

Before an Independent Hearings Panel

The Proposed Waikato District Plan (Stage 1)

IN THE MATTER OF the Resource Management Act 1991 (**RMA**)

IN THE MATTER OF hearing submissions and further submissions on the Proposed
Waikato District Plan (Stage 1):

Topic 25 – Zone Extents

**REBUTTAL EVIDENCE OF LEO DONALD HILLS
ON BEHALF OF TATA VALLEY LIMITED (TVL)
(TRANSPORT)**

3 May 2021

BUDDLE FINDLAY

Barristers and Solicitors
Auckland

Solicitor Acting: **Vanessa Evitt / Mathew Gribben**

Email: vanessa.evitt@buddlefindlay.com / mathew.gribben@buddlefindlay.com

Tel 64-9-358 2555 PO Box 1433 DX CP24024 Auckland 1140

1. SUMMARY OF REBUTTAL EVIDENCE

- 1.1 This rebuttal statement relates to evidence filed by:
- (a) Todd Langwell for Hynds Pipe Systems Limited
 - (b) Michael Wood (Planning) for Waka Kotahi (NZTA)
- 1.2 I have also commented on transport related matters arising from the s42A report.
- 1.3 Mr Langwell (on behalf of Hynds Pipe Systems Limited) had raised an issue regarding traffic distribution in the local area. I consider the Hitchen Road / McDonald Road route distribution assumptions I have used to be appropriate. Regardless, the key point is there are two routes to/from the site to Pokeno (and motorway ramps) and thus if one becomes more congested the other will be used more.
- 1.4 There have been issues raised by Mr Langwell relating to pedestrians, cyclists, rail crossing and heavy vehicles. In my opinion, these are issues that are not significant or can be addressed by the revised provisions.
- 1.5 Mr Wood for NZTA does not raise any further issues and does not oppose the submissions and now has a neutral position on the rezoning.
- 1.6 I generally agree with the S42A report including the revised provisions outline by Mr Scrafton in response to the S42A report.

2. INTRODUCTION

- 2.1 This rebuttal statement relates to evidence filed by:
- (a) Todd Langwell for Hynds Pipe Systems Limited
 - (b) Michael Wood (Planning) for Waka Kotahi (NZTA)
- 2.2 This rebuttal statement also addresses matters raised in the Council's section 42A report (S42A).
- 2.3 I confirm that I have the qualifications and expertise previously set out in paragraphs 2.1, 2.2 and 2.3 of my primary evidence.
- 2.4 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.

2.5 I have structured my rebuttal statement based on the issues raised by the above two experts. The issues raised include:

- (a) Local effects assessment
- (b) Interaction of heavy vehicles especially on McDonald Road and Yashili Drive
- (c) Pedestrian / cycling safety
- (d) Rail crossing on McDonald Road
- (e) SH1 issues

3. LOCAL EFFECTS ASSESSMENT

3.1 Mr Langwell considers there is a high possibility that traffic flows on McDonald Road / Yashilli Drive will be far greater than indicated by Havelock Village Limited (**HVL**) and TVL due to the distribution of traffic being different than assessed. As a result, additional adverse effects on McDonald Road may be experienced. I have provided separate evidence on behalf of HVL to respond to Mr Langwell's evidence. My analysis and response is substantively the same for both submitters.

3.2 I note that I have assumed 40% of traffic from both TVL / HVL will use the Yashilli / McDonald route and 60% via Hitchen Road. I note comments from Mr Langwell that the level of traffic using the McDonald Road may be higher in future. In this regard:

- (a) In Mr Langwell's Figure 1, he uses the destination of Pokeno to be the "Z" truck stop which in my opinion is not the centre of Pokeno, to justify the McDonald Road route being 200m shorter than the Hitchen route.
- (b) If the recently opened Pokeno Countdown is used as the main destination in Pokeno (which I consider to be more appropriate than Z truck stop) then the two routes are essentially identical in distance
- (c) The key link to the motorway to the north (i.e. to Auckland) is 300m shorter in distance via the Hitchen route than the McDonald route.

