my rebuttal evidence, the extent of live zoning within Pokeno is likely to directly feed into the further investigations and thus determine the exact form of upgrades necessary to cater for the future volumes. What is key is there are no engineering constraints that would prevent the zonings sought.

7.5 Paragraph 275 of the S42A report outlines that Wes Edwards for PVH raises general concerns about the assumptions used by CSL Trust in its Integrated Transport

Assessment. The S42A report states that these do not mean that the area should not be developed. I fully agree with the S42A comment on this matter.

## **8. CONCLUSION**

- 8.1 Mr Edwards has raised a number of fine detailed assumptions of traffic generation / distribution within the sites ITA, however I still consider the assumptions to be valid and in any event in my opinion these would not materially change the overall result.
- 8.2 In terms of wider network effects, I have identified that there will be a number of upgrades required to serve Pokeno in the future. However, I consider that the most appropriate time to consider the exact upgrades required in Pokeno is when all zoning requests are finalised and can be considered through future subdivisions, development contributions or targeted rates. This is similar to the process in the development of the Auckland Unitary Plan (AUP) in that, while significant areas of land were up zoned in the development of the AUP, the exact details of the upgrades were left to future applications / processes.
- 8.3 Significantly, from a transportation perspective, there are detailed engineering solutions that can be found in the future to enable the subject rezoning to occur.
- 8.4 In terms of accessibility, it is important to plan now for a comprehensive walking / cycling and public transport network to ensure that any development that occurs within the area does not preclude active mode and public transport facilities being provided. This however needs to be undertaken once all zoned land is confirmed.
- 8.5 I agree with the S42A report that any transportation issues can be addressed through subdivision processes and related LGA processes.

### **Leo Hills**

3 May 2021