

**Before Independent Hearing Commissioners
In Ngāruawāhia**

Under the Resource Management Act 1991

In the matter of of a submission by NZ Transport Agency (Waka Kotahi)
(submitter 742, further submitter 1202) on the Proposed
Waikato District Plan

**Summary Statement of evidence of Michael Wood for Waka Kotahi
(Planning)**

12 May 2021

1 Qualifications and experience

1.1 My full name is Michael Blain Wood. I confirm I have the qualifications and experience described in my evidence in chief (EIC) dated 10 March 2021. I also confirm that in preparing this summary statement I have complied with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2014).

2 Summary of evidence in relation to the Rezoning requests

2.1 My summary statement of evidence addresses the following:

(i) The Waikato District Council (WDC) Section 42A rezoning reports; and

2.2 Waka Kotahi's position on relevant rezoning requests for Tuakau, Pokeno, Ta Ta Valley, Huntly, Kimihia Lakes, Te Kowhai, Horotiu, Ngaruawahia, Taupiri; and the Rest of District.

2.3 Additional technical information has been provided from some submitters at the rebuttal stage, and where relevant I have provided further commentary on this.

2.4 Mr Swears, traffic expert for Waka Kotahi, has reviewed the Integrated Transport Assessments ('ITAs') provided by the relevant submitters from a technical traffic engineering perspective in order to inform my planning evidence. Mr Swears is not providing a statement of evidence.

3.0 Waikato District Council Section 42A Zone Extent Reports

3.1 I have reviewed the s42A reports in relation to the geographical areas identified under 2.1 (ii). I largely support the conclusions and recommendations as they relate to my evidence on behalf of Waka Kotahi. Further discussion on the s42A reports is included below.

4.0 Waka Kotahi's position on rezoning requests

4.1 Tuakau

4.2 In relation to the Tuakau rezoning requests, I retain a neutral position on the below submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
682.1 Buckland Country Living Zone	Rezone 400 hectares to countryside living	FS1202.120
299.14 (2SEN Limited and Tuakau Estates Limited)	Amend zoning at 48 Dominion Road to Residential	FS1202.10
299.15 (2SEN Limited and Tuakau Estates Limited)	Amend zoning at 52 Dominion Road to Residential	FS1202.102
425.4 (Envirofert Limited)	Amend zoning at 74 Geraghty's Road from Rural to Residential	FS1202.112

- 4.3 I continue to retain a neutral position on submissions 299.14, 299.15 and 425.4. These sites are located some distance from the state highway network and are not expected to have a significant effect on the network.
- 4.4 However, I continue have a broad concern about the overall extent of live zoning that may arise from this process for Tuakau. My evidence noted that the Council needs to consider the option of applying more Future Urban Zones for Tuakau to bring the zoning pattern back into line with the directions of the Tuakau Structure Plan. This approach would provide infrastructure providers like Waka with a greater level of confidence that the necessary infrastructure can be staged and funded.-In this regard, I note that the s42A report has recommended a greater balance of Future Urban Zoning around Tuakau which I support.
- 4.5 In relation to submission 682.1 I continue to have a neutral position. However, I do retain a concern that this rezoning has not been considered in the context of the Pukekohe-Paerata Structure Plan – 2019, which effectively adjoins this rezoning request. This Structure Plan was subject to an extensive consultative process in which the future transport networks were worked through in

conjunction with the Supporting Growth Programme; Waka Kotahi, Auckland Transport and Auckland Council are partners to this programme.

5.0 Pokeno

5.1 In relation to the Pokeno rezoning requests:

(i) I oppose the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
458.1 (David Lawrie)	Amend the existing Village and Rural Zones at 114 Dean Road Pokeno to Residential.	FS1202.113
458.2 (David Lawrie)	Amend the zoning from Rural to Village Zone at 126 Baird Road, Pokeno. ¹	FS1202.119
524.35 (Anna Noakes)	Amend the zoning of the property at Lot 2 DP 17625, Pokeno from Rural Zone to Residential Zone (around 135 Potter Road).	FS1202.103
598.25 (Withers Family Trust)	Rezone from rural to Residential Zone (off Potter Road).	FS1202.117
668.1 (Clem and Alison Reeve)	Rezone from rural to Business zone at 243 Pokeno Road.	FS1202.118
696.1 (Parkmere Farms)	Amend the zoning of the properties in the area east of Pokeno, bounded by State Highway 2 to the north, Baird Road to the east, Avon Road to the south and State Highway 1 to the west from Rural Zone to Country Living Zone.	FS1202.121

(ii) I am neutral in relation to the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point

¹ The summary of submissions noted that 458.2 requested that the Rural Zone be rezoned to a Residential Zone. Subsequent evidence by DA Lawrie indicates this should be a Village Zone.

