



IN THE MATTER

**of the RESOURCE
MANAGEMENT ACT 1991**

**AND IN THE
MATTER**

Of the Ruakura Variation to the
Proposed Hamilton District Plan.

**STATEMENT OF REBUTTAL EVIDENCE OF ALASDAIR DAVID
ANGUS GRAY ON BEHALF OF HAMILTON CITY COUNCIL**

Scope of Evidence

1. My name is Alasdair David Angus Gray. My qualifications and experience are set out in Attachment 1 to my Evidence in Chief¹.
2. I reaffirm my commitment to comply with the Expert Witness Code of Conduct set out in the Environment Court of New Zealand Practice Note 2014.

Purpose and Scope of Rebuttal Evidence

3. The purpose of this rebuttal evidence is to respond to topics raised in the evidence of others relating to managing the effects of transport and to transport infrastructure.
4. I have read and comment on the Evidence in Chief of:
 - (a) On behalf of Tainui Group Holdings Ltd.
 - i. Mark Apeldoorn²
 - ii. Peter Hall
5. This statement covers:
 - (a) A clarification relating to referencing
 - (b) Departures from my Evidence in Chief where I agree with changes suggested by Mr Apeldoorn
 - (c) Points of rebuttal relating to:
 - i. Description of Spine Road (central) (3.7.1.7).
 - ii. City-wide consistency (general).
 - iii. Spine Road construction (3.7.3.3).
 - iv. Indicative Location/Connectivity for the Ruakura retail centre (Figure 2-14).
 - v. Minimum lot sizes for subdivision (Table 23.7.1).

¹ Included in Appendix D of the Section 42A Hearing Report dated 3rd August 2016: Report on Submissions and Further Submissions Chapter 3.7 Structure Plans – Ruakura.

² Appears to match that on behalf of Chedworth Properties Ltd.

Clarification

6. My reference in Paragraph 26 of my Evidence in Chief to LDP areas D, F or P (relating to spine road triggers and constraints) (referred to in Apeldoorn TGHL 28(i)) refers text in Rule 3.7.3.3.d) as numbered in the notified version of the variation dated October 2015³. The July 2016 version of the variation in the S42A report includes the relevant text as part of Rule 3.7.3.3.e). I respond to Mr Apeldoorn's conclusions in my paragraphs 13-16 later in this statement.

Departures from Evidence in Chief

7. My appraisal of this evidence has not caused me to depart from the opinions expressed in my Evidence in Chief except as follows:

- (a) Deletion of Rule 3.7.3.3.4.a) controlling development in excess of 150 dwellings subject to a connection at Wairere/Crosby/Gordonton Road roundabout. I did not deal with this specifically in my Evidence in Chief but with the connection in place this rule is not necessary. I agree with Mr Apeldoorn (Apeldoorn TGHL Paragraph 21) that Rule 3.7.3.3.4.a) should be deleted.
- (b) In relation to submission 33.51 (Apeldoorn TGHL paragraph 29(x)) regarding a change of zone for the Chedworth Property land to the east of the Spine Road and north of Greenhill Link Road from General Residential to Ruakura Medium Density Residential. I have reviewed Mr Apeldoorn's more local and specific assessment. My understanding was that the Board of Inquiry assessment for residential activities was based on 7.1 trips/day/household with no differentiation for density. On that basis the increase in density would result in an additional 160 trips/day or 15-20 trips during the peak period for the partial rezoning. Although this is more traffic than Mr Apeldoorn's

³ <http://www.hamilton.govt.nz/our-council/council-publications/districtplans/proposeddistrictplan/Documents/Ruakura%20Variation/Ruakura%20Variation%20and%20Appeals%20Oct%20%202015%20CONDENSED.pdf>

assessment. It is not a significant effect and I agree from a traffic perspective that the zone change sought can be accommodated.

8. Apart from these two points and the comments below I re-confirm the conclusions reached in my EIC.

Description of Spine Road (central)

9. Mr Apeldoorn (Apeldoorn TGHl Paragraph 7.i) recommends deletion of “The form and function of this road is to primarily service residential and industrial development through intersection access.” in Rule 3.7.1.7 Transportation Network d) relating to the Spine Road (central). There does not appear to be any explanation for the change. I disagree that the sentence should be deleted, but consider that a revision would reduce the potential for confusion between the phrase “through intersection access” and access expectations in the district plan road hierarchy descriptions for arterials (HCC PDP 15-5 Transport Corridor Hierarchy Plan and Definitions):

- (a) Major arterial – “Property access is either non-existent or heavily controlled”.
- (b) Minor arterial – “Property access is managed”.

10. I consider that the sentence in the description of Spine Road (central) in 3.7.1.7 should be revised to: “The ~~form and~~ function of this road is to primarily service residential and industrial development ~~through intersection access.~~”

City-wide consistency

11. The balance between Ruakura-specific provisions, consistency with city-wide provisions and consistency with the Ruakura Board of Inquiry decision is a matter of contention in this process.
12. Mr Apeldoorn (Apeldoorn TGHl paragraph 26) states that there should be reasonable expectation of some points of difference from the Plan. The purpose of the Variation is to rezone approximately 822ha of land in Ruakura, ensuring a consistent approach to managing development in the area. Other than application of the PDP to the additional area, a key differentiator

for the Ruakura Structure Plan area from the rest of the city is the proposed inland port and regional logistics hub. In my opinion, from a transport infrastructure and operations planning perspective, consistency with city-wide provisions is desirable and differences from the Plan should relate to the Inland Port and Logistics differentiator.

Spine Road construction

13. . Mr Apeldoorn (Apeldoorn TGHL Paragraph 28) states that it is inappropriate to include Rule 3.7.3.3 d) and e) requiring construction of the relevant Spine Road sections because it forces a significant road infrastructure investment in advance of any of the agreed staging Rules set out in Rules 3.7.3.3 a), b), or c). I disagree and consider that it is desirable to require progressive construction of the spine road to avoid uncertainty in terms of access, layouts or funding relating to the spine road adversely affecting development opportunities.
14. My understanding of the structure plan provisions is that the Land Development Application could propose alternative staging and connection arrangements (under Rule 3.7.3.3.iii) and iv), which require assessment through an Integrated Transport Assessment. That would allow the risks associated with not constructing the relevant Spine Road sections to be considered against the savings in a context where the development contribution or private development agreement arrangements are understood.
15. Evidence to the Board of Inquiry was that the whole project needs the spine road and if the spine road never happens, the development that triggers the need for it cannot happen⁴. In my opinion, in order to provide for development to progress, the roads necessary to link to the next areas should be provided for. From a transport perspective not requiring the spine road through the development areas risks a semi-permanent access arrangement with potentially undesirable transport outcomes to avoid expenditure. From an infrastructure funding perspective, if development of an area does not include the spine road, there is a risk of inequitable allocation of costs. This could be because access costs are higher for the next development in line or

⁴ Wilkins Transcript p609.

because development contributions need to be altered to collect funds. The spine road is primarily to mitigate the effects of activities in the Ruakura area and it is therefore appropriate to provide for its construction on an LDP by LDP basis for development in Ruakura.

16. I support the clear direction in 3.7.3.3 d) "Construction of the relevant Spine Road sections is required prior to any activities other than access and utility infrastructure taking place in Land Development Plan areas." and Rule 3.7.3.3 e) Spine Road construction trigger.

Indicative Location/Connectivity for the Ruakura retail centre

17. Mr Apeldoorn (Apeldoorn TGHGL paragraph 29(xii)) concludes that the Legend on Figure 2-14 should be amended to reflect "*Indicative Location and Extent of Ruakura Retail Centre*" on the basis that it allows for additional flexibility in location and connectivity and the effects can be assessed. I disagree with this proposal. It will be more difficult to assess the effects of a Land Development Plan proposal in comparison to something that is indicative in location and extent.

18. A Land Development Plan for the Knowledge Zone can propose alternative extents and connectivity for the Ruakura Retail Centre and the effects can be assessed. Mr Hall (Hall TGHGL Paragraph 141) agrees with this although from a different perspective seeking an amendment to "Indicative". I support the legend without the addition of the word "indicative" because it reduces uncertainty for assessments, network management and transport planning and avoids the risks of inefficient investment and operational decisions.

Minimum lot sizes for subdivision.

19. Mr Hall (Hall TGHGL Paragraphs 118 – 128) proposes amendments to Table 23.7.1 with the effect of changing the minimum lot size in the Ruakura Industrial Park Zone from 3000m² to 1000m² for front sites and 500m² for rear sites other than for specific activities such as food and beverage outlets, motor vehicle sales, and passenger transport facilities, etc.

20. In general, I support the rationale for larger lot sizes as consistent with the inland port and logistics activities. I note that the rules provide for smaller lots for specific activities. I disagree that the Ruakura Industrial Park Zone minimum allotment size should be changed from 3000m² to 1000m² for front sites and 500m² for rear sites. A square 1000m² site would be around 32m by 32m. The turning circle to allow for large vehicles has a diameter of 25m. Larger sites will more readily accommodate bulk handling and storage activities complementing the inland port and logistics functions with more space suitable for access and circulation for the larger vehicles likely. Making the minimum lot size greater in Ruakura increases the likelihood of related activities locating in close proximity reducing the need for travel.

21. I would prefer the larger minimum lot size to remain for the reasons above and therefore disagree with the changes Mr Hall proposes to Table 23.7.1.

General Conclusion

22. I reconfirm my opinion that the proposed combination of objectives, policies, rules and assessment criteria that relate to transportation are sufficient to manage adverse effects from transport, including cumulative effects on amenity, appropriately.



Alasdair Gray

21 July 2016