

**BEFORE A HEARINGS PANEL  
APPOINTED BY NELSON CITY COUNCIL**

**IN THE MATTER**                      of Private Plan Change 28 – Maitahi Bayview

**AND IN THE MATTER**        of Clause 21 of the First Schedule of the Resource Management  
Act 1991

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**EVIDENCE OF ANDREW JAMES FOR SAVE THE MAITAI INC**

**TRANSPORT**

**DATED 27 JUNE 2022**

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## **INTRODUCTION**

1. My name is Andrew Keith James. Since 2019 I have been employed as System Manager, Nelson, Tasman and Marlborough for Waka Kotahi. In this instance I am presenting in a private capacity.
2. To ensure no conflict of interest, I have restricted my evidence to exclude the State highway network aspects of the application. I can confirm I have declared involvement as expert witness for Save the Maitai Inc to Waka Kotahi.

## **EXECUTIVE SUMMARY**

3. In summary I consider:
  - a. Emissions reduction policy provide grounds for only allowing greenfields development such as PPC28, which will increase emissions compared to intensification in Nelson Centre, where intensification is insufficient to achieve Nelson's housing needs.
  - b. The transport matters in Schedule X.11 do not sufficiently address physical constraints or provide assurance that suitable provision for cyclists will be provided, and even then, only to Nile Street (after which no active transport facilities are proposed).
  - c. Reliance on Council's provision of \$1.3m for pre-existing cycling deficiencies along Nile St, does not cater for additional journeys generated by the development to any level where it can be said that PPC28 delivers a well-functioning urban environment. Costs and constraints for a suitably designed, separated cycleway will be considerable.
  - d. Given the distance of the PPC28 site to the CBD, the active mode trip rates currently expected from the development are overly optimistic, and unlikely to achieve anywhere near a third of all trips.

## **QUALIFICATIONS AND EXPERIENCE**

4. I hold a Bachelor of Science Degree (Civil and Structural Engineering, 1988) from the University of Manchester Institute of Science and Technology, England, a

Postgraduate Diploma in Project Management (2000), from Trinity College, Dublin Ireland and a Postgraduate Diploma in Business & Administration (2017), from Massey University. I am a Chartered Professional Engineer and Member of Engineering New Zealand with Transportation my practice field.

5. I have over 20 years' experience in transportation, working in both Ireland and New Zealand.
6. Prior to my current operations and maintenance management role I was the Principal Transport Planner (three years) and Senior Safety Engineer (three years) for Waka Kotahi across Nelson, Tasman and Marlborough. During this time, I worked on several regional transport planning projects, including the preliminary business case phases on the recently completed Nelson Future Access study.
7. Between 2002 and 2013 I worked in Nelson City Council's ("Council") Asset Management and Strategy and Planning Divisions, holding the position of Transport Manager from 2008 to 2013. During this time, I represented Council at planning hearings and supported the development of Regional Land Transport Strategies, Transport Annual Plans, and Land Development Manuals.
8. My expertise includes matters relating to transport greenhouse gas emissions and associated policy.

## **CODE OF CONDUCT**

9. Although this is not an Environment Court hearing, I have read the Code of Conduct for Expert Witnesses as contained in the Environment Court Practice Note 2014 and agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed, except where I state that I am relying on the evidence of another person.

## **INVOLVEMENT IN PPC28 AND INFORMATION RELIED ON**

10. I was engaged by Save the Maitai Inc in November 2021 to review the PPC28 application documents relating to transport matters, and to prepare expert evidence. I provided advice to inform Save the Maitai Inc's submission.

11. I carried out a site visit on 27 April 2022.
12. I participated in expert witness conferencing on 4 May 2022 and 10 May 2022, and I am a signatory to the Joint Witness Statements in relation to Transport (1) and (2).
13. In preparing my evidence, I have read:
  - a. The application and supporting traffic attachments C8.
  - b. Save the Maitai Inc's submission on PPC28.
  - c. Section 42A report Appendix N Transport.
  - d. The revised PPC28 attached to Mr Lile's evidence.
  - e. Evidence of Gary Clark (transportation).
  - f. Various supporting/background documents as referred to in my evidence below.

## **EVIDENCE**

### **Intensification over horizontal expansion to achieve emissions targets**

14. Local Government planning decisions being taken now have the potential to lock in emissions over a long time, making it harder for emissions reduction targets to be achieved.
15. Government's approach to emission reductions has been that New Zealand needs to play its part to limit emissions reductions, and this approach will increasingly be required of individual local authorities.
16. Intensification allows existing infrastructure and public transport routes to be planned and developed earlier and more efficiently, avoiding or delaying the need for more infrastructure and associated emissions over the long term.
17. The Regional Land Transport Strategy has set an emission reduction target of 47% reduction in transport-generated carbon emissions by 2035. It acknowledges that higher density intensification provides opportunities to plan future land use around appropriate transport networks.