89.1. (CSL Trust and Top End Properties)	Amend zoning at 179 and 205 Helenslee Road from a mixture of Countryside Living and Residential Zone.	FS1202.100
862.1 (Havelock Village)	Amend the zoning at 88, 242 (in part) and 278 Bluff Road, Pokeno, to Residential Zone.	FS1202.107

- 5.2 In relation to submissions 524.35, 598.25 and 668.1, I continue to oppose these due to the lack of technical information technical assessments (in particular Integrated Transport Assessments) and supporting 32AA.
- 5.3 Submissions 458.(1) and (2) seek rezoning changes to Pokeno East. Given the limited connectivity to this part of Pokeno, I would expect an extensive structure planning exercise (with supporting technical information) would need to be undertaken before these submissions could be considered further. Only a high level s32AA was subsequently submitted by the submitter's consultant. This provides no analysis of transport considerations. I continue to oppose these submissions.
- 5.4 In relation to submission 696.1, I continue to support a Future Urban Zone (I do not support a Residential Zone as noted in my EIC) for these site(s) on the basis that:
- i) A large level of investment will be required to upgrade a roading network which is rural in nature to an urban standard. No funding has been identified for these upgrades.
 - ii) Waka Kotahi has previously identified that a significant capital works intervention (ie. a bridge) will be required at the Avon Road/SH2 intersection to ensure that this intersection can safely accommodate future traffic flows. No funding has been identified for this at the current time.
- 5.5 I note that the s42A rezoning report (para 162) also recommends that this Future Urban Zone be extended to Bairds Road to the east and Avon and Macks Road to the south. I support this on the basis that it will provide a more defensible boundary.
- 5.6 If this land is rezoned Future Urban (submission 696.1), I also consider that:

- (i) The PWDP identifies when this land is expected to be urbanised. This could be by way of a schedule included in the PWDP.
 - (ii) The existing Pokeno Structure Plan, which does not encompass the Pokeno East are), should be updated to address the wider growth that has and/or is planned for the wider area².
- 5.7 In relation to CSL Trust and Top End Properties (submission 89.1), I continue to retain a neutral position on this submission.
- 5.8 In respect to submission 862.1, I noted in my EIC that Waka Kotahi was principally concerned that any future access from the site(s) on to Bluff Road could have adverse safety effects on the SH1/Pioneer intersections. I requested that this matter be addressed through amendments to assessment criteria 16.4.18 (b) (ii)³.
- 5.9 The s42A report⁴ notes this amendment but I am unclear whether this is supported. I do note that Mr Tollemache's rebuttal (planning) evidence supports this amendment (see paragraph 6.1). On the basis that this amendment is included in the PWDP, I continue to have a neutral position on the rezoning request.
- 5.10 I note that a number of the submitters' traffic consultants (for example, Pokeno Village Holdings Limited, Havelock Village) have raised the issue of cumulative effects on the transport network (including the various state highway interchanges) servicing Pokeno. I acknowledge that this is a potential effect. In my experience it is difficult to determine where the responsibility for mitigation lies to address cumulative effects; especially where multiple rezoning requests are occurring at the same time. This is compounded by that fact that not all development will proceed at the same pace or at the same scale as envisaged at the rezoning stage.
- 5.11 Ideally the implications of growth (this includes cumulative impacts) on the transport network would have been addressed by the Council through a structure planning exercise prior to the PWDP being released. In the absence of a revised Pokeno Structure Plan, I note that the PWDP contains rule 14.12.1.4 P4 Traffic Generation⁵ which I expect will require development arising from these rezoning

² Waka Kotahi addressed this as part of submission 742.15 to Policy 4.1.11 and in part through evidence at the Strategic Objectives Hearing (Hearing 3).

³ See paragraph 7.14, EIC

⁴ Paragraph 382.

