

BEFORE THE HUTT CITY COUNCIL

Proposed District Plan Hearings Panel – Stream 3 – Rural and Residential

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Lower Hutt District Plan

STATEMENT OF REBUTTAL EVIDENCE OF SEAN BELLAMY

ON BEHALF OF HUTT CITY COUNCIL

Intermediate Policy Planner

15 June 2026

1.0 Introduction

1.1 My name is Sean Bellamy and I am an Intermediate Policy Planner at Hutt City Council.

1.2 I have reviewed the evidence and tabled statements of:

- Horokiwi Quarries Ltd
 - Submitter Tabled Statement - Horokiwi Quarries Ltd - PDP246 & F05

- FH Developments 2025
 - Submitter Evidence - Kerry Wynne - FH Developments 2025 - PDP516 - Planning
 - Submitter Evidence - Samuel Godwin - FH Developments 2025 - PDP516 - Engineering
 - Submitter Evidence - Samuel Wilkie - FH Developments 2025 - PDP516 - Traffic
 - Submitter Evidence - Daniel McMullan - FH Developments 2025 - PDP516 - Flood Assessment
 - Submitter Evidence - Daniel McMullan - FH Developments 2025 - PDP516 - Flood Assessment - Appendix 1
 - Submitter Evidence - Vaughan Keesing - FH Developments 2025 - PDP516 - Ecology
 - Submitter Evidence - Andrea Reid - FH Developments 2025 - PDP516 - LVA Evidence
 - Submitter Evidence - Andrea Reid - FH Developments 2025 - PDP516 - LVA _Appendix 1 & Graphical Supplement

- Submitter Evidence - FH Developments 2025 - PDP516 - Indicative Scheme
 - Submitter Evidence - Daniel Moriarty - Urban Plus - FH Developments 2025 - PDP516 - Corporate
 - Enviro NZ Services Limited
 - Submitter Evidence – Kaaren Rosser – Waste Management NZ Limited – PDP323 – Planning
- 1.3 This rebuttal evidence responds only to the pre-circulated written evidence and statements received from submitters prior to the hearing and listed above.
- 1.4 Other submitters may also present oral evidence or further details at the hearing. These may raise additional matters that could influence or alter the recommendations made in this rebuttal evidence.
- 1.5 I only cover points raised by submitters in the statements and evidence above where those relate to the specific matters addressed in the Rural Zones Section 42A Report. The matters are provisions relating to Quarrying, the rezoning of Rural Lifestyle zoned land and an amendment to policy GRUZ-P2 to be more enabling of quarrying and cleanfills. The statements and evidence relating to other matters in the Rural Zones Section 42A Report will be addressed by the reporting officer for that topic, Charles Horrell. The statements and evidence relating to the Residential Zones Section 42A Report will be addressed by the reporting officer for that topic, Kate Pascall.
- 1.6 Except as expressly identified in this statement, all findings and recommendations contained in my original Section 42A reports remain unchanged. For the sake of brevity, I will not comment on submitter statements and evidence where:
- the original Section 42A reports recommended accepting the submitter’s originally requested relief, or

- the statement or evidence concur with the recommendation in the Section 42A report, or
- the statement or evidence repeats reasoning and evidence already present in the original submission

unless the issue is also in dispute from the evidence of a different submitter, or there is otherwise some reasoning or other information not covered in the Section 42A reports.

2.0 Qualifications, experience, and Code of Conduct

2.1 My qualifications and experience are set out in section 2.3 of my Section 42A Report. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

3.0 Supporting evidence

3.1 I attach as Appendix 2 supporting documents from:

- Matt Aitchison on Submission 516 - FH Developments 2025 - Upper Fitzherbert Engineering Advice - 8 June 2026
- Luke Benner, also on Submission 516 - FH Developments 2025 - Statement of Evidence - Traffic Engineering - 12 June 2026

4.0 Responses to submitter evidence and statements

4.1 The sections below respond to submitter evidence in relation to the provisions in the topics of Rural Use Zones. I deal with the quarry activities and the rezoning of 104 Upper Fitzherbert Road separately.

4.2 Appendix 1 of Mr Horrell's Statement of Evidence sets out the combined revised and updated recommended amendments in response to submitter evidence, including those recommended

amendments contained within this rebuttal evidence. My Section 42A report recommended amendments are shown in red underlined or ~~strike through~~ and further amendments recommended in this rebuttal evidence are shown in blue underline or ~~strike through~~.

5.0 Responses to submitter evidence and statements

Issue 1: Quarrying in the General Rural Zone (*GRUZ-O1, GRUZ-O2, GRUZ-P2, GRUZ-R15 and GRUZ-Rx*)

- 5.1 I have reviewed the hearing statement of filed on behalf of Horokiwi Quarries Limited. The statement responds to the recommendations in the Section 42A Report and generally supports the retention of Objectives GRUZ-O1 and GRUZ-O2. However, Horokiwi continues to seek amendments to Policy GRUZ-P2, amendments to Rule GRUZ-R15, and the introduction of a separate consenting pathway for existing quarrying activities located outside the Quarry Zone. I address those matters below.

GRUZ-O1: Purpose and character of the zone and GRUZ-O2: Activities in the zone

- 5.2 Mr Ross Baker, on behalf of the Horokiwi Quarries Ltd, generally supports the recommendation for GRUZ-O1 and GRUZ-O2, but notes that the recommendation for Horokiwi's submission points in Appendix 2 of the Section 42A Report is recorded as "accept in part" and that the appendix should be modified to "accept".
- 5.3 I agree with the submitter that is an administrative error.

