

## BEFORE THE PORIRUA CITY COUNCIL AND GREATER WELLINGTON REGIONAL COUNCIL

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Under the Resource Management Act 1991 ( 'RMA' )

Applicant Jagger NZ Ltd

In the matter of land use and subdivision consent (RC RC6922- SL0046/15) to:

- undertake a 149 lot subdivision consisting of residential lots, road and reserves to vest and balance lots, which includes contravening permitted activity standards in respect to earthworks, financial contributions, outdoor living area, private ways and driveways, site coverage, vehicle movements and front yard; and
- vary or cancel a consent notice; and
- vary or surrender existing easements; and
- waive esplanade reserve requirements

discharge permits, diversion and land use consents (WGN16002) to:

- divert Duck Creek; and
- discharge sediment and chemical flocculant in treated stormwater runoff; and
- discharge into water; and
- discharge to land; and
- undertake various works in respect to the bed of any river; and
- place a stormwater pipe and a sewage pipe; and
- construct temporary bridges, three permanent bridges, place stormwater inlet and outlet structures, and construct an outlet pipe to Duck Creek, a forebay in a pond system and an outlet channel from the pond to land where it will enter Duck Creek; and
- undertake bank stabilisation works; and
- reclaim the bed of Duck Creek

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### Primary Statement of Evidence of Angela Kim Penfold for the New Zealand Transport Agency

Dated 29 March 2016

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## **Introduction**

1. My full name is Angela Kim Penfold. I am a member of the Planning and Investment Team for the NZ Transport Agency (**'Transport Agency'**).
2. I have been employed at the Transport Agency for the past six years as a Senior Resource Planner. This has involved input into a wide range of Transport Agency work, building upon my previous experience as a traffic specialist and a resource consents planner. This has allowed me the opportunity to gain detailed knowledge and understanding of the needs and requirements of the Transport Agency and its network.

## **The Transport Agency**

3. The Transport Agency is a Crown entity<sup>1</sup>. Its objective is to undertake its functions in a way that contributes to an effective, efficient and safe land transport system in the public interest. It provides an integrated approach to transport planning, funding and delivery. This includes investment in public transport, walking and cycling and local roads and the construction and operation of State highways.
4. The Transport Agency supports an integrated planning approach to provide planning and investment certainty and to enable the Transport Agency to fulfil its statutory purpose. Integrated land use and infrastructure planning will ensure that infrastructure investments contribute to and support economic growth and productivity and maintain a safe transport network. Without integrated planning, undesirable outcomes such as ribbon development, stressed infrastructure, inefficient use of infrastructure, community severance and car dependency, can occur.

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<sup>1</sup> Section 93(2) Land Transport Management Act 2003.

## **State highway 58**

5. State highway 58 ('**SH58**') runs between Porirua to the west and Hutt Valley to the east. It provides an important east west connection for the Wellington Region. The application site is located on SH58 between Paremata roundabout and the Pauatahanui roundabout. Traffic volumes, to the east of James Cook Drive (heading towards Hutt Valley) are typically around 9,000 per day. Traffic volumes, to the west of James Cook Drive (heading towards Porirua / Wellington) are typically around 18,000 per day. Both measures are the Annual Average Daily Traffic counts.
6. This section of SH58 is constrained by the Pauatahanui Inlet to the north and steep hills to the south. Accordingly the road geometry is winding with limited provision of shoulders.
7. Long term this section of SH58 will be bypassed by the construction of Transmission Gully and the traffic volumes will decrease significantly.
8. The intersection of James Cook Drive / SH58 and the SH58 temporary construction access are described in Ms Greenough's evidence.

## **The proposal**

9. The development proposes to subdivide 13 hectares into 149 residential lots. Under the Porirua District Plan the application area is zoned Suburban.
10. The permanent vehicular access to the application site will be via James Cook Drive, with traffic expected to use the intersection of James Cook Drive / SH58.
11. The initial stage of construction will use a temporary construction access from SH58 until a bridge into the site is formed from James Cook Drive which is expected to take twelve weeks.
12. The Transport Agency made a submission opposing the application. This was due to insufficient detail in the Traffic Impact Assessment.

13. The Transport Agency has met with the applicant several times to discuss the Applicants' needs, as well as the Transport Agency's concerns. These meetings highlighted the key issues to be resolved.

14. Since then, the Transport Agency has been working with the applicant to resolve the outstanding issues.

15. This has been achieved through an agreed set of conditions that address the Transport Agency's concerns regarding the safe and efficient use of the State highway, as well as addressing the maintenance issues for the Transport Agency.

### **Scope of evidence**

16. The Transport Agency has focussed on three main issues which I will address in my statement below. These are:

- a. The temporary construction access via SH58
- b. The SH58/James Cook Drive intersection
- c. Sediment and the SH58/Duck Creek culvert

### **Temporary construction access**

17. As outlined in the Applicant's evidence, it is proposed that a temporary construction access be formed from SH58 to the development site for a period of twelve weeks. The Transport Agency's initial view was that all access should be via James Cook Drive, however the applicant advised that James Cook Drive access for this twelve week period at the commencement of construction is not feasible due to geotechnical conditions. Accordingly, we have worked closely with the Applicant to ensure that the visibility risks outlined in Ms Greenough's evidence, along with operational and maintenance concerns, are suitably mitigated by way of conditions.

18. Ms Greenough will discuss the safety requirements for the conditions. I set out below the Transport Agency's operational and maintenance requirements.

19. During the twelve week period the access shall be available for construction purposes during off peak hours. The hours of operation will not include the morning and evening peak periods, this is because when delays caused by slow turning vehicles may not clear easily and have the potential to exacerbate existing congestion on the network.
20. As a result of the left in and left out construction access, the associated trucks will need to make U-turns either using Postgate Drive roundabout if they are driving back to the east (Hutt Valley) or at the Pauatahanui roundabout if they are approaching from the west (Porirua).
21. A high number of tight turning manoeuvres can place an inordinate amount of pressure on the road surface. This is particularly likely to be an issue at Postgate Drive roundabout which has a small radius. To remedy this, the applicant has agreed to undertake remediation of any surfacing damage that can be attributed to the earth moving trucks. Condition (2) sets out that remediation and the method of surveying the before and after condition of the pavement.

### **The State highway 58/James Cook Drive intersection**

22. The Transport Agency has noted that the SIDRA model is not based on on-site traffic counts, which is unusual. To ensure that the safety reviews, as required by condition 4, have a calibrated evidence base the applicant has agreed to undertake on site counts and update the SIDRA model accordingly (condition 3).

### **Sediment and the Duck Creek culvert**

23. The Transport Agency manages and relies upon a culvert located approximately 100 metres west of the James Cook Drive intersection where Duck Creek passes from the wetland under the road out into the Pauatahanui Inlet.
24. It is important that the capacity of the culvert is not reduced and a condition has been proposed (and agreed) to manage this requiring

regular monitoring and reporting, with follow up action if required (condition 5).

### **Council officer's planning report**

25. Porirua City Council's Planning Officer, Mr Jones, is of the opinion that traffic effects can be suitably managed by way of conditions of consent. I note that the final detail of these conditions was not finalised at the time of Mr Jones drafting his report and he has concluded that:

*[Point 6.112] In regards to construction access off SH58 Mr Wanty recommends a detailed construction traffic management plan be provided and I note NZTA are to recommend the wording for such a condition which can be considered at the hearing.*

*[6.114] Further to the above analysis and the agreement and discussion during teleconference I consider that the traffic effects and parking effects of the proposal are acceptable subject to conditions of consent.*

*[6.115] Should the independent Traffic Safety Audit/Peer Review commissioned by NZTA raise any matters of traffic safety that cannot be avoided remedied or mitigated then this could potentially be a reason for declining consent for this application.*

26. Mr Jones has also left a placeholder in the recommended conditions section of his report, noting at condition 43 that “*Note – conditions to be provided by NZTA prior to the hearing commencing*”.

27. I am satisfied with Mr Jones assessment, providing that the conditions agreed between the Transport Agency and the Applicant are imposed.

### **Summary**

28. The Transport Agency does not object to granting of consent provided that the above conditions are imposed (also detailed in

Appendix One). Minor tweaks to improve workability will be considered however substantive changes will have potential to alter the Transport Agency's view of the proposal.

**Angela Kim Penfold**

**29 March 2016**

# Appendix One

## Conditions

*As agreed by the Applicant (Jagger NZ Ltd) and the NZ Transport Agency on the 17 March 2016; in relation to the Brookside Development (Duck Creek North), Whitby.*

### 1. Construction Traffic Management Plan

The consent holder shall submit a Construction Traffic Management Plan (CTMP) to the Manager for certification, at least 15 working days prior to the commencement of construction on site. The purpose of the CTMP is to outline the proposed procedures, requirements and standards necessary for safely managing the traffic effects of construction. The CTMP shall be consistent with the version of the NZ Transport Agency Code of Practice for Temporary Traffic Management which applies at the time the CTMP is prepared, and include:

- i. Temporary traffic management measures required to manage the impacts on road users during the proposed working hours, including details confirming that the stop/go controls required to establish and remove the temporary access will only operate at night between Sunday and Thursday during the hours of 19.00 - 05.30;
- ii. Confirmation that access into the site off State Highway 58 will be no longer than 12 weeks in duration and only within off peak hours as defined by Capital Journeys for heavy vehicles;
- iii. Measures to maintain safe cyclist access along State Highway 58, including the widening of State Highway 58, and appropriate signage identifying the hazard at each end of the effect section of State Highway 58;
- iv. Any proposed temporary changes in speed limit, the length of which shall comply with the Setting of Speed Limits 2003 Section 5;
- v. Provision for safe and efficient access of construction vehicles to and from the construction site, exclusively the allowance for a left in and left out route only from State Highway 58 using safe hit posts as shown on Plan *Traffic Management SH 58 – Temporary Access February 2016* including widening to accommodate the safe hit posts;
- vi. Measures that will be undertaken to communicate traffic management measures to affected road users and stakeholders;
- vii. Measures for any road reinstatement to its original form prior to construction works commencing in the event that there is damage during construction works; and
- viii. Measures for the management of road drainage during construction works; this shall include photographing the drain once the road widening has been constructed and .
- ix. Any extension to the 12 week timeframe in (ii) above will need to seek approval from the Manager, including details of consultation with the NZ Transport Agency.

### 2. Postgate Drive Roundabout and Pauatahanui Roundabout

- a. The consent holder shall submit a survey, jointly prepared with the NZ Transport Agency, of the precondition of Postgate Drive Roundabout and Pauatahanui Roundabout to the Manager stating the precondition of both roundabouts. The survey shall:
  - i. Be undertaken prior to any construction work being carried out on the temporary access off State Highway 58;
  - ii. Include photos of the condition of both Postgate Drive Roundabout and Pauatahanui Roundabout;

- iii. Include the location of signs in the immediate vicinity of both Postgate Drive Roundabout and Pauatahanui Roundabout; and
  - iv. Include details of the pavement condition of both Postgate Drive Roundabout and Pauatahanui Roundabout.
- b. Immediately following the 12 week period permitted for access to the site from State Highway 58, the consent holder shall submit a final survey, jointly with the NZ Transport Agency, to the Manager of both Postgate Drive Roundabout and Pauatahanui Roundabout. The survey shall include the same data required in the precondition survey.
  - c. Should there be a detrimental change to the condition of the roundabouts attributable to the vehicles operating under the CTMP mentioned in condition 1 above between the precondition survey required by Condition 2(a) and the final joint survey required by Condition 2(b), then the consent holder shall reinstate the road and Roundabouts, at their own costs, to its original form within six weeks of report being submitted.
  - d. In the event of any divergence of views between the NZ Transport Agency and the consent holder, Porirua City Council shall have the final say.

### **3. Traffic Model Calibration**

The consent holder shall submit to the Manager, in consultation with the NZ Transport Agency, an update to the SIDRA model for information purposes prior to construction commencing. The purpose of the update is to calibrate the model with actual on-site traffic counts provided by the consent holder.

### **4. Review Condition**

- a. Pursuant to section 128 of the Resource Management Act 1991 the consent holder shall submit to the Manager, in consultation with the NZ Transport Agency, two reviews of the operational safety of the State Highway 58/James Cook Drive intersection. These reviews shall be submitted within three months of 50% of the development being occupied and 75% of the development being occupied. The reviews shall address the following matters:
  - i. Crash history, anecdotal and recorded. In calculating crash rates/history a moving 10 year period shall be analysed and used in the review;
  - ii. Capacity of the intersection, and its performance compared to the SIDRA model calibration required by Condition 3 above. In determining performance of the intersection, other growth in the traffic catchment shall be accounted for and considered in relation to the Brookside development through a record of turning movements associated with Proposed Road 1 at its intersection with James Cook Drive; and
  - iii. The potential for impacts on the safety of the intersection.
- b. In the event that the Manager, in consultation with the NZ Transport Agency, determines that the intersection is no longer operating safely, the following shall occur:
  - i. No further dwellings of the Brookside development shall be occupied until the Transmission Gully Expressway is operating; or
  - ii. Works to the existing road network to provide for enhanced safety of the SH58/JCD intersection.

Advice note: The consent holder is also required to seek approval from the NZ Transport Agency pursuant to the Government Roading Powers Act 1989 for any works on the State Highway

## 5. Culvert Management

- a. Prior to any construction commencing the consent holder shall inspect the culvert beneath State Highway 58 (culvert 119 - Duck Creek Culvert) and provide a Culvert Silting Report within 48 hours of the inspection being undertaken to the Manager for certification, in consultation with the NZ Transport Agency, containing the following information:
  - i. Date of inspection;
  - ii. Photographs of the culvert and any silt build-up;
  - iii. Existing silt levels taken as a current cross section measurement of the culvert capacity which are to be maintained by a comparable measurement, in the same locations for every inspection;
- b. The inspections shall be carried out by a suitably qualified person during the following times:
  - i. Prior to the commencement of construction to set baseline silt levels;
  - ii. Within 24 hours of every significant rainfall event during the construction period (A significant rainfall event Means any rainfall event that is predicted to meet or exceed 20mm in one 24 hour period); and
  - iii. A final inspection within 1 month following the construction works being completed.
- c. If the depth of silt within culvert 119 increases over and above the levels established as a result of the pre-construction baseline inspection, and is attributable to the activities authorised by this Consent, then the Consent Holder shall be responsible for removing the build-up of silt from within the culvert to provide the same baseline performance as reported in condition 5 (b)(i) within 48 hours of the report being submitted to the Manager.