3.3 Accordingly, I consider the 60%/40% Hitchen Road / McDonald Road route distribution to be appropriate. Regardless, the key point is there are two routes to/from the site to Pokeno (and motorway ramps) and thus if one becomes more congested the other will be used more.

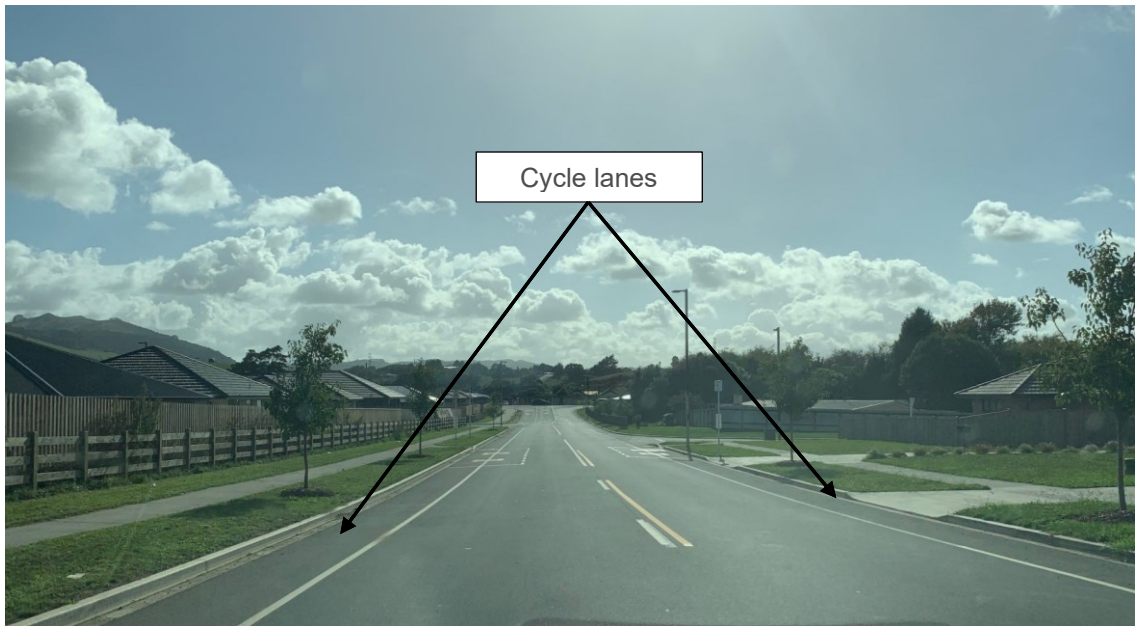
4. HEAVY VEHICLES

- 4.1 Mr Langwell considers that the increased traffic on McDonald Road may result in trucks undertaking unsafe manoeuvres, may increase the risk of conflicts between trucks, pedestrians and cyclists, and may generally increase the risk of road safety issues.
- 4.2 In this regard I note Yashilli Drive and to a lesser extent McDonald Road already caters for residential land uses and therefore accommodate public vehicles. As such, there is already a mix of industrial trucks and public vehicles occurring in the area. These roads have been specifically designed to cater for large trucks with wide carriageways, minimal gradients and excellent sight distance. As such I consider there to be no unusual circumstances regarding this road and interaction with industrial and public vehicle traffic. I comment below about pedestrian and cyclists related to TaTa Valley.