GRUZ-P2: Compatible activities

- 5.4 I now turn to consider changes to the policies relating to the Quarry Zone. The recommendation to reject the relief sought to GRUZ-P2 is not supported by Horokiwi Quarries Ltd.

- 5.5 The key issue is whether the policy should be quarries should be listed as a compatible activity under policy GRUZ-P2.
- 5.6 Horokiwi Quarry Ltd concerns relate to
- The current wording unnecessarily limits the scope and effectiveness of the provision;
 - The reference to “rural development” creates an artificial distinction that does not reflect how aggregate resources are actually used or supplied within the district; and
 - A broader approach to quarrying reflects the functional role of quarrying and is consistent with national policy direction.
- 5.7 In my view, broadening GRUZ-P2 in the manner sought would potentially limit the management of the interaction of adverse effects and reverse sensitivity between quarrying activities and the predominant activities within the General Rural Zone.
- 5.8 The purpose of GRUZ-P2 is to identify activities that are generally anticipated within, and compatible with, the General Rural Zone. In that context, I consider it appropriate that the policy focuses on activities that support rural development.
- 5.9 While I recognise the importance of quarrying as an infrastructure supporting activity, I consider that large scale quarrying activities are potentially incompatible with rural activities due to potential adverse effects. I also note that provision for larger-scale quarrying activities is directed toward the Quarry Zone of the District Plan.
- 5.10 I consider the inclusion of quarrying activities that support rural development in clause 2(e) of Policy GRUZ-P2 provides the potential for specific quarrying where they support rural development. In these instances, the activities may be an appropriate scale and intensity for the rural environment.
- 5.11 For these reasons, I maintain my recommendation to retain the wording in clause 2(e) of Policy GRUZ-P2 and do not support further amendment.

GRUZ-R15 and GRUZ-Rx; New and Existing Quarrying Activities

- 5.12 Horokiwi Quarries Limited does not support the recommendation to reject the relief sought in relation to Rule GRUZ-R1, the relief sought being the amendment of the GRUZ-15 to apply to new quarrying activities and the addition of a new rule GRUZ-Rx for existing quarry activities.
- 5.13 Mr Baker states that section 42A assessment does not address the core issue raised in the submission, being that the provision of one rule managing all quarrying as a discretionary activity in the General Rural Zone does not ensure a clear and coherent rule framework that distinguishes between:
- new quarrying activities, which appropriately warrant a discretionary activity status; and
 - existing, lawfully established quarrying activities. where the planning response should recognise their established baseline, operational needs, and strategic importance (as addressed through the proposed new rule in Submission Point 246.31).
- 5.14 The general approach of the District Plan is to not vary activity status on the basis of whether an activity is a new or existing activity. In addition, I note that the Resource Management Act 1991 would provide for consideration of the existing effects of legally established quarrying activities during resource consent process (as part of the permitted activity baseline).
- 5.15 I do not consider that there is sufficient justification to warrant separate rules for existing quarrying activities and new quarrying activities in the General Rural Zone. There can be little difference between the effects from a change to the scale and intensity of existing quarrying activities and those from new quarrying activities.
- 5.16 I consider that changes to existing quarries should be considered in their entirety. I recognise that existing quarries are managed under

existing resource consents. The potential for a change in effects through a change in the scale, location and nature of the quarrying has potential to be significant and a discretionary activity status is the most appropriate consent pathway. I consider that creating a new rule for existing quarrying is an unnecessary duplication and inconsistent with the general approach to managing activities in the District Plan.

- 5.17 For these reasons, I maintain my recommendation to retain the wording of Rule GRUZ-R15 and do not support an additional rule for quarrying activities.

Issue 2: Rezoning of 104 Upper Fitzherbert Road from Rural Lifestyle Zone to Medium Density Residential Zone

- 5.18 FH Developments (2026) Ltd (516.01) seeks to rezone 104 Upper Fitzherbert Road from the Rural Lifestyle Zone to the Medium Density Residential Zone, together with the introduction of a site-specific subdivision framework to facilitate future residential development of the site. The submitter does not support the recommendation in the Section 42A Report to reject the rezoning request and has filed additional planning, technical and corporate evidence in support of the relief sought.
- 5.19 The submitter and has provided the following evidence to support the rezoning of the site from Rural Lifestyle Zone to Medium Density Residential Zone:
- Kerry Wynne - Planning
 - Samuel Godwin - Engineering
 - Samuel Wilkie - Traffic
 - Daniel McMullan - Flooding
 - Vaughan Keesing - Ecology
 - Andrea Reid - Landscape

- Daniel Moriarty - Urban Plus - Corporate

5.20 My preliminary position is to support the requested zone change with some changes to the additional bespoke new subdivision rule amendment requested for this site (outlined in the evidence of Ms Wynne). This is based on the information provided by the submitter and the review by Council's experts. However, I note that due to the volume of information submitted and the short time to review the details, my recommendation may need to be updated at the hearing.

5.21 I generally agree with the planning evidence Ms Wynne, and consider the evidence relating to landscape effects (Ms Reid) and ecology (Mr Keesing) is sufficient to be accepted without review, given the location and scale of the site and the existing land use. I note that owners of the some nearby rural sites have made submissions in support of the rezoning. The further submissions and sites are:

- a. FS35.1 - 114 Upper Fitzherbert Road, Wainuiomata
- b. FS16.1 - 140B Upper Fitzherbert Road, Wainuiomata
- c. FS19.1 - 112 Upper Fitzherbert Road, Wainuiomata
- d. FS24.1 - 118C Upper Fitzherbert Road, Wainuiomata

5.22 The evidence relating to effects on transport network and three waters infrastructure have been reviewed by technical advisors on behalf of the Council and are summarised below. The statements of evidence of those experts are included in Appendix 2 of this document.

