

Before an Independent Hearings Panel
Appointed by Waimakariri District Council

under: the Resource Management Act 1991

in the matter of: Submissions and further submissions on the Proposed
Waimakariri District Plan

and: Hearing Stream 12D: Ōhoka rezoning request

and: **Carter Group Property Limited**
(Submitter 237)

and: **Rolleston Industrial Developments Limited**
(Submitter 160)

Reconvened hearing statement of evidence of Nick Fuller

Dated: 17 October 2024

Reference: J M Appleyard (jo.appleyard@chapmantripp.com)
LMN Forrester (lucy.forrester@chapmantripp.com)

chapmantripp.com
T +64 3 353 4130
F +64 4 472 7111

PO Box 2510
Christchurch 8140
New Zealand

Auckland
Wellington
Christchurch



RECONVENED HEARING STATEMENT OF EVIDENCE OF NICK FULLER

- 1 My full name is Nicholas Peter Fuller.
- 2 My area of expertise, experience, and qualifications are set out in my statement of evidence dated 5 March 2024 for this hearing stream.
- 3 I also provided evidence in my supplementary statement of evidence dated 13 June 2024 and my further supplementary statement of evidence dated 24 June 2025.
- 4 The purpose of this evidence is to respond to matters listed in paragraphs 7 and 8 of the Panel's Minute 40, relevant to my expertise.

CODE OF CONDUCT

- 5 Although this is not an Environment Court hearing, I note that in preparing my evidence I have reviewed the Code of Conduct for Expert Witnesses contained in Part 9 of the Environment Court Practice Note 2023. I have complied with it in preparing my evidence. I confirm that the issues addressed in this statement of evidence are within my area of expertise, except where relying 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.

EXPERT CONFERENCING**Certainty of Infrastructure Provision**

- 6 One of the themes of disagreement in the Stream 12D Transport Joint Witness Statement (*JWS*) is regarding the certainty of transport upgrades that are required to mitigate the effects of the proposed Ōhoka rezoning being funded and constructed.
- 7 The proposed rules package allows for an incremental approach to development that requires assessment for the stages of development. This includes potential for minor works (such as minor safety upgrades) to be undertaken that enable an interim level of development to occur.
- 8 The requirement to assess the traffic capacity and safety effects at the time of applying for resource consent also allows for a review of the background traffic growth assumptions. In this regard, I note that the ITA¹ assumed 20% growth in traffic on Tram Road from other activities (i.e. excluding the Ōhoka re-zoning) has been identified as being closer to 13% in the Stream 12C & D Joint

¹ The Integrated Transport Assessment submitted with the Re-zoning request.

Witness Statement². This growth (and development at the Ōhoka site) would occur incrementally, meaning there is time to plan, fund and implement the required upgrades.

- 9 Regarding the State Highway 1 / Tram Road interchange, the revised traffic modelling undertaken in the Stream 12C & D Transport Joint Witness Statement identified it can accommodate some traffic growth. The modelling indicates the traffic from 312 dwellings associated with the Council LLRZ, Prosser and McAllister sites can be accommodated.
- 10 Furthermore, the modelling indicates there would still be capacity to accommodate additional traffic³, although the exact amount of further development was not assessed. However, the proposed Ōhoka rezoning rules would require an assessment of the interchange performance when seeking resource consent. This will identify whether upgrades are required. The inclusion of this rule arguably disadvantages the Ōhoka rezoning compared to the other sought rezonings that are not subject to similar rules.
- 11 As previously identified, the NZ Transport Agency have advised that it is responsive to growth and that it continues to monitor performance to understand where improvements may be required.