⁵ Waka Kotahi have sought further changes to this rule (see Hearing 22: Infrastructure) to align traffic generation with the function of the road(s) providing access to the site.

requests to have to submit an Integrated Traffic Assessment. While this is a piecemeal approach to addressing cumulative effects, I consider that at the very least, in this point in the process the Council and/or Waka Kotahi will have a further opportunity to assess the impacts on the transport network; with a greater knowledge of how development is unfolding in Pokeno.

6.0 Ta Ta Valley

6.1 In relation to the Ta Ta Valley rezoning request, I retain a neutral position in relation to the following submission points:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
574.3 (Ta Ta Valley), 574.4 and 574.5	Amend the zoning for parts of the land at 242 Bluff Road, Pokeno and 35 Trig Road from Rural Zone to Resort Zone (574.3, 574.4). Add new provisions to the Proposed District Plan for the Resort Zone (574.5).	FS1202.115 FS1202.116 FS1202.14

7.0 Huntly

7.1 In relation to the Huntly rezoning requests, I retain a neutral position in relation to the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
778.2 – Shand Properties Limited	Amend the zoning of approximately 74.06ha in Huntly located between Great South Road and East Mine Road from Rural Zone to Industrial Zone.	FS1202.124
778.3 – Shand Properties	Amend the zoning of approximately 22.95ha in	FS1202.125

	Huntly, south of East Mine Road from Rural Zone to Residential Zone.	
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8.0 Kimihia Lakes

8.1 In relation to the Kimihia rezoning requests:

(iii) I oppose the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
880.4 - Dave Falconer	Amend zoning of a small portion of the land at Solid Energy's Huntly East Mine from Rural Zone to Residential Zone.	FS1202.131

(iv) I am neutral on the following submissions (subject to stormwater matters addressed below):

Submitter	Relief Sought	Waka Kotahi Further Submission Point
584.16 - Allen Fabrics	Requesting changes to Traffic Generation and Management Conditions for the Proposed Kimihia Lakes Recreation and Events Zone.	FS1202.72
271.1 - Dave and Fransiska Falconer	Add new zoning policy for a specific Kimihia Lakes Recreation and Events park zone, for the Lake Kimihia project and for the restoration of the former Solid Energy Huntly East Mine.	FS1202.64

8.2 My EIC largely focussed on (and opposed) the Allen Fabrics submission (584.16). Since then, Waka Kotahi has been working with the submitter's consultants, including providing feedback on the ITA and other technical assessments related to potential impacts from future stormwater discharge through the SH1, Waikato Expressway culvert (which adjoins this site). As a result of this work I am largely comfortable with the proposed rezoning (which extends to submission 271.1). In my EIC I noted that there were two outstanding matters that needed to be resolved – signage and stormwater discharge.

8.3 In relation to signage, I support the amendment to proposed Rule 22.2.6.2 outlined by Mr Cumberpatch in his rebuttal evidence (paragraph 4.11) -

g) No more than one sign shall be directed at users of the Waikato Expressway and must:

i. Not imitate the content, colour or appearance of any traffic control sign; or

ii. Contain no more than 40 characters and no more than 6 symbols; and

iii. Have lettering that is at least 200mm high.

8.4 As noted in Mr Cumberbatch's rebuttal evidence, Waka Kotahi is in discussions with the applicant around what consideration has been given (including the use of minimum floor levels) to addressing the downstream effects arising from potential blockage or failure of the culvert(s) that adjoin the site. At the current time I am unable to confirm how this matter is to be addressed. I understand that further information is to be provided on this matter by the applicant prior to the Hearing.

8.5 These issues (signage and stormwater), as they relate to Waka Kotahi, have not been addressed in the main s42A report so a response on these matters is required.

8.6 In relation to submission 880.4, I am not aware of any additional technical information that has been provided to support this submission point. Accordingly, I continue to oppose this submission.