Effects on the transport network

5.23 Luke Brenner, Council's consultant Traffic Engineer, has reviewed the expert evidence provided by FH Developments (2026) Ltd. Overall he states that in his opinion it is possible to support the requested rezoning.

5.24 With regard to transport issues he states:

- The development of the site and its internal transport design elements (roads, footpaths, servicing etc) are able to be assessed appropriately under the transport rules and standards of the proposed district plan.
- A wider assessment of network effects (including the two roundabouts of Nelson Crescent/Moohan Street & Wellington Road/Parkway) will also be required with specific regard to safety and traffic capacity.
- The PDP provisions should be amended to secure the ability for a road to extend north through 104 Upper Fitzherbert Road to the boundary of the neighbouring block with this to provide certainty that this strategic road connection can be provided.

Effects on three waters infrastructure

5.25 Matt Aitchinson, Council's consultant Civil Engineer, has reviewed the proposed wastewater, water supply, stormwater assessments provided. He advises that there are practical engineering solutions available to overcome the site constraints that have been identified. Some of these solutions are not able to be actioned immediately or are subject to detailed design, procurement, and construction processes. These include:

- The provisions of future development of an additional reservoir to serve Wainuiomata, noting water pressure will need to be assessed as part of any future resource consent application.
- Wastewater mitigation will be required due to downstream constraints, and will likely require a form of operating storage when the downstream network has no capacity.
- Stormwater mitigation will be required, but it is feasible to develop the site by protecting current flow paths and

creating a dedicated stormwater management area that will attenuate flows such that current flood levels are maintained and not worsened.

Planning Evidence

5.26 Ms Wynne has proposed an additional subdivision rule specific to the site at 104 Upper Fitzherbert Road, Wainuiomata. That rule is shown below:

SUB-Rxx	Subdivision of 104 Upper Fitzherbert Road (Lot 1 DP 80607)
	<p>1. <u>Activity status:</u> Controlled <u>Where:</u></p> <p>a. <u>At the time of subdivision, an extension to the Wise Street road carriageway is provided between the southern and northern boundaries of Lot 1 DP 80607. Once a subdivision has been completed that creates the required road corridor, SUB- Rxx will no longer apply.</u></p> <p><u>Matters of control are limited to:</u></p> <p>1. <u>The legal and formation standard of the road extension.</u> 2. <u>Vesting of the road to Hutt City Council.</u> 3. <u>The matters in:</u></p> <p>a. <u>SUB-P4 – Subdivision Design and Layout</u> b. <u>SUB-P6 – Transport network</u> c. <u>SUB-P7 – Servicing and access</u> d. <u>INF-P1 – Recognise benefits of infrastructure</u> e. <u>INF-P3 – Planning and delivery of infrastructure; and</u> f. <u>INF-P7 – Upgrading and developing the transport network</u></p>
	<p>2. <u>Activity status:</u> Discretionary</p>

5.27 I consider that a restricted discretionary activity status to be more appropriate than a controlled activity status in this instance. There are a number of key issues relating to the effects on transport and three waters infrastructure that need to be addressed as part of any application for resource consent and subdivision.

5.28 While I accept in principle that development can be managed under the provisions of the Medium Density Residential Zone, I consider a restricted discretionary activity to me more appropriate. A restricted discretionary activity status provides for an added level of scrutiny,

including the ability for the consent authority to decline consent if the effects cannot be adequately avoided, remedied, or mitigated. Given that this is an extension to the Medium Density Residential Zone, and the importance in design in this instance.

5.29 I consider that rule should be modified to include the standards for subdivision for medium density development. This would ensure that these standards are applied when subdivision is applied for.

5.30 In addition, I consider that there should be a condition on the rule that there is no access to Upper Fitzherbert Road, Wainuiomata, with an associated matter of discretion. This ensures the consideration on the impact of development on this part of the transport network is considered.

5.31 In addition, I consider the proposed layout plan should be included as an appendix, and a matter of discretion added that states:

b. The subdivision plan should generally be in accordance with the plan shown in Appendix xx.

Recommendation

5.32 For these reasons, I recommend accepting the submission to rezone the site at 104 Upper Fitzherbert Road, Wainuiomata to Medium Density Residential Zone, subject to the changes provided in Appendix 1 (also shown in Appendix 1 of Mr Horrell's Rebuttal Statement).

Section 32AA assessment.

5.33 I recommend the rezoning of 104 Upper Fitzherbert Road, Wainuiomata from Rural Lifestyle Zone to Medium Density Residential Zone.

5.34 I consider that this is a more appropriate way to achieve the purpose of the RMA compared to the plan as notified as it would:

- Provide for the social and economic benefits of residential development.
- The effects of development on three water infrastructure and the transport network can be managed through the resource consent process.
- The effects on the flood hazard can be managed through the resource consent process.
- There are no additional environmental, economic social, cultural costs.
- It is not inconsistent with the objectives in the Strategic Direction Chapter, including:
 - USDS-O3 (Urban form),
 - USDS-O4 (Location of urban development), and
 - USDS-O5 (Development Capacity).

6.0 Issue 3 Cleanfill and quarrying activities as a potentially incompatible activity (GRUZ-P2)

6.1 Enviro NZ seek the following change to Policy GRUZ-P2:

1. Provide for activities in the General Rural Zone that:
 - a. Are compatible with the rural activities and residential activities within the zone and adjoining rural and residential zones, and
 - b. Either:
 - i. Support the rural activities and wellbeing of the community within the zone and surrounding area, or
 - ii. Have an operational or functional need to be in a rural area or an area with a low level of development.
2. Potentially compatible activities include:

...

- e. Cleanfill and quarrying activities ~~that support rural development~~, and

...

- 6.2 Ms Rosser states that cleanfill and quarrying activities which support development more generally should be recognised as potentially compatible activities within the General Rural Zone as they often have a functional need to be in that zone.
- 6.3 I have considered Ms Rosser's evidence. I consider the purpose of GRUZ-P2 is to identify activities that are generally anticipated within, and compatible with, the General Rural Zone. In that context, I consider it is appropriate that the policy focuses on activities that support rural development.
- 6.4 I do not consider the amendment sought is necessary. Cleanfill and quarrying activities that support development can still be recognised through GRUZ-P3, which provides for activities that are not otherwise anticipated by GRUZ-P2, including activities that have a functional or operational need to locate within a rural environment. This is important as it recognises and provides consideration of the effects and compatibility of these activities with rural activities.
- 6.5 In addition, I consider that larger-scale quarrying activities are provided for in the Quarry Zone of the District Plan.
- 6.6 I continue to recommend that the submission point is rejected for the reasons outlined above.

7.0 CONCLUSIONS

- 7.1 Having reviewed the evidence filed by submitters, I generally continue to support the recommendations contained in the Section 42A Report insofar as they relate to the matters allocated to me. However, for the reasons set out in this evidence, I recommend

some refinements to the notified provisions and to the recommendations contained in the Section 42A Report. Namely, I now support the rezoning of 104 Upper Fitzherbert Road, Wainuiomata from the Rural Lifestyle Zone to the Medium Density Residential Zone, subject to the site-specific subdivision framework and associated policy amendments recommended in this evidence.

- 7.2 Recommended changes are set out in Appendix 1 of this Evidence (and Appendix 1 of Mr Horrell’s Statement of Evidence).
- 7.3 The recommendations in this evidence are intended to assist the Hearing Panel in determining the submissions on the Rural Zones topic and, in my opinion, provide the most appropriate way to achieve the purpose of the Resource Management Act 1991.

SEAN BELLAMY

Intermediate Policy Planner

For Hutt City Council

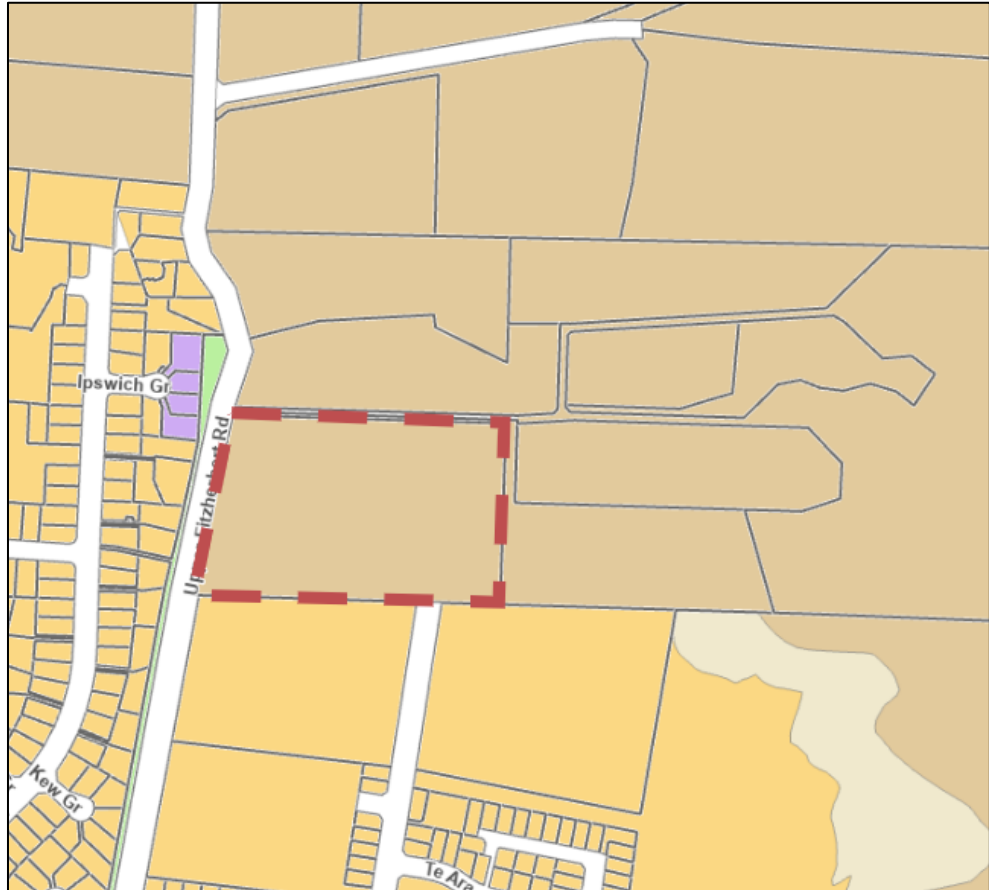
15 June 2026

APPENDIX 1: RECOMMENDED AMENDMENTS TO PROVISIONS

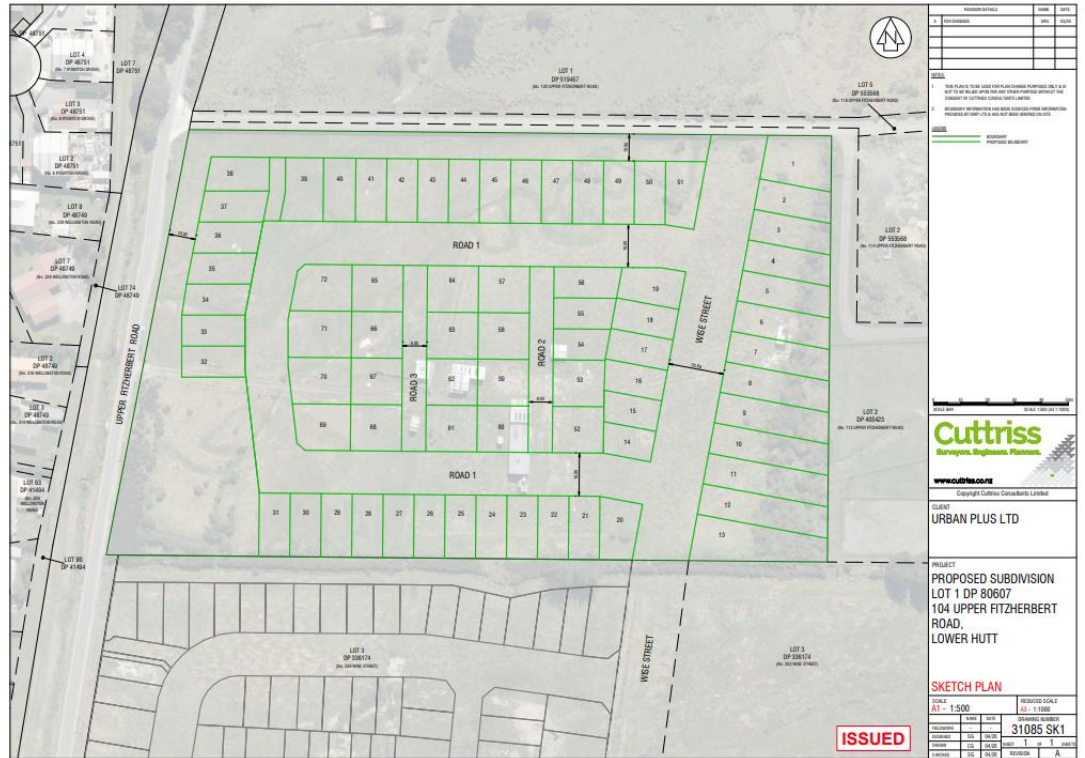
SUB — Subdivision

SUB-Rxx	<u>Subdivision of 104 Upper Fitzherbert Road (Lot 1 DP 80607)</u>
	<p>1. <u>Activity status:</u> <u>Restricted discretionary</u></p> <p><u>Where:</u></p> <ul style="list-style-type: none"> a. <u>Compliance is achieved with:</u> <ul style="list-style-type: none"> <u>i. SUB-S1: Allotment size,</u> <u>ii. SUB-S2: Legal and physical access,</u> <u>iii. SUB-S3: Roads,</u> <u>iv. SUB-S4: Water supply,</u> <u>v. SUB-S5: Wastewater disposal,</u> <u>vi. SUB-S6: Stormwater management,</u> <u>vii. SUB-S7: Power supply,</u> <u>viii. SUB-S8: Telecommunications, and</u> <u>ix. SUB-S9: Esplanade reserves and esplanade strips.</u> b. <u>There is no direct access to Upper Fitzherbert Road.</u> c. <u>The layout is in general accordance with Appendix xx.</u> d. <u>At the time of subdivision, an extension to the Wise Street road carriageway is provided between the southern and northern boundaries of Lot 1 DP 80607. Once a subdivision has been completed that creates the required road corridor, SUB-Rxx will no longer apply.</u> <p><u>Matters of discretion are limited to:</u></p> <ul style="list-style-type: none"> <u>1. The legal and formation standard of the road extension.</u> <u>2. Vesting of the road to Hutt City Council.</u> <u>3. The matters in:</u> <ul style="list-style-type: none"> <u>a. SUB-P4 – Subdivision Design and Layout</u> <u>b. SUB-P6 – Transport network</u> <u>c. SUB-P7 – Servicing and access</u> <u>d. INF-P1 – Recognise benefits of infrastructure</u> <u>e. INF-P3 – Planning and delivery of infrastructure; and</u> <u>f. INF-P7 – Upgrading and developing the transport network.</u>
	<p>2. <u>Activity status:</u> <u>Discretionary</u></p>

Mapping – Location of the site at 104 Upper Fitzherbert Road, Wainuiomata that is recommended to be rezoned Medium Density Residential Zone



Appendix xx: Indicative site plan for 104 Upper Fitzherbert Road, Wainuiomata



APPENDIX 2: Expert Reviews

FILE REF:

TO: Sean Bellamy

FROM: Matt Aitchison

DATE: 9th June 2026

SUBJECT: Submission 516 - FH Developments 2025 - Upper Fitzherbert
Engineering Advice

Dear Sean,

I have reviewed the Engineering aspects of this submission, and I believe the key civil engineering matters have been accurately addressed. I have summarised the main points below. In general terms there are practical engineering solutions available to overcome the site constraints that have been identified. Some of these solutions are not able to be actioned immediately or are subject to detailed design, procurement, and construction processes.

Water Supply

Wellington Water Limited (WWL) have confirmed that future connections are feasible in this area subject to confirmation of pressure and flow and that larger developments may have to have water saving measures in order to be approved. WWL have confirmed that an 8 megalitre reservoir is planned and design work has commenced although a completion date has not been determined. This reservoir is planned to improve current levels of service for water storage along with allowing for growth (such as this site). Confirmation of Water pressure and flow will be assessed as part of any future Resource consent.

Wastewater

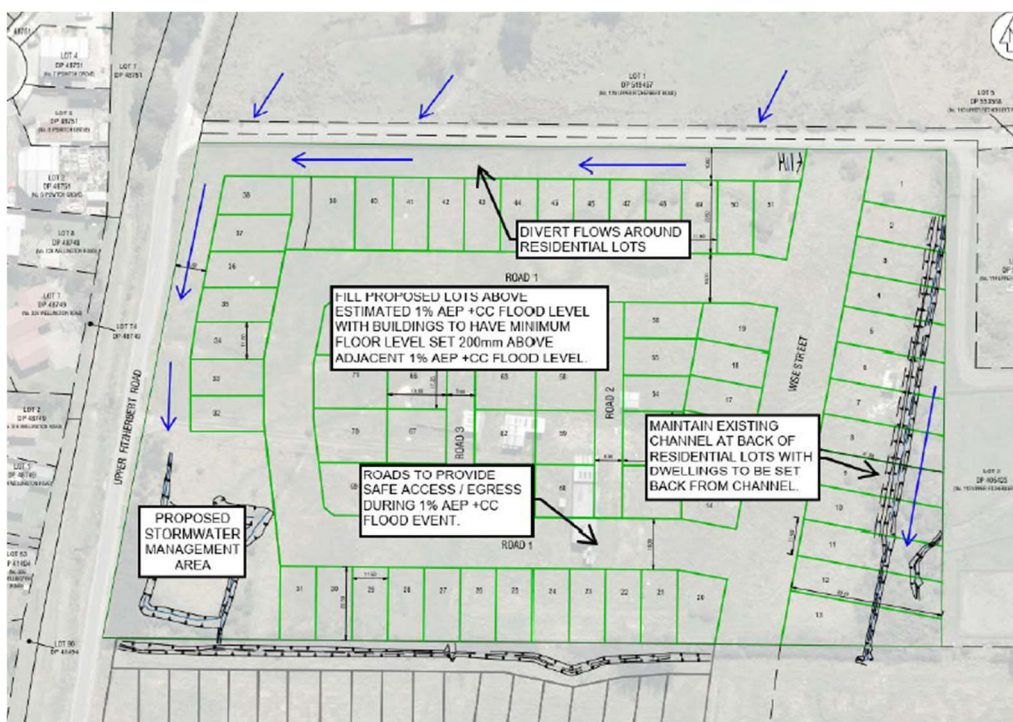
WWL have confirmed that wastewater mitigation will be required due to downstream constraints. This mitigation will probably take the form of operating storage that will attenuate wastewater flows when the downstream network has no capacity. This will likely be during rainfall events where Inflow and Infiltration increase overall network flows. Downstream upgrades are planned however further constraints mean that the requirement for mitigation will likely remain.

Stormwater

Flooding is prevalent in this area and it is acknowledged by the applicant that any development cannot worsen the situation for surrounding properties. Ground levels will have to be raised where new lots are located so this loss of flood plain storage will have to be accounted for. Supporting information that has been included with the submission confirms that it is feasible to develop the site by protecting current flow paths and creating a dedicated stormwater management area that will attenuate flows such that current flood levels are maintained and not worsened.

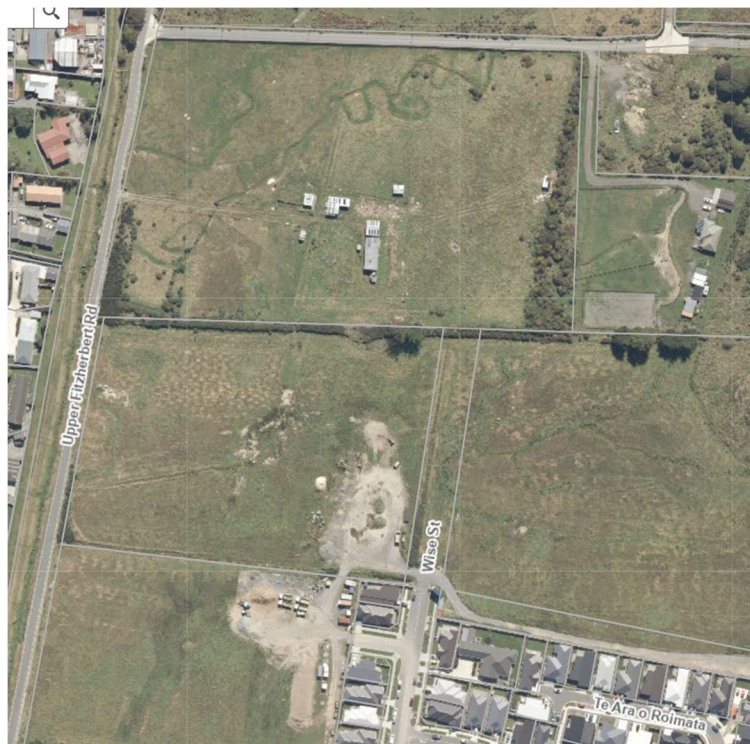


The details of these flood channels and storage area(s) along with other mitigations will be confirmed as part of any future resource consent process. Again, while the outcomes of any flood management studies associated with the resource consenting process may alter the final development form, I am satisfied that this can be adequately resolved through the consenting process. .



Roading

It has been identified in the evidence that has been included with the submission that Upper Fitzherbert Road is not suitable for access for any future development of this site due to narrowness caused by the presence of the Black Creek Drain. The traffic expert has confirmed that the connection should be made via Wise Street. Currently Wise St does not physically connect to the site and there is a section of Road reserve, as opposed to vested road, which is unformed. There is currently funding towards the forming of this section of road however I understand that construction work has not yet been contracted and a completion date not set.



Yours sincerely

Matt Aitchison

**BEFORE THE HUTT CITY COUNCIL
Independent Hearing Panel - Stream-3 -Rural**

IN THE MATTER of the Resource Management Act
1991 (the Act)

AND

IN THE MATTER of the Proposed Hutt District Plan

**STATEMENT OF EVIDENCE OF LUKE BENNER FOR THE HUTT CITY
COUNCIL
TRAFFIC ENGINEERING**

12 June 2026

Introduction

1. My name is Luke Michael Benner. I am the director of LBC Traffic Engineers Limited, a traffic and transportation engineering consultancy based in Kapiti. I hold a New Zealand Diploma in Engineering (Civil), and I am member of Engineering New Zealand as well as a member of the Transportation Group.
2. I have approximately 10 years' experience and my career to date has involved 5 years working within local government across the areas of traffic engineering, road safety and the planning and design of sustainable transport projects across walking, cycling and public transport. My most recent role was with Porirua City Council as a traffic and road safety engineer between 2019 and 2021.
3. I have worked within my own consultancy since 2019 (part-time) and full time since April 2021 providing traffic engineering services to public and private clients across the Wellington and Manawatu regions. My experience includes completing traffic impact assessments for private clients as well as assessing transport consents for Porirua and Hutt City Councils as well as Kāpiti Coast District Council. I have also carried out road safety audits and the planning and delivery of public transport projects.

Code of Conduct

4. Although this is a council hearing, I have read the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023. I have complied with the Code of Conduct when preparing my written report and I agree to comply with it when I give any oral evidence.

Involvement & Background

5. I have been engaged by Hutt City Council since 2023 to advise on transport matters associated with the proposed district plan. In April 2026 I was re-engaged to provide traffic engineering advice through the Proposed District Plan (PDP) hearings process.

6. Council provided me with a submission made on behalf of the owners of a large rural site at 104 Upper Fitzherbert Road in Wainuiomata, which seeks to have the site rezoned to medium density residential. The submission includes a transport assessment completed by Sam Wilkie of Envelope Engineering Limited as well as his statement of evidence. The council has also provided me with the statements of evidence of the other experts relied on by the submitter in making their submission.
7. In preparing this statement of evidence I have reviewed the following documents as they relate the site at 104 Upper Fitzherbert Road.
 - Transport Assessment by Sam Wilkie of Envelope Engineering
 - Statement of Evidence (Sam Wilkie)
 - Statement Of Evidence (Kerry Wynne)
 - Section 42A Officers Report (Sean Bellamy)
8. Upon being commissioned to undertake my review, I undertook one site visit on the 12th of June 2026 with this including observations of Upper Fitzherbert Road, Wise Street, Norfolk Street, Wellington Road and their intersections with Nelson Crescent and Parkway.

Scope of Evidence

9. My evidence focuses on my review of the transport assessment, including areas of agreement and disagreement. This is then followed by my conclusion and recommendations.

Transport Assessment Review

10. The transport assessment describes the site location including its location within the wider suburb of Wainuiomata, including the classification, form and function of the roads nearby and downstream of the site at 104 Upper Fitzherbert Road.
11. The transport assessment does not provide detailed commentary on the operational characteristics and layout of Norfolk Street or Wellington Road; however, it is acknowledged that the form and function of these roads is not dissimilar to that of Wise Street.

- 12.** The transport assessment also does not comment on either of the two roundabouts downstream of the site with these being at the intersections of Nelson Crescent/Moohan Street and at Wellington Road/Parkway. These two roundabouts are relevant within the context of the existing traffic environment as all traffic to the north of these two roundabouts needs to travel through these.
- 13.** The transport assessment accurately describes the existing environment for pedestrians and cyclists, noting there are no dedicated facilities for cyclists on the immediate road network. Improved future provision for cyclists is likely post 2030, however it is understood that any future projects are yet to be funded and programmed for delivery.
- 14.** The review of the existing public transport provision within the immediate area confirms that bus services only extend as far north as Norfolk Street via Wise Street & Wellington Road. Without an extension of the bus route north, the distance between a potential future development at 104 Upper Fitzherbert Road and the existing bus stops on this route would be around 1km, which is beyond a ten minutes' walk away.
- 15.** The review of the existing crash history confirms that the immediate roads downstream of the site are operating safely however the review doesn't include Norfolk Street, Wellington Road, Wise Street south of Twickenham Street or the two large roundabouts that these roads intersect with. A wider review of the road safety performance of the roads and intersections mentioned above is warranted.
- 16.** My own review confirms that there have been twelve reported crashes along Wise Street through to Nelson Crescent over the past five years, with two causing minor injuries and the remaining ten causing no injuries. A review of the crash data confirms that 50% of the crashes have been attributed to loss of control with vehicles hitting parked cars as well as features within the road environment including kerbs, traffic islands and signs, however given there have been no serious injury crashes or worse would suggest that the impact speeds of these crashes have been low. The other 50% of the reported crashes have been attributed to rear end/obstruction, with a review of the crash reports confirming driver awareness/behaviour as a significant contributing factor.

