

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

AND

IN THE MATTER of an application to **HAMILTON CITY COUNCIL** for private plan change 7 ("PC7") to the operative Hamilton City District Plan by **GREEN SEED CONSULTANTS LIMITED**

FURTHER REPLY STATEMENT OF EVIDENCE OF LEO DONALD HILLS

1. INTRODUCTION

1.1 My name is Leo Donald Hills. I am a director of Commute Transportation Limited ("**Commute**").

1.2 I outlined my qualifications, experience and commitment to comply with the Environment Court Expert Witness Code of Conduct in my evidence in chief ("**EIC**") dated 24 September 2021. I maintain that commitment.

Purpose of further reply evidence

1.3 This further statement of reply evidence addresses traffic / transport issues responds to issues raised by Mr Alastair Black in his statement of evidence dated 22nd October 2021.

2. MR BLACK (SECTION 42A REPORT CONTRIBUTOR)

2.1 As reflected in the various Transport JWS (and reflected in evidence by Ms Fraser-Smith / Mr Mark Tollemache), I previously understood that the only remaining matters of disagreement between myself and Mr Black were two external upgrades as follows:

(a) The need to upgrade the Rotokauri Road / Exelby Road intersection (item 5 in Attachment 4 of Mr Black's evidence); and

(b) The need to upgrade Exelby Road (north of Burbush Road), as a result of PC7 (item 2 in Attachment 4 of Mr Black's evidence).

2.2 I addressed these upgrades in my EIC, reply evidence and in answers to questions from commissioners on 20 October 2021 (being Day 1 of the hearing). I still maintain my position on these upgrades. Essentially, in my opinion:

- (a) PC7 does not fundamentally change the traffic and hence safety on Exelby Road (and any existing issues are not for PC7 to fix); and
- (b) The Rotokauri Road / Exelby Road intersection is a significant distance from the site and changes to this intersection are a result of cumulative effects (rather than just PC7).

2.3 However, from a review of Mr Black's recent evidence, I now understand there are a few additional matters Mr Black has raised, following additional analysis that he has undertaken. As a result, Mr Black concludes there are further external upgrades required as noted in Attachment 4 of his evidence, namely:

- (a) Exelby Road south of Burbush (additional upgrade to 9.5m carriageway width after 700 dwellings / lots unless the minor arterial is constructed (item 1a and 1b in Attachment 4 of Mr Black's evidence); and
- (b) Burbush Road (additional upgrade to 9.5m carriageway width after 700 dwellings / lots unless the minor arterial is constructed (item 3a and 3b in Attachment 4 of Mr Black's evidence).

2.4 I do, however, note that Mr Black concludes as follows:

*"I remain of the view that from a transport planning perspective, the ultimate location and transport connections for PC7 generally appear appropriate and provide good links to significant transport corridors (SH1, SH39 and the minor arterial)."*¹

*"I support the proposed provisions agreed during expert conferencing."*²

2.5 As such, the main area of disagreement between myself and Mr Black is still limited and relates to the external upgrades required.

2.6 I note that Mr Black states that a number of these upgrade triggers appear to relate to some uncertainty in future staging both in the subject site but also in the wider development of Rotokauri. This is included in paragraph 40 of his evidence:

"Determining a trigger and nature of further upgrades is complex. The traffic volumes on these corridors are sensitive to the staging and location of connections to the Rotokauri North Structure Plan, timing of the minor arterial and the rate of development and nature of upgrades provided by other developers south of the site."

¹ Paragraph 91 of Mr Black's evidence in chief.

² Ibid, at paragraph 92.

