

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

AND

IN THE MATTER of **Plan Change 5** to the Hamilton City Council District Plan

JOINT WITNESS STATEMENT (JWS) IN RELATION TO:

Planning & Transport (2)

23 August 2022

Expert Conferencing Held on: 23 August 2022

Venue: Online

Independent Facilitator: Marlene Oliver

Admin Support: Tania Bryant

1 Attendance:

- 1.1 The list of participants is included in the schedule at the end of this Statement.
- 1.2 Note from the facilitator: Ben Inger attended this session as an observer as this was a continuation of the agenda considered in the Planning & Transport (1) JWS dated 19 August 2022.

2 Basis of Attendance and Environment Court Practice Note 2014

- 2.1 All participants agree to the following:
 - (a) The Environment Court Practice Note 2014 provides relevant guidance and protocols for the expert conferencing session;
 - (b) They will comply with the relevant provisions of the Environment Court Practice Note 2014;
 - (c) They will make themselves available to appear before the Hearing Panel;
 - (d) This statement is to be filed with the Hearing Panel and posted on the Council's website.

3 Matters considered at Conferencing – Agenda and Outcomes

3.1 Road cross section widths: new cross-section for Minor Arterials in the Peacocke Structure Plan area

Alastair Black confirmed that a new cross-section for minor arterials is proposed to be inserted into the plan change (in a table (15.6b) and a drawing (still being prepared)). The table that was discussed at conferencing is to be amended under the heading “berm” to read 11.1m and not 11.5m. Subject to reviewing the detailed provisions, Tony Penny agrees with these proposed amendments.

3.2 New cross-section for Open Space Edge Transport Corridors in the Peacocke Structure Plan area

Alastair Black proposes that a new row in Table 15.6b and a drawing (Appendix 15) be introduced to provide for the circumstances where there is an open space land use on one side of the road. To illustrate this a proposal was included on the agenda and Alastair confirmed that it would be amended to show a 2.5m wide berm and a 5.6m wide carriageway.

Tony Penny confirmed his agreement with Alastair’s proposals.

There will be consequential amendments required to other planning provisions to reflect the introduction of additional cross-sections provisions.

3.3 Local and Collector Road cross-sections

Collector roads with PT – Alastair Black proposes a 6.8m carriageway to support the movement of public transport noting that Waka Kotahi Public Transport Design Guidance provides bus widths as 2.85m. Alastair seeks to retain 2m wide service berms on collector roads from the Operative District Plan.

Tony Penny and Don McKenzie seek that the carriageway width be reduced to 6.4m and that the service berms be reduced to 1.5m to be consistent with the provisions for minor arterials and local roads. The overall objective of these reductions is to minimise the total road corridor width.

Tony and Alastair agree that the berm width at bus shelters should read 2.9m not 2.8m.

Collector roads without PT - Alastair Black proposes a 6.4m carriageway to support general traffic movement including high degree of service vehicles compared to local roads. Alastair seeks to retain 2m wide service berms on collector roads from the Operative District Plan.

Tony Penny and Don McKenzie seek that the carriageway width be reduced to 6.0m and that the service berms be reduced to 1.5m to be consistent with the provisions for minor arterials and local roads. The overall objective of these reductions is to minimise the total road corridor width.

Local roads

Tony Penny and Don McKenzie proposed that the carriageway width for local roads should be reduced from 6.0m to 5.6m. Tony and Don would also like to see the service berm requirements minimised where possible.

Alastair Black considers that the width should remain at 6.0m.

Tony is seeking recognition in the planning provisions for narrower local roads to be considered on a case-by-case basis at the time of subdivision resource consent. Andrew Collins suggests that there be additional assessment criteria in P5 – Subdivision Peacocke.

Tony, Don and Alastair agreed that a new category of “minor local” road be introduced into Table 15.6b. The threshold between the “minor local” and “local” road to be established and the minimum standards for the “minor local” road to be established also.

Review of Table 15.6b and related provisions

The experts agreed that the use of the term “min desirable” is supported and that Table 15.6b should be reviewed to see if this term should also apply to the columns “carriageway width” and “movement lane width”. This review should also check for consistency with Rule SUB-PREC1-PSP:R21 and Rule 25.14.4.1h.

Andrew Collins, Renee Fraser-Smith and Susannah Tait recommend amending Rule SUB-PREC1-PSP:R21 to delete all of clause 1 and to replace with new assessment criterion in Appendix 1.3.3 Assessment Criteria P5 to read, or similar:

‘New PX - The extent to which transport corridor design provides design elements identified in or otherwise contrary to any criteria contained in Table 15-6b of Appendix 15’.

The experts for the Council will undertake this review in collaboration with the other experts.