18. New Zealand's Emissions Reduction Plan ("ERP") sets out a path towards net zero emissions and targets a 20% reduction in light fleet vehicle kilometres travelled ("vkt") by 2035, through improved urban form and providing better travel options (Chapter 10). Enabling more journeys by walking, cycling and public transport, or by electrifying the vehicle fleet, will not achieve this target on its own. The Government Policy Statement on Land Transport 2021/22-2030/31 notes that well integrated urban development and transport planning will be required to ensure land transport emissions can be reduced in line with national emission reduction objectives (p.11).
19. Action 7.2 of the ERP is to support emissions reductions and climate resilience via policy, guidelines, direction, and partnerships on housing and urban development. A "key initiative" to achieve Action 7.2 is the National Policy Statement on Urban Development ("NPS-UD") which "includes emissions-reduction objectives and policies that local authorities must give effect to, including requiring intensification in and around urban centres and rapid transit stops."
20. Nelson benefits, from a transport perspective, from having population and employment located along a linear urban corridor. Driving opportunities for intensification along this corridor is essential toward achieving the objectives of the NPS-UD, the ERP's transport targets, and Council's Regional Land Transport Strategy transport generated emission reduction targets.
21. PPR28 does not contribute to these objectives as it increases, not decreases emissions over intensification options.
22. Modelling to inform the proposed Future Development Strategy 2022 for Nelson and Tasman has considered how different development patterns in the regions will affect transport related greenhouse gas emissions, and thus achievement of national and international greenhouse gas emission reduction targets.
23. Figure 1 from Tasman District Council's Household Transport Emissions Analysis<sup>1</sup> (May 2022) indicates estimated daily vehicle kilometres travelled per household ("vkt/hh") from the PPC28 site (43 vkt/hh) to be approximately 85% greater than from brownfield intensification within Nelson Centre (23 vkt/hh).

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<sup>1</sup> <https://www.tasman.govt.nz/assets/Documents/GHG-Emissions-Modelling-Memorandum-v3.pdf>

24. Continual horizontal expansion of New Zealand cities, like Nelson, dis-incentivises intensification, making it virtually impossible for unitary authorities to contribute their share of emissions reductions and meet their defined objectives and targets.
25. The PPC28 application states that the PPC28 site will help achieve lower vehicle emissions as it is not accessed from congested arterial transport corridors.<sup>2</sup> I do not agree because lower transport volumes on arterial transport corridors undermines the potential for efficient improvements along these corridors.
26. The s 42A report states at paragraph 235 (referring to evidence of Graeme McIndoe) that there would be a greater increase of vehicle distance travelled should other sites further away from the centre be developed, so this placement of a large amount of new housing relatively close to the city centre is optimal. That is correct, but there is still an increase in emissions associated with this development compared to Nelson Centre intensification.
27. The s 42A report refers to the Transport Emissions Analysis (at paragraph 241) and concludes that Figure 1 demonstrates that PPC28 would not result in significantly more vkt than brownfield development in Nelson Centre, Nelson South or Tahunanui. I disagree with that analysis as an 85% increase in estimated vkt/hh is very significant in the context of the reductions required to achieve emission reduction targets.
28. In my opinion, the policy directives discussed above mean that meeting housing demand through intensification should be achieved before considering whether it is necessary, in order to meet housing capacity requirements, to allow for the increased emissions associated with greenfield developments such as PPC28.

#### **Schedule X.11 Services Overlay - Transport**

29. There are number of ambiguities and uncertainties requiring consideration that arise following the lodgement of Schedule X, such as:
  - a. The satisfactory provision of lighting, crossing points, and CPTED considerations, throughout.

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<sup>2</sup> Page 118, response to NRMP Ch11 – discharges to air, and p89, response to NPS-UD Objective 8

- b. The depth of analysis behind determining that a shared path is acceptable over separated cycleways, cyclelanes, and footpaths.
- c. How cycle and pedestrian facilities will be constructed at the western end of Maitai Rd where there is only 7.6m of carriageway before the edge of the Maitai riverbank drops away, over a 100m length.
- d. How cycle facilities will be provided over Jickells Bridge, which is only 7.2m wide.
- e. How cycle facilities will be provided beside the cricket pitch and toward Gibbs Bridge where the carriageway is narrow and there is on-street parking during sporting events (refer photos below).





- f. What provision is being made for footpath improvements along the whole corridor.
  - g. What the route option to get to Hardy Street entails. I have not seen any assessment as to the viability of such a route, its width, grades, and the potential requirements for retaining the hillside below the Centre of New Zealand, potential for parking removal, bridge widening over the Maitai, intersection improvements etc., in any way to provide suitable safe cycle and pