

**BEFORE THE INDEPENDENT HEARING PANEL  
APPOINTED BY HAMILTON CITY COUNCIL**

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

**AND**

**IN THE MATTER** of hearing submissions on Plan Change 5 to the Hamilton  
City District Plan

**BETWEEN** **THE ADARE COMPANY LIMITED**  
**Submitter #53**

**AND** **HAMILTON CITY COUNCIL**  
**Local authority**

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**REPLY EVIDENCE OF TONY PENNY  
FOR THE ADARE COMPANY LIMITED**

**TRANSPORT**

**21 SEPTEMBER 2022**

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Solicitors on Record

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## SUMMARY OF EVIDENCE

1. My name is Tony Penny. I prepared a statement of evidence in chief (**EIC**) on transport matters on behalf of The Adare Company Limited (**Adare**) dated 16 September 2022.
2. I have the qualifications and experience set out in my EIC. I repeat the confirmation given in my EIC that I have read the Code of Conduct for expert witnesses and that my evidence has been prepared in compliance with that Code.
3. I respond to matters raised in the expert evidence of Mr Don McKenzie for Woolworths New Zealand Limited (**Woolworths**).
4. The scope of this reply relates to comments made by Mr McKenzie in his evidence in chief regarding the traffic and transportation benefits of a change to the PC5 zoning that would allow the development of a supermarket on land owned by Woolworths in the south-west quadrant of the Peacockes Road/Whatukooruru Drive intersection.

## RESPONSE TO MR DON MCKENZIE

5. In his paragraph 3.10 Mr McKenzie indicates that there would be strategic transport benefits derived from a supermarket in the south-west quadrant due to people not having to travel outside the Peacocke area. However, I understand that at least one supermarket is anticipated for the Local Centre on the east side of Peacockes Road which should result in similar travel characteristics. Accordingly, the strategic transport benefit referred to by Mr McKenzie is not unique to the Woolworths' site.
6. In terms of more local effects, Mr McKenzie notes that people travelling to a supermarket in the south-west quadrant from the west and south would not need to travel through the Peacockes Road/Whatukooruru Drive intersection, whereas they would if they were travelling to a supermarket in the Local Centre on the eastern side of Peacockes Road.<sup>1</sup> This is not correct as people travelling from the south (along Peacockes Road) would

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<sup>1</sup> Statement of Evidence of Don McKenzie on behalf of Woolworths New Zealand Limited (Transport), 16 September 2022, at [5.10].

be able to access the Local Centre on the eastern side of Peacockes Road via the future road along the southern edge of the Local Centre (Bridge Street), which forms part of the Amberfield consents. Accordingly, these people would not need to use the Peacockes Road/Whatukooruru Drive intersection. The intersection of Bridge Street/Peacockes Road is likely to be signalised based on the current design philosophy for the upgrading of Peacockes Road and would therefore provide very convenient supermarket access, particularly for people travelling from the south.

7. People from the west would travel through the traffic signals at the Peacockes Road/Whatukooruru Drive intersection to access the Local Centre. However, this may not result in the benefit noted by Mr McKenzie (Paragraph 3.11):

*Removing some of the traffic movements out of the signalised intersection may enhance the performance and safety of those signals to the benefit of pedestrian users crossing these roads to access different parts of the Local Centre.*

8. That is because, as Mr McKenzie notes, some people using a supermarket in the south-west quadrant would also utilise the facilities in the area of the Local Centre on the eastern side of Peacockes Road and cross the road(s) between the two areas.<sup>2</sup> They might walk across at the intersection, adding to the pedestrian demand and potentially adversely affecting the overall intersection performance. More critically, some of those people would be likely to drive from the east side to a south-west supermarket through the intersection. My prediction is that with the numbers of people that would drive and walk between the two areas the traffic and pedestrian movements through the intersection would be increased. The net effect of this would be that the performance of the intersection would not in fact be enhanced.
9. A related benefit of the proposed PC5 zoning which would enable the establishment of a supermarket in the Local Centre on the eastern side of

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<sup>2</sup> Statement of Evidence of Don McKenzie on behalf of Woolworths New Zealand Limited (Transport), 16 September 2022, at [5.3].

Peacockes Road, is that it is less likely to result in additional traffic movements associated with people moving their cars to other carparks within the centre. This is because of the proximity of the facilities within the Local Centre.

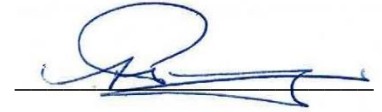
10. Mr McKenzie has suggested that a supermarket in the Local Centre east of Peacockes Road would introduce large volumes of servicing vehicles through the "Main Street" and aggravate queuing for the traffic signals at its intersection with Peacockes Road.<sup>3</sup> He states that this would impact adversely on the pedestrian environment of the Main Street. In response I note:
  - (a) Firstly, the supermarket servicing vehicles are not expected to use the Main Street. The Local Centre concept plans attached to Mr Bredemeijer's evidence show the possibility of servicing vehicles accessing the proposed supermarket from Peacockes Road (noting that the concept plans are illustrative only and any proposal would be subject to detailed design and consenting).
  - (b) Secondly, traffic signals and queuing are not foreign in Main Street environments (for example: Victoria Street in Hamilton).
11. Mr McKenzie has commented on the concept plan that Mr Bredemeijer produced for expert witness conferencing for Adare, stating that the entrance to the supermarket servicing area from Peacockes Road is within 30m of the Whatukooruru Drive intersection in contravention of the District Plan rules. He is correct, but this can and would be rectified through detailed design. He also comments on the layout of the service area and its interaction with the carpark access being inappropriate. These are minor issues that again can and would be rectified through detailed design. I re-emphasise that the layout is only a concept plan.
12. In my opinion, there are no fundamental traffic or transportation reasons for not having a supermarket in the proposed Local Centre to the east of Peacockes Road, nor are there fundamental traffic or transportation

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<sup>3</sup> Statement of Evidence of Don McKenzie on behalf of Woolworths New Zealand Limited (Transport), 16 September 2022, at [4.5].

reasons for why a supermarket in the south west quadrant of the Peacockes Road/Whatukooruru Drive intersection is a better concept.

**Dated this 21<sup>st</sup> day of September 2022**

A handwritten signature in blue ink, consisting of a large, stylized initial 'P' followed by several horizontal strokes.

**Tony Penny**