Requirement for Upgrades Regardless of Development

- 12 There was disagreement in the Stream 12D Joint Witness Statement as to whether the intersection upgrades required in the Outline Development Plan would be required regardless of the proposed Ōhoka rezoning. I consider these would be required for the following reasons:
 - 12.1 Tram Road / Bradleys Road Intersection – This upgrade is already identified in Council’s Long-Term Plan. The upgrade enables safe access for the Mandeville shops and assists in accommodating traffic growth from all development along the Tram Road corridor.
 - 12.2 Tram Road / Whites Road Intersection – I have identified that this intersection already requires a safety upgrade because it is considered *High Risk*. I consider that minor safety works may be appropriate as a short to medium term solution to reduce the risk, although I consider a more substantial upgrade / solution will be required in the longer term to satisfactorily reduce the road safety risk regardless of the Ōhoka rezoning.

² The combined growth of the Council LLRZ, Prosser site and McAllister site from paragraph 26 of the Stream 12C & D Transport Joint Witness Statement.

³ These modelling results were provided as an input to the Stream 12C & D Transport Joint Witness Statement, although not presented in that Statement. These could be provided at the Hearing if required.

- 12.3 Flaxton Road / Threlkelds Road Intersection – I identified a capacity concern at this location without the proposed Ōhoka rezoning. Although Mr Binder and Mr Metherell considered the side road volumes would not be of a scale to trigger upgrades⁴, I am now aware of the Council rezoning proposals (particularly those in Mandeville and Ōhoka) as well as the Prosser site. If approved, these would also add to the traffic volumes on the sides roads at this intersection and increase the delays beyond those of my original assessment. This further supports my opinion that this intersection would require an upgrade to accommodate growth on the Arterial network (Flaxton Road) and the incremental traffic growth of other rezoning proposals.
- 12.4 State Highway 1 / Tram Road Interchange – As set out in paragraph 9, this interchange can accommodate some growth without requiring an upgrade. That said, providing for the full extent of development that would be enabled by all of the proposed rezonings will require improvements. I reiterate that the NZ Transport Agency have identified that they are responsive in such situations.

Tram Road Safety Works

- 13 The need for thresholds relating to road safety upgrades was most fully discussed in the Stream 12C & D Transport Joint Witness Statement. The effects of the Ōhoka rezoning (beyond those effects already accounted for in Council’s Tram Road Safety Study) were identified as being offset by the required road widening of Tram Road between Bradleys Road and Jacksons Road. The Joint Witness Statement identified that one third of the improvements proposed within the Tram Road Safety Study are in the Long-Term Plan⁵. I expect the full suite of improvements will be funded in time with the assistance of development contributions from all subdivision / development that adds traffic to Tram Road.
- 14 I also consider that the consolidated form of the Ōhoka proposal allows for focussed investment on the parts of the Tram Road corridor that are most affected by this proposal, rather than treating the wider corridor where traffic growth may be lower than otherwise planned for.
- 15 Finally, I note that the revised provisions (attached to the Planning Joint Witness Statement for Stream 12D) include a requirement to undertake *Tram Road safety improvements as included in the Waimakariri District Long Term Plan 2024 – 2034 with any required amendment in response to additional traffic from the Development*

⁴ Paragraph 34 of the Stream 12D Transport Joint Witness Statement.

⁵ Paragraph 55 b of the Stream 12C & D Transport Joint Witness Statement.

*Area*⁶. This would require the safety effects of the proposed development to be identified and, if required, mitigated.

Travel on the Rural Network & Vehicle Kilometres Travelled

- 16 Concerns regarding travel on the rural network (and to a degree Vehicle Kilometres Travelled) are primarily safety related as previously addressed.
- 17 Concerns regarding Vehicle Kilometres Travelled are a result of the site location. I consider that if there is a need to accommodate housing growth in this part of the District, it is best provided for in a consolidated form that can support local services and provide a node for passenger transport as proposed with the Ōhoka rezoning. This will minimise (to the extent practicable) the Vehicle Kilometres Travelled of development in this area.

CONCLUSION

- 18 I remain of the view that the transport effects of the rezoning of the Ōhoka land is acceptable from a transport perspective.

Dated: 17 October 2024

Nick Fuller

⁶ Dev-O-S4 point 'f'.