

**Before Independent Hearing Commissioners
In Te Awamutu**

Under the Resource Management Act 1991

In the matter of Proposed Private Plan Change 20: Airport Northern Precinct
Extension to the Waipā District Plan

and Waka Kotahi
(Submitter)

Statement of Evidence of Duncan Barry Tindall for Waka Kotahi – Transport

Dated 7 March 2023

STATEMENT OF EVIDENCE OF DUNCAN BARRY TINDALL FOR WAKA KOTAHI

1 Summary of Evidence

- 1.1 My full name is Duncan Barry Tindall. I am the New Zealand Market Lead for Transport and Technical Director – Traffic Engineering and Transport Planning at GHD New Zealand, based in Tauranga. My evidence is given on behalf of Waka Kotahi in relation to the application for Proposed Private Plan Change 20 (PPC20) to the Waipa District Plan, seeking to extend the Airport Northern Precinct.
- 1.2 I have reviewed the traffic assessments and reports prepared on behalf of Titanium Park Limited (TPL) and Rukuhia Properties Limited (RPL) (the Applicants), for the Proposed Private Plan Change 20, and the evidence of Mr Cameron Inder on behalf of the applicant. I have also read the Statement of Evidence of Ms Sarah Loynes for Waka Kotahi.
- 1.3 It is my opinion that the rezoning of the land without the proposed transport infrastructure enhancements would be likely to lead to significant increases in delay and also increases in the crash rates on SH3 and SH21 as a result of the additional traffic related to PPC20.
- 1.4 However, on the basis that the upgrades referred to in the Transport Assessment and subsequent engagement is delivered in a timely manner, I am of the opinion that the proposed Plan Change can occur in without significant risks to the efficiency and safety of the transport network.

2 Qualifications and Experience

- 2.1 My full name is Duncan Barry Tindall. I am the New Zealand Market Lead for Transport, and Technical Director – Traffic Engineering and Transport Planning at GHD New Zealand, based in Tauranga.
- 2.2 I hold a Masters Degree in Civil Engineering from Imperial College, London, and a Masters Degree in Transport from the Centre for Transport Studies, London. I am an affiliate of the Engineering New Zealand Transportation Group and a Member of Engineering New Zealand.
- 2.3 My work experience includes 25 years in transport planning and traffic engineering. I have been based in New Zealand since 2010. Prior to moving to New Zealand I worked as a traffic

engineer in the UK and central Europe for 13 years. I worked on a range of road, planning and development-related schemes for national and local government and for private developers.

2.4 My experience in New Zealand includes scheme design, assessment and review roles in the transport planning and traffic engineering field, for both local and national government, and for private developers, predominantly in the upper North Island.

2.5 My relevant experience includes:

- a The preparation of the Transport Assessment for the Genetic Technologies Limited site;
- b Expert Witness for Plan change 2 to the Rotorua District Plan on behalf of Waka Kotahi;
and
- c Preparation of Integrated Transport Assessments for multiple sites across Waikato and New Zealand.

2.6 My evidence is given on behalf of Waka Kotahi in relation to the application for the Proposed Private Plan Change 20 to the Waipa District Plan, requested by Titanium Park Limited (TPL) and Rukuhia Properties Limited (RPL), seeking to extend the Airport Business Zone to enable the coordinated expansion of the Northern Precinct within that zone .

3 Involvement with the Proposal

3.1 I have reviewed the documents provided by Waipa District Council (WDC), including the PC20 Appendix 3 Integrated Transport Assessment report, prepared by BBO, dated April 2022, as well as the Response to Request for Further information, prepared by Harrison Grierson, dated 18 August 2022, and the PPC20 Caucus – Transportation Assessment Information, prepared by Cameron Inder, dated 22 February 2023. I have also read the Statement of Evidence of Ms Sarah Loynes for Waka Kotahi.

3.2 I have read the Council Officer's Section 42A report, as well as the Statement of Evidence of Cameron Inder, dated 28 February 2023, in the course of preparing my own evidence.

3.3 I am familiar with the specific locations and general area considered by PPC20 including several visits to the sites.

4 Code of Conduct

4.1 I have read and am familiar with the Code of Conduct for Expert Witnesses in the current Environment Court Practice Note (2014). I have complied with it in the preparation of this evidence, and will follow the Code when presenting this evidence. I also confirm that the matters addressed in this statement of evidence are within my area of expertise, except where I rely on the opinion or evidence of other witnesses. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

5 Scope of Evidence

5.1 My evidence addresses the following:

- a Transport Policy and effects on PPC20
- b Future direct connection to Southern Links
- c The predicted transport effects on the environment
 - i State Highway 21 / Raynes Road
 - ii State Highway 3 / Raynes Road
 - iii State Highway 3 / Northern Precinct spine road
 - iv Raynes Road access
 - v State Highway 3 / Ingram Road
 - vi Tamahere interchange
- d Public transport
- e Active modes

6 Transport Policy and impact on PPC20

6.1 Recent changes in transport policy, including the Emissions Reduction Plan have built on the Government Policy Statement (2021) in defining a future that does not promote or rely on an increasing amount of travel by private vehicles. Transport Policy not only reflects the

increasing role of active modes and public transport, but also of land use planning as a tool in reducing the impact on the environment from transport.

6.2 In relation to PPC20, I recognise the proposed land uses are such that there will be road based freight movements associated from this site that are not practical or likely to be subject to substantial change in the foreseeable future. However, the ITA shows that there will also be in excess of 2,100 movements¹ per hour by private car or light commercial, and I consider a high proportion of these would be expected to be related to commute/work movements in the peak hours. Whilst I expect the location of the site and its separation from the potential residential location of the workforce will initially lead to a reliance on cars for some workers, I consider that in the future this is likely to decrease.

6.3 The site is located in a location where I consider it both feasible and likely that frequent public transport is likely to pass through in the future, connecting Hamilton Airport to Hamilton City Centre, via several residential areas to the south of the city. And this Public Transport connection will provide an alternate means for the workforce to travel without relying on private cars. Equally, recently we have seen a strong increase in the availability and utility of battery assisted micro mobility devices such as e-bikes and e-scooters.

6.4 I consider that this context is important to consider in the context of PPC20 for the following reasons:

- a This may result in changes to the timing and form of some previously signalled investments, including Southern Links;
- b The 'general' or 'background' growth in traffic may not occur at the rates previously assumed, although population growth in the Waikato is likely to continue to result in a growth in total trips; and
- c There is the need to cater for these future modes within the planning for growth so as not to preclude or curtail opportunities in the future.

6.5 I have based my assessment with the above context in mind.

¹ Derived from Para 16, Paragraph 19.a.iii from Statement of Evidence of Mr Cameron Inder, dated 28 February 2023. 85% of 2,490 vehicles

7 Future Direct Connection to Southern Links (point of submission 18.3)

- 7.1 The initial traffic assessment² proposed a future direct connection between the Central interchange of Southern Links to the Northern Precinct, and the applicant has future-proofed the ability to provide this connection by acquiring land on its path between Northern Precinct and the Southern Links designation.
- 7.2 As stated in Waka Kotahi's point of submission 18.3, *"there is no certainty that Southern Links will be constructed, nor that the scheme when built will be as that shown in the ITA. As such, it would not be appropriate for any rules to be reliant on the delivery of Southern Links."*
- 7.3 It has been agreed at the Joint Witness Expert³ conferencing that if Southern Links was to be provided in the form of the current designation access between Southern Links and the Northern Precinct is still possible, albeit not directly or in the form proposed within the ITA prepared by the Applicant.
- 7.4 Mr Cameron Inder⁴ states this strategic direct connection should continue to be investigated and planned in consultation with Waka Kotahi.
- 7.5 I understand that a form and function review is being undertaken by Waka Kotahi for the Southern Links arterial network, albeit not yet complete. And whilst this review could lead to changes in the proposed form of Southern Links, it is not a process that can lead to providing certainty of the delivery of the scheme, regardless of form.
- 7.6 As such it is my opinion that the PPC20 needs to be considered against an environment reflecting the current environment. And whilst there is no reason to preclude future consideration of a direct connection, there is insufficient certainty at this time to make any informed view on the benefits or adverse effects that would arise from a direct connection.

² Proposed Private Plan Change 20 – Northern Precinct Integrated Transport Assessment, BBO, v2, dated April 2022.

³ Item 3.1.6 of Joint Witness Statement in relation to Transport and Planning (2), dated 15 February 2023

⁴ Paragraph 19.a.iii from Statement of Evidence of Mr Cameron Inder, dated 28 February 2023

8 The Predicted Transport Effects on the Environment (point of submission 18.4)

State Highway 21 / Raynes Road intersection

- 8.1 The Transport Assessment⁵ identifies that a roundabout is required to provide safe and efficient access for Raynes Road / SH21. At present this priority controlled intersection is not compliant with the 'safe system' philosophy as a collision between a turning vehicle and a through vehicle is likely to be at high speed and so lead to a higher probability of serious or fatal injuries being sustained.
- 8.2 I understand Waka Kotahi proposed this location to be included within the wider programme of candidate sites as part of the National Land Transport Programme (NLTP) 2024-2027. However, any confirmation of funding will only be known in mid-2024 after the NLTP has been confirmed.
- 8.3 Additionally, the Waka Kotahi scheme could be focussed on improving the safety of the current intersection as opposed to providing additional capacity on the network to cater for PPC20.
- 8.4 If funded, the Waka Kotahi scheme could therefore provide a 3 arm roundabout in a cost effective manner which will mean minimising the amount of new road surface and earthworks. The expectation is that this may be achieved with a single lane roundabout would suffice for the currently enabled land uses, in the future.
- 8.5 My concerns arose when the modelling undertaken for the PC20 ITA⁶ showed that a two-lane roundabout would be required.
- 8.6 While I agree in part with Mr Cameron Inder⁷ that PPC20 recommends that the existing State Highway 21/Raynes Road is upgraded to a three-arm single lane roundabout, I agree with the work undertaken by Mr Inder that shows that for the full development of the PPC20 area to be accommodated, a two lane roundabout will be required.

⁵ Section 4.3 and 8.1.1 of Proposed Private Plan Change 20 – Northern Precinct Integrated Transport Assessment, BBO, v2, dated April 2022.

⁶ Figure 19 Section 8.1.2 of Proposed Private Plan Change 20 – Northern Precinct Integrated Transport Assessment, BBO, v2, dated April 2022

⁷ Paragraph 128 from Statement of Evidence of Mr Cameron Inder, dated 28 February

- 8.7 Mr Cameron Inder⁸ responded to this by stating the delivery of State Highway 21 / Raynes Road roundabout upgrade will be shared between Waka Kotahi, the Applicants, and Meridian 37. To date, I understand that preliminary discussions have been held between Waka Kotahi and the Applicants around the parameters of any funding agreement. As noted, above, Waka Kotahi currently does not have funding allocated for this roundabout. I have been advised by Waka Kotahi that this agreement can progress separately to the Plan Change on the basis that Waka Kotahi interests are protected through proposed Rule 10.4.2.13A.
- 8.8 As such I support the trigger which have been recorded in Rule 10.4.2.13A of the evidence of Mr Nicholas Grala⁹.
- 8.9 Whilst I understand that the Tabby Tiger Ltd submission has been ruled as out of scope, this occurred after the Expert Caucusing.
- 8.10 At the 15 February Joint Witness Expert conferencing, Mr Mark Chrisp suggested the amended wording of Rule 10.4.2.13A to include “The design should not foreclose the ability to construct a fourth arm to the east.”
- 8.11 At the 15 February 2023 Joint Witness Expert conferencing, I raised my concerns with the rules provision specifically referencing a fourth arm on the roundabout, without evidence of the feasibility, in relation to the intersection capacity and safety. It was my opinion that to not preclude the future upgrade, the construction of the roundabout would need to be undertaken in a less efficient way, increasing the costs and environmental impact of the build.
- 8.12 The evidence of Mr Nicholas Grala⁹ has responded to my concerns, and I support the proposed rule 10.4.2.13A.

State Highway 3 / Raynes Road intersection

- 8.13 I support the provisions to Rule 10.4.2.13A in the evidence of Mr Nicholas Grala⁹, which has included a line item to address the implementation requirements for additional lanes required to provide the capacity to provide safe and efficient access and egress for the full development

⁸ Table No 2 and Paragraph 124 – 125 from Statement of Evidence of Mr Cameron Inder, dated 28 February 2023

⁹ Annexure 2 Rules – Transport 10.4.2.13A of Statement of evidence of Mr Nicholas Grala, dated 28 February 2023

enabled by PPC20. I note that this rule is supported by the evidence of Mr Inder¹⁰ and I agree with his analysis.

State Highway 3 / Northern Precinct Spine Road (GTL)

8.14 The ITA contained two alternate layouts for the roundabout proposed to create the access to the spine road. One of those layouts showed the roundabout to be outside of the designation to the west of SH3 and I therefore had concerns regarding the ability to deliver this roundabout.

8.15 In his evidence¹¹, Mr Inder confirms that the proposed roundabout can be delivered within existing road reserve and land controlled by the applicant, and this addresses my concerns.

Raynes Road Access

8.16 The ITA included analysis that showed that if all movements were permitted at the Raynes Road / Access intersection that this route would be preferred by sufficient vehicles to then result in capacity issues occurring at the SH3 intersection¹². Specifically, this would impact the efficiency of the state highway, and it is my opinion that the delays would be sufficient to then encourage poor decision making by some drivers as a result of frustration. This could then lead to a safety issue as well as a poor efficiency outcome.

8.17 As such the mitigation of this outcome by way of the effective deterrent to drivers to take this route is a key concern in my opinion. This is predicated by the traffic model showing the benefits to the individual drivers by using this more direct route, and so any restriction needs to adequately offset this otherwise attractive route.

8.18 I do note and partially accept the statement from Mr Inder¹³ in relation to accepting that the majority of drivers adhere to the law of where you can and cannot drive. However, it is my opinion, and experience, that compliance is related to the ability for drivers to see and understand the reason for a rule. In this case the issue is not a safety issue at the intersection where the ban is to be placed, but downstream, and I do not expect any drivers would

¹⁰ Paragraphs 129 to 132 from Statement of evidence of Mr Cameron Inder, dated 28 February 2023

¹¹ Paragraphs 119 from Statement of evidence of Mr Cameron Inder, dated 28 February 2023

¹² Section 5.2.2 of Proposed Private Plan Change 20 – Northern Precinct Integrated Transport Assessment, BBO, v2, dated April 2022.

¹³ Paragraph 79 from Statement of Evidence of Mr Cameron Inder, dated 28 February

understand the purpose of the ban, and so be fully reliant on their compliance without any context.

- 8.19 I do however note that Mr Inder has provided a proposed layout that included some very specific geometric features that supported the ‘signed’ ban and would in my opinion increase the compliance significantly.
- 8.20 I am of the opinion that if PPC20 is accepted that the layout be included within the structure plan and a rule requiring the layout to be in accord with Drawing number 144380_06_0031 rev B¹⁴. However, noting the views of the other Transport experts, as noted in the JWS, I consider that it is important that a rule is provided that ensures that subsequent discussions on the intersection include Waka Kotahi and reference be made to provide an enduring ban on the movements between Raynes Road (west) and the access (south), i.e. banning the left out of the access and the right turn off Raynes Road (west).
- 8.21 It is because the adverse effects that this aspect of PPC20 mitigates that I consider it important that Waka Kotahi has a pathway to provide written feedback on the proposed design prior to approval. I note that Mr Tinnion-Morgan¹⁵ for Waipa correctly identifies the intersection as being a local road and he then continues to suggest approval should be left with Waipa District Council. I do not support his view. Without a rule in place to require Waka Kotahi engagement the logic of needing to engage with them in the future may be forgotten.

SH 3 / Ingram Road

- 8.22 In further submissions¹⁶, Waka Kotahi expressed their support with Tainui Group Holdings (TGH) in terms of insufficient certainty with respect to the design form concept for the State Highway 3 / Ingram Road intersection, and uncertainty with respect to funding for any changes to the SH3/Ingram intersection.

¹⁴ Attachment 1 of Proposed Private Plan Change 20 – Northern Precinct Integrated Transport Assessment, BBO, v2, dated April 2022

¹⁵ Paragraph 7.6 from Statement of Evidence of Mr James Tinnion-Morgan, dated 21 February

¹⁶ Submission point 09.1 and 09.3 of Waipa District Plan Private Plan Change 20 Further Submission Form, Waka Kotahi, Dated 11 November 2022.

- 8.23 In response to TGH, the Council Officer's Section 42A hearing report¹⁷ concluded that no upgrading or changes to the State Highway 3 / Ingram Road intersection are required, as a result of further explanation of the ITA modelling and upgrading works proposed.
- 8.24 This has been reiterated in the evidence of Mr Cameron Inder¹⁸, which states *"For clarity, there is no proposal to upgrade this intersection in relation to PC20... PC20 now proposes the access direct to SH3 via the roundabout as assessed in the ITA and proposed in the infrastructure provision for the district plan."*
- 8.25 As such, it is my opinion that SH3/Ingram Road does not need to be referred to in any rules related to PC20. Any future changes to that intersection can occur using the standard mechanisms for stakeholder engagement, funding and implementation.

Tamahere interchange

- 8.26 I refer to Waka Kotahi's initial submission 18.4¹⁹, and my concerns remain the same in relation to the AM peak delays (greater than 4 minutes) and queues (modelled to be 276m) for traffic travelling from the northeast on Tauwhare Road at the Tamahere interchange, as part of the initial ITA.
- 8.27 Whilst notwithstanding the performance concerns, it was unclear in the ITA how much of this was attributed by the PC20, or external factors.
- 8.28 To address some of my concern, Mr. Cameron Inder²⁰ has updated the modelling to incorporate the recently completed safety upgrades that focused primarily on the southwest roundabout. The outcome of the safety upgrades achieved a slight reduction in the average delay (+3 minutes) and queues (206m) on Tauwhare Road.
- 8.29 While it is my opinion that the performance of the Tamahere interchange is less than ideal, I refer to the evidence of Mr. Cameron Inder²¹ that notes there are alternative routes to access

¹⁷ Item 9.9.13 of Section 43A hearing report on Proposed Private Plan Change 20, Submissions and Further Submissions, Waipa District Council

¹⁸ Paragraph 136 and 138 from Statement of Evidence of Mr Cameron Inder, dated 28 February

¹⁹ Submission point 18.4 of Summary of Decisions Requested to Proposed Private Plan Change 20, Waipa District Council, dated 11 November 2022

²⁰ Paragraph 142 from Statement of Evidence of Mr Cameron Inder, dated 28 February 2023

²¹ Paragraph 87 from Statement of Evidence of Mr Cameron Inder, dated 28 February 2023

Hamilton and Cambridge, and under the constraints at this location (deep gully system), I do not consider that any specific relief be sought in relation to PPC20.

9 Public Transport (point of submission 18.5)

- 9.1 The ITA identifies some opportunities that could be offered to support public transport access, and I consider an appropriate mechanism to delivery such services would be to include Public Transport infrastructure in the Staging of Transport Infrastructure, and Rule 10.4.2.13A²².
- 9.2 In further submissions²³, Waka Kotahi expressed their support with Hamilton City Council (HCC) that there needs to be further consideration of the phasing and sequencing of public transport, including what measures might be needed to ensure the appropriateness of bus stops on State Highway 3 in the short term.
- 9.3 In response to HCC and Waka Kotahi, the Council Officer's Section 42A hearing report²⁴ concluded that the viability of bus stops on State Highway 3 falls onto the Roading Controlling Authority (Waka Kotahi) and public transport operator (Regional Council).
- 9.4 Mr Cameron Inder²⁵ expressed his support with paragraph 8.3, stating that the Applicants are not public transport operators, thus it should not fall on them to provide a service. However, the northern precinct road infrastructure can accommodate public transport, including bus stops, shelters and routes.
- 9.5 The evidence of Mr Cameron Inder shows his support with S42A report. para 70 a) which identifies new bus stops on both sides of SH3 in the vicinity of access roundabout (spine road). Mr Cameron Inder evidence para 169 JWS all experts agreed that the District Plan provided provision for Public Transport within the ABZ, should suffice, with the amendment to planning provisions.
- 9.6 Mr Nicholas Grala's evidence has included planning amendments to 10.4.4.13A item 4. added "including provision for bus stops near the roundabout". In order to satisfy Rule 1.4.2.13A item 4, it is necessary to ensure the design of State Highway 3 / Northern Precinct Spine Road

²² Submission point 18.5 of Summary of Decisions Requested to Proposed Private Plan Change 20, Waipa District Council, dated 11 November 2022.

²³ Submission point 23.3 of Waipa District Plan Private Plan Change 20 Further Submission Form, Waka Kotahi, Dated 11 November 2022

²⁴ Item 9.8.21 of Section 43A hearing report on Proposed Private Plan Change 20, Submissions and Further Submissions, Waipa District Council

²⁵ Paragraph 169- 170 from Statement of Evidence of Mr Cameron Inder, dated 28 February

does not preclude the provision of bus stops. I consider that this is possible, and that this rules as proposed provide the appropriate framework to enable this.

9.7 I consider that it is the Applicant's responsibility to ensure a safe and efficient connection is provided from within their boundary for those arriving by bus and completing their journey by walking or cycling. This is a specific aspect of the wider discussion on active modes below.

10 Active Modes (point of submission 18.6)

10.1 Section 42A hearing report has identified the PC20 will include specific provisions that require construction of new walking and cycling shared paths. I support this inclusion.

10.2 I also support the amendments to rule 10.4.2.13A item 7 as discussed at the Joint Witness Expert conferencing and has been reflected in Mr Nicholas Grala's evidence⁹.

10.3 The Joint Witness Expert statement includes the cross sections for primary and secondary routes to included cycling paths and footpaths on one and both sides. I support this, and this would be compliant with the need for the connections to the SH3 bus stops I discussed above.

10.4 In relation to future connections to the north following Southern Links I would note that since the initial designation there has been a significantly greater emphasis on the provision of walking and cycling facilities within Waka Kotahi projects. Ms Loynes refers to this in her evidence²⁶. As such, whilst the current designation and the design that was prepared to support that designation may suggest that there would be severance for cycling, I do not consider that to be necessarily the case.

10.5 As discussed above, there is a form and function review of Southern Links being undertaken and this may change the degree of severance, or indeed may result in more explicit opportunities for active mode connections. That being said, I referred earlier to my opinion that the primary consideration for PPC20 is against the current situation in the absence of Southern Links due to the lack of funding certainty for implementation.

10.6 As such I support the inclusion of the explicit connections to the north.

²⁶ Paragraph 6.2 from Statement of Evidence Ms Sarah Loynes, dated 7 March

11 Conclusion

- 11.1 In summary I have reviewed the evidence presented by the applicant in support of the assessment and enabling PPC20 and found this to provide a robust and reasonable assessment of the effects.
- 11.2 I have engaged on several aspects of PPC20, and these have either allayed my concerns or resulted in updated proposed rules. I consider that these updated rules now provide the mechanism to ensure that the potentially significant adverse effects of PPC20 will be adequately mitigated.
- 11.3 It is my opinion that within these rules there is also the support for the mode shift that is promoted in the current Government Policy Statement on Transport.

Duncan Tindall

7 March 2023