- 17.** In looking at Norfolk Street, there has been a cluster of three reported crashes near the intersections with Upper Fitzherbert Road and Donnelley Drive with one causing minor injuries and two causing no injuries. In looking at the crash reports, there are no commonalities as to why these crashes occurred.
- 18.** On Wellington Road from the intersection of Norfolk Street through to Parkway, there has been ten reported crashes over the past five years with one causing serious injuries, two causing minor injuries and the remaining seven causing no injuries. A review of the crash data confirms that 50% have been rear end/obstruction type crashes, with most of these involving crashing into parked cars or stationary vehicles. A further 30% have been crossing/turning type crashes, with two of these occurring at the Parkway roundabout and the third occurring at the Norfolk Street/Wellington Road intersection involving a vehicle and a motorcyclist and resulting in serious injuries. The remaining 20% have been loss of control type crashes with one involving hitting a parked car and the other hitting a roadside tree.
- 19.** To summarise, Wise Street, Norfolk Street & Wellington Road, each of which would likely see some form of increased traffic through the development of the site at 104 Upper Fitzherbert Road, are operating relatively safely. While there are some obvious commonalities in the crashes that have occurred, most have been minor injury and non-injury crashes which would suggest that impact speeds have been low and well within survivable limits with there being no identifiable engineering deficiencies on these roads. Furthermore, there is no evidence of a concentration of pedestrian or cycle crashes which is assessed as being positive.
- 20.** In looking at the safety performance of the Nelson Crescent and the roundabout at Moohan Street over the past five years there has been four reported crashes but nothing of particular concern. However, in looking at the Wellington Road/Parkway roundabout there has been a cluster of ten reported crashes over this time including two serious crashes, two minor injury crashes, while the remaining six have all caused no injuries. A review of the crash data confirms that 60% of the reported crashes were crossing/turning related which is not considered uncommon for a roundabout, while the remaining crashes were loss of

control related which may indicate higher speeds which is usually out of context for a roundabout.

- 21.** It is my assessment that the layout of the Wellington Road/Parkway roundabout including its dual lane approaches results in an environment where there are higher volumes of different turning movements occurring, with this increasing the risk of a crash occurring whereby road users are required to observe more movements and then react accordingly. In my view any development of the site at 104 Upper Fitzherbert Road will need to consider any resultant safety implications at this roundabout.
- 22.** The transport assessment comments that a 72-lot development is likely for the site at 104 Upper Fitzherbert Road, however if the site was to be rezoned to medium density residential, the owner of the site could theoretically construct 3 dwellings per lot as a permitted activity for a maximum yield of 216 dwellings. I therefore consider that at least two development scenarios are possible for the site, with one of these being a 72-lot scheme (including 72 dwellings) through to a 72-lot scheme with 216 dwellings. From a transport effects perspective this would define a lower and upper range for traffic generation to/from the site.
- 23.** Applying published trip rates from NZTA Research Report 453 "Trips & Parking Related to Land Use", Table 8.10 of this report states a trip rate for a dwelling of 10.7 vehicles per day and 1.3 vehicles per hour covering the peak hour and for medium density housing, a rate of 6.8vpd and 0.8vph. Applying these rates to the lower and upper yielding development scenarios would result in total daily traffic generation of between 770vpd through to 1,469vpd and peak hour traffic generation of 94vph through to 172vph.
- 24.** In reviewing the assessment of effects within the transport assessment I generally agree with the conclusions reached, including that the most logical connection point of the site at 104 Upper Fitzherbert Road is to Wise Street with Upper Fitzherbert Road being unsuitable to accommodate increased traffic volumes without significant upgrade works. I also agree that the downstream roads have sufficient capacity to accommodate the increased traffic volumes. As stated earlier in this statement of evidence I do however believe that the two roundabouts

downstream of the site require detailed investigation and analysis as part of any future resource consent application for the site if rezoning is approved. This analysis would need to consider the capacity of these roundabouts at peak times and any resultant effects on road safety.

25. Based on the location of the site, in being a significant distance from the nearest bus route and bus stops as well as there being no cycling infrastructure on the immediate network, any future development is likely to result in a dependency on travel by private vehicle.
26. I believe that future development of the site and its internal transport design elements (roads, footpaths, servicing etc) are able to be assessed appropriately under the transport rules and standards of the proposed district plan, noting however that a wider assessment of network effects (including the two roundabouts of Nelson Crescent/Moohan Street & Wellington Road/Parkway) will also be required with specific regard to safety and traffic capacity.

Planning Evidence (Kerry Wynne)

27. I have read through the statement of evidence prepared by Kerry Wynne, particularly where it covers any transport matters including the matter of providing a future strategic road connection through to the neighbouring block to the north.
28. It is understood that council's transport team is not supportive of further development being enabled off Upper Fitzherbert Road, with Mr Wilke's statement of evidence and transport assessment confirming that this road is not of a standard that could accommodate increased traffic volumes. I agree with the position of council's transport team as well as Mr Wilkie's conclusion in this regard.
29. Considering the unsuitability of Upper Fitzherbert Road, I am of the view that the PDP provisions shall be amended to secure the ability for a road to extend north through to the boundary of the neighbouring block with this to provide certainty that this strategic road connection can be provided.

Conclusion & Recommendations

- 30.** Based on my review of the Transport Assessment and the Statements of Evidence by Kerry Wynne and Sam Wilkie, it is my assessment that it is possible to support the rezoning of the site at 104 Upper Fitzherbert Road to Medium Density Residential from a transportation perspective.
- 31.** I believe that future development of the site and its internal transport design elements (roads, footpaths, servicing etc) are able to be assessed appropriately under the transport rules and standards of the proposed district plan, noting however that a wider assessment of network effects (including the two roundabouts of Nelson Crescent/Moohan Street & Wellington Road/Parkway) will also be required with specific regard to safety and traffic capacity.
- 32.** I am also of the view that given the unsuitability of Upper Fitzherbert Road to accommodate increased traffic volumes, the PDP provisions shall be amended to secure the ability for a road to extend north through 104 Upper Fitzherbert Road to the boundary of the neighbouring block with this to provide certainty that this strategic road connection can be provided.

Luke Michael Benner



12 June 2026