9.0 Te Kowhai, Horotiu, Ngaruawahia and Taupiri

9.1 In relation to the Te Kowhai, Horotiu, Ngaruawahia and Taupiri zoning requests:

(i) I oppose the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
464.12 - Perry Group Limited	Amend the zoning of part of the properties Allotment 16 Horotiu Parish and Section 2 SO 48668 from Rural Zone to Residential.	FS1202.114
790.2 – Northgate Developments	Amend the zoning of 48ha of the property at 139 Onion Road, Horotiu (Lot 3 DPS 76353) from Rural to Industrial.	FS1202.99
829.4 - Whenua Holdings Waikato	Amend zoning of the properties at 42 and 76C Fox Road, and 5167C Great South Road, Ngaruawahia from Rural Zone to Residential Zone.	FS1202.127
829.5 – Whenua Holdings Waikato	Amend the zoning of the property at Wallbank Road, Ngaruawahia (Property number 15161) from Rural Zone to Industrial Zone.	FS1202.128
829.8 - Whenua Holdings Waikato	Amend zoning of 134 Duke Street from Rural Zone to Residential Zone.	FS1202.106
832.1 – Hounsell Holdings Limited	Amend the zoning of the property at 284 Onion Road, Te Kowhai from Rural Zone to Residential Zone.	FS1202.129
832.4 – Hounsell Holdings Limited	Amend the zoning of the property at 268 Te Kowhai Road, Te Kowhai from Rural Zone to Residential Zone.	FS1202.130

- (ii) I am neutral on submission 397.1 and I understand that submission 464.11 is now not being pursued:

Submitter	Relief Sought	Waka Kotahi Further
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		Submission Point
397.1 – Horotiu Properties	Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Village Zone OR Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Residential Zone OR Amend the zoning of the property at 27 Sullivan Road, Horotiu (Lot 5 DP 513666) from Rural Zone to Country Living Zone.	FS1202.110
464.11 - Perry Group Limited	Amend the zoning at properties Pt Lot 5 DPS 5176, Lots 1-3 DPS 5176 and Lt Allot 15 Horotiu Parish from Residential Zone to Business Zone.	FS1202.132

- 9.3 No ITA or supporting section 32AA reports have been lodged in relation to submissions 790.2, 829.4, 829.5 and 829.8. Accordingly, I continue to oppose these submissions.
- 9.3 In relation to submissions 832.1 and 832.4, further additional technical information (planning and transport – including a section 32AA report) has been lodged, but this does not change my position to oppose these submissions. The planning evidence submitted by Mr Batchelor now seeks a Rural Zone with an accompanying Hamilton Urban Expansion Area Overlay. I support the s42A addendum report recommendations to reject this request. In addition, I note that the s42A report has also canvassed the alternative option of applying a Future Urban Zone but ultimately has discounted this option. I also support this conclusion.
- 9.4 In response to the further information lodged by the submitters (832.1, 832.4), I continue to oppose these submissions on the basis that:
- (i) These areas are not identified for urban development in the Waikato Regional Policy Statement (2016), Waikato 2070 (2020) or Future Proof 2017. I agree that it appears that this area is located within a Priority

- The sites are isolated from other urban development (eg. schools, commercial areas) and as a result movements to and from the site would most likely be undertaken using private motor vehicles. Consequently, it is highly likely that the Waikato Expressway would be used from the SH39 interchange; that is, relatively short local trips would be taken on what is an inter-regional highway. This has the potential to reduce the level of service on this section of the Expressway which as noted has an important inter-regional function when it comes to the interregional movement of people and freight.

- (iii) In my opinion, the car centric nature that could arise from this proposal would be contrary to the well-functioning urban environment test under Policy 1 (c) of the National Policy Statement on Urban Development (2020). This policy identifies a range of (minimum) outcomes which are to be used to guide council decision making -

Policy 1: Planning decisions contribute to well-functioning urban environments, which are urban environments that, as a minimum: have or enable a variety of homes that:

..(c) have good accessibility for all people between housing, jobs, community services, natural spaces, and open spaces, including by way of public or active transport”

I am not aware of any plans to service this area in the medium or longer term with public transport at a level that would achieve good accessibility so this particular aspect of clause (c) is not met.

- 9.6 In respect to submission point 464.12, I continue to oppose this submission. The section of land identified (approximately 1.3 ha) is owned by Waka Kotahi and no decision has been made as to the timing of disposing of this land. In my EIC I noted that there are constraints on this land (stormwater and traffic noise) which have not been addressed. If at a later date, these matters are resolved a discrete plan change and/or consenting process could be undertaken.