2.7 I agree with Mr Black in this regard. As a result, a number of the scenarios raised by Mr Black are in my opinion, unlikely to occur but rather are more likely worst-case scenarios. For instance:

- (a) The traffic volume on Burbush Road / Exelby Road link that Mr Black cites (up to 7,500 vehicle per day) assumes no other roading links are created in Rotokauri south before all 2000 dwellings are created in PC7 (this is unlikely to eventuate given Rotokauri south is already developing).
- (b) In calculating the 7,500 vehicles per day, Mr Black now uses a peak hour to daily conversion rate of 10%³ rather than 15%⁴ as previously used in his s42A report (and which I have also adopted in my evidence, and thus accounts for the discrepancy in my calculation of 5000vpd in my reply evidence).⁵
- (c) The analysis Mr Black has undertaken essentially does not assume the new minor arterial is constructed before all 2000 dwellings from PC7 is constructed.
- (d) The analysis Mr Black has undertaken relies more on changes in safety using Waka Kotahi Crash Estimation Compendium by trying to retain exactly the same crash rates as occurs currently. In my opinion, any development that creates traffic will in some minor way increase potential vehicle conflict and thus have some safety effect. However, it is not appropriate to expect that new developments will have absolutely no effects on traffic safety for all roads or should look to address existing deficiencies.
- (e) While I have not reviewed the detailed calculations in Mr Black's evidence relating to safety rates, I would like to point out that Mr Black's calculations predict the theoretical existing crash rate on Exelby Road is 1.06 injury crashes per year.⁶ This is with 2021 modelled flow rather than existing flows which are less, which would reduce the rate to approximately 0.3 injury crashes per year. This therefore means Exelby Road should have 1.5-5 injury crashes in a 5 year reporting period. In fact, the past 5 years have seen no reported injury crashes on this section of road.

2.8 Overall, in my opinion the additional measures / issues raised by Mr Black, while important, are not issues that will definitely occur as a result of PC7. Due to these potential issues, the planning provisions proposed by Green Seed have been amended to include further assessment with the Integrated Transport Assessment (**ITA's**) required to include specific considerations relevant to PC7. Essentially, the ITAs required for development within PC7 will have to assess the surrounding roading network closer

³ Ibid, at Attachment 2 (far right table).

⁴ See page 7, Footnote 8 of Mr Black's 'Updated Transportation Review' (Appendix D to the Council Report).

⁵ Paragraph 3.32 of my reply evidence.

⁶ Supra Note 1, at Table 1.

to the time of implementation and take into account other developments and roading upgrades that may or may not have occurred.

2.9 The requirements for these ITAs incorporated into the PC7 provisions include specific items that provide guidance for future traffic engineers undertaking such assessment that were specific to PC7 and its location (e.g., they specifically identified areas of assessment).

2.10 As such, while I do not agree with Mr Black's additional triggers, I do consider that some of the scenarios he postulates may arise under certain circumstances in the future (although it is my opinion this is unlikely) and, as such, should be additional considerations in future ITA assessments. These changes include:

- (a) Ensuring the specifics identified in the ITA's for PC7 apply to all ITAs (not just "Broad ITA's" as originally drafted); and
- (b) Additional criteria in future ITA's, including safety at the Exelby Road / Lee Road intersection (as specifically identified in paragraph 70 of Mr Black's evidence).

2.11 I consider the remaining specific items that must be addressed in future ITAs adequately cover Mr Black's potential issues (especially relating to additional widening of Burbush Road and Exelby Road to 9.5m). In particular, future ITAs must include:

"Specific consideration of demand, safety, levels of service and options for mitigation at the following intersections and transport corridors".. which already include... "D. Burbush Road" and "E. Exelby Road between Rotokauri North and the Rotokauri Road/Exelby Road intersection inclusive."

3. **CONCLUDING COMMENTS**

3.1 There are still limited matters of disagreement between myself and Mr Black (however these are greater than I previously reported in my EIC and reply evidence). These relate to some of the required transport triggers and upgrades external to the site.

3.2 I do however consider as follows:

- (a) The issues Mr Black has identified are best addressed in future ITA's as the scenarios he is concerned about are far from certain and in my opinion represent a worst-case scenario. I do however consider the provisions relating to the future required ITA's could be modified / improved as per the changes outlined in Ms Fraser-Smith further reply evidence.
- (b) Overall, nothing raised in the transportation-related evidence filed by Mr Black has changed or altered the overall conclusions set out in my EIC (noting the

updated provisions). I therefore continue to have the opinion that there is no traffic engineering related reason to decline PC7.

Leo Donald Hills

28 October 2021