3.4 On-street car parking requirements along Minor Arterial Roads and Collector Roads

Tony Penny supports Alastair Blacks position with respect to specific provision for recessed car parking bays on both sides of the roads in the residual areas after provision has been made for services (e.g. stormwater), landscaping, bus stops, intersections and pedestrian crossings. Alastair noted that in reality these parking areas provide for limited parking (less than 0.5 car park per dwelling) and he considers this is appropriate.

Sarah Loynes considers that the presumption of car parking on-street through the design conflicts with the aim of the plan change for mode shift. Sarah seeks the deletion of specific car parking from the table and cross-section drawings and the provision of any on-street car parking would be a matter to be addressed at the time of subdivision resource consent applications.

This matter is unresolved at this time.

3.5 Location of road cross sections within the ODP

The experts agree that if the road cross-section drawings are retained they should be updated and moved from Chapter 3A to Appendix 15.

3.6 Access standards in Rule 25.14.4.1(h) and Table 15-6b (Appendix 15).

Andrew Collins suggests an amendment to Rule SUB-PREC1-PSP:R20 Clause 4 to insert “or a reserve where pedestrian access is provided”. Renee Fraser-Smith and Craig Sharman support and agree to this change.

The experts agree to the deletion of reference to unit titles in Rule SUB-PREC1-PSP:R20 Clause 3B(iv) and Table 15.6b.

Alastair Black outlined proposed amendments to Rule SUB-PREC1-PSP:R20 to achieve clarity between rear lanes and private ways. The experts agree with the sentiment of these changes subject to reviewing the detailed wording.

Renee Fraser-Smith and Don McKenzie have concerns about the specified maximum lengths of rear lanes and seeks that this is deleted. They suggest that the 150m length be replaced by 250m, being consistent with the block length. The Council experts will consider this relief with their urban design team.

3.7 **Assessment criteria involving subdivision of rear lanes**

The experts agree to delete from assessment criteria P5g) the introductory words as follows: ~~'Where narrow dwelling units are proposed and rear lanes are required for vehicle access, For rear lanes, the extent to which:'~~

P5g(6)- Andrew Collins raised a concern about whether it was appropriate for the district plan to require indemnity for rubbish trucks as this is a civil law matter rather than an RMA matter. As an alternative Andrew suggested the following wording:

"An appropriate legal mechanism will be established for ownership and ongoing management and maintenance of the lane including, where applicable, provisions for use of the rear lane by public rubbish collection and recycling trucks."

Craig Sharman will review the proposed wording.

P5g(2)- Renee Fraser-Smith and Don McKenzie seeks the deletion of this clause. Alastair Black confirmed that transport concerns are dealt with in P5g(5). Craig Sharman will review the proposed wording.

3.8 **Separation between vehicle crossings**

Alastair Black proposes amendments to Rule 25.14.4.1a)v) and Rule SUB-PREC1-PSP:R20 such that the separation of vehicle crossings would only relate to minor arterial roads. Tony Penny and Andrew Collins agree to this amendment.

Tony Penny and Andrew Collins suggest assessment criteria P5(l) be amended to read: 'where vehicle crossings are proposed across separated cycleways and shared paths, the extent to which the number of crossings these are minimised, and the transport corridor is designed having regard to ~~maximise~~ the safety of pedestrians and cyclists'.

The Council experts are broadly comfortable with the proposed amendment but will review the detailed wording.

4 PARTICIPANTS TO JOINT WITNESS STATEMENT

4.1 The participants to this Joint Witness Statement, as listed below, confirm that:

- (a) They agree that the outcome(s) of the expert conferencing are as recorded in this statement; and
- (b) They have read Appendix 3 of the Environment Court's Practice Note 2014 and agree to comply with it; and
- (c) The matters addressed in this statement are within their area of expertise; and
- (d) As this session was held online, in the interests of efficiency, it was agreed that each expert would verbally confirm their position to the Facilitator and this is recorded in the schedule below.

Confirmed online 23 August 2022

EXPERT'S NAME	PARTY	EXPERT'S CONFIRMATION REFER PARA 4.1
Tony Penny (T)	The Adare Company	Yes
Andrew Carnell (T)	Waikato Regional Council	Yes
Craig Sharman (P)	Hamilton City Council, s42A joint author	Yes
Sam Foster (P)	Hamilton City Council	Yes. Attended for items 1-3.4, but excluding sub-item 3.3 local roads.
Alastair Black (T)	Hamilton City Council	Yes
Ben Inger (P) (observing)	The Adare Company	Yes, subject to Para 1.2 above
Andrew Collins (P)	The Adare Company	Yes
Renee Fraser-Smith (P)	Northview Capital Ltd Jones Lands Ltd Peacocke South	Yes
Susannah Tait (P)	Kaainga Ora	Yes
Don McKenzie (T)	Northview Capital Ltd Jones Lands Ltd Peacocke South	Yes
Sarah Loynes (P)	Waka Kotahi	Yes. Attended for items 1-3 only.