10.0 Rest of District (Hamilton Fringe)

- 10.1 In relation to those zoning requests allocated to the rest of the district (Hamilton Fringe), I oppose the following submissions:

Submitter	Relief Sought	Waka Kotahi Further Submission Point
341.1 Tainui Group Holdings Limited	Amend zoning of Sections 8 and 9 SO 483544, held in CT SA53C/665 (located on the north-west corner of Ruakura Road and Davidson Road) from Rural Zone to a new Ruakura Industrial Zone.	FS1202.109
341.2 Tainui Group Holdings Limited	Add new Ruakura industrial zone, objectives, policies and rules based on the "Ruakura Industrial Park Zones" contained within the Operative Hamilton District Plan; as well as any consequential amendments and refinement to allow a new Ruakura Industrial Zone to apply to TGH Land at Ruakura.	FS1202.65
422.1 Malcolm MacDonald	Amend the zoning of part of the property located at 133 Greenhill Road, Puketaha from Rural Zone to Business zone with an overlay of Motorway Service Area, which enables the establishment of a motorway service centre.	FS1202.111
428.1 Ohinewai Land Limited	Amend the Proposed District Plan to include a growth area at Ohinewai in accordance with the plan attached to the submission.	FS1202

10.2 In relation to submissions 341.1 and 2, I agree with the submitter's lawyer that further work is required through Phase 2 of the Future Proof Strategy review (see paragraph 14 of the Memorandum of Counsel on behalf of Tainui Group Holdings) to further assess the strategic implications of urbanising this Area. Accordingly, I consider that until such time as this review is complete the zoning should remain rural.

10.3 In relation to submission 422.1, I have considered the rebuttal planning evidence lodged on behalf of the submitter and I continue to oppose this submission. My EIC identified the following concerns in relation to the proposal.⁶ These are, in summary:

- (i) That the site would result in urban development beyond the urban limits of Hamilton. There is no analysis on how this proposal complies with policy 6.14 of the Waikato Regional Policy Statement. This policy limits urban development beyond the urban edge of Hamilton City - this limit is defined by the Hamilton section of the Waikato Expressway. I note that the rebuttal evidence suggests that the service centre proposed is not representative of urban development based on a combination of definitions. In my view, the proposal involves a business zone which in my experience is typically non-rural in nature and typical of an urban environment.
- (ii) Unplanned growth beyond these urban limits has the potential to erode the efficient movement of people of freight along the Waikato Expressway over time.
- (iii) The potential for further rezoning requests beyond this site is likely to continue along the Hamilton Expressway section due to the close proximity of the site to the Hamilton urban market.
- (iv) The site does not have a clear defensible boundary particularly to the east. This matter has not been addressed as part of the rebuttal evidence.
- (v) The current access strategy to the service centre is not supported. No transport assessment has been lodged to support the proposal. This would be a minimum requirement to demonstrate how policy 5.3.8(f) (Lens 1) of the PWDP and policy 6.4.4 is met.⁷

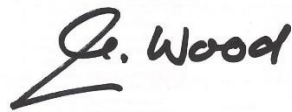
10.4 The rebuttal evidence suggests that access to the service centre can be determined at the resource consent stage (paragraph 28). It is not appropriate to leave the determination of the access strategy to a later stage. How vehicle access works from the Expressway (or other State Highway) to any service centre is a key technical (transport safety) consideration that in my opinion is

⁶ Paragraph 12.3, EIC.

⁷ See paragraph 12.3, EIC.

fundamental to determining the suitability of whether a site is appropriate to be rezoned for service centre purposes.

- 10.5 The rebuttal evidence (paragraph 29) refers to the service centre being the first one on the south-bound side of the Waikato Expressway since that at Bombay. Accordingly, the proposal would offer a “ *positive contribution towards the efficient movement of people and fatigue along the WEX, by preventing unnecessary accidents due to driver fatigue*. I acknowledge that service centres play an important role in preventing driver fatigue. However, I have checked this statement with the Waka Kotahi network manager and safety engineer who advise that they do not support the view that you need a service centre on the same side as your direction of travel.⁸
- 10.5 In relation to submission 428.1, I consider that this proposal due to its proximity, is effectively part of the wider urbanisation of the Ohinewai area which Waka Kotahi continues to oppose for the reasons stated in my EIC. On this basis I oppose the rezoning requested in the submission.



Michael Blain Wood

12 May 2021

⁸ This is on the basis that a full diamond interchange (as is typical on the Expressway) enables the driver to cross to a service centre on the other side and resume their travels without too much interruption. South of the Bombay service centre there are fuel stations (some of which provide other food options) at Mercer, Hampton Downs, Taupiri and Hautapu. I further note that as part of the Tainui Development Group development there is a service centre proposed (and zoned for that specific purpose) at the Ruakura Interchange (less than 5 km from this site). This proposed service centre is located within the Hamilton urban limits.