5. PEDESTRIAN / CYCLISTS

- 5.1 Mr Langwell express concern regarding added pedestrian and cycling activity on Yashilli Drive, Gateway Park Drive and McDonald Road mixing with the industrial traffic and increase the risk of conflicts and road safety issues.
- 5.2 In my opinion visitors to the TVL resort and eco-tourist destination are unlikely to walk or cycle to the site, given its distance from Pokeno central. Pedestrian and cycle volumes generated by the TVL site are therefore considered to be low. As such, the increase in pedestrian and cycle volumes on McDonald Road as a result of the TVL site are minimal.
- 5.3 For the minimal amount of extra volume, I note that all roads in the area already have pedestrian footpaths. Further, Yashilli Drive and to a lesser extent McDonald Road already cater for pedestrians from already constructed residential subdivisions to the west.
- 5.4 I do however note that the recently constructed Hitchen Road bridge and approaches has been constructed with on-road cycle lanes (see Photograph 1 below). As such I agree that any cyclists to/from the TVL site should be directed towards the Hitchen Road route rather than McDonald Road. This can however be further considered at detailed design / resource consent stage. I also note it is most likely that cyclists will naturally take routes that are safer and involve cycle lanes.

Photograph 1: Hitchen Road cycle lanes (next to kerb)



6. RAIL CROSSING

6.1 Mr Langwell noted that there is no mention of any documentation regarding any potential future upgrade of the existing rail crossing on McDonald Road.

6.2 The level crossing has been recently upgraded / relocated (last 5 years) with the construction of McDonald Road and includes a high standard of protection as shown in Photograph 2 below and includes:

- (a) Full barrier arm protection
- (b) Pedestrian maze protection
- (c) Warning signage
- (d) Audio bells

Photograph 2: McDonald Road rail crossing



- 6.3 I note the provisions for the Tata Valley Zone proposed in the S42A report have been proposed to be amended by Mr Scrafton including 29.2 (P4) as follows:

"The safe and efficient operation and functioning of the surrounding traffic network."

- 6.4 This in my opinion would cover this rail crossing if required.

7. SH1 ISSUES

- 7.1 Mr Wood provides commentary to the TVL proposal in paragraphs 8.1 and 8.2 of his evidence. Mr Wood agrees with Waka Kotahi's traffic expert, Mr Swears, who advised that the TaTa Valley rezoning is unlikely to have a detrimental impact on SH 1. As such, Mr Wood does not oppose the submissions and has a neutral position on the rezoning. I have no further comment.

8. RESPONSE TO SECTION 42A REPORT

- 8.1 Mr Wyeth has undertaken the Council review of the TVL submission and evidence. To assist the Council review, Beca Limited (Beca) has undertaken a traffic review of the application.

- 8.2 The Beca traffic review of the application concludes that:

"the findings and conclusions reached by Mr Hills in his evidence appear to be appropriate, while noting that the full Traffic Assessment needs to be reviewed before final observations can be made."

- 8.3 I note the Beca conclusions and have no further comments.
- 8.4 Mr Wyeth generally agrees that proposed TVR Zone provisions should be sufficient to manage transport related effects. However, he notes limitations to the provisions regarding traffic effects and therefore has suggested the following Policy amendment 29.2 (P4):

“Manage the adverse effects of the establishment and operation of the TaTa Valley Resort to...ensure the safe and efficient operation and functioning of the surrounding traffic network.”

- 8.5 I further understand Mr Scrafton has suggested a slight change to this policy amendment which I do not consider to be traffic engineering related. I agree with the Policy amendment and have no further comments.
- 8.6 Mr Wyeth also suggests adding in additional assessment criteria regarding temporary events, elaborating more on the contents of the TTMP. I agree with Mr Wyeth and note that Mr Scrafton proposes additional assessment criteria in his rebuttal evidence which I agree with.

9. CONCLUSION

- 9.1 Mr Langwell had raised an issue regarding traffic distribution in the local area. I consider the Hitchen Road / McDonald Road route distribution assumptions I have used to be appropriate. Regardless, the key point is there are two routes to/from the site to Pokeno (and motorway ramps) and thus if one becomes more congested the other will be used more.
- 9.2 There have been issues raised by Mr Langwell relating to pedestrians, cyclists, rail crossing and heavy vehicles. In my opinion, these are issues that are not significant or can be addressed by the revised provisions.
- 9.3 I generally agree with recommendations of the S42A report as it relates to transport matters including the revised provisions outline by Mr Scrafton in response to the S42A report.

Leo Hills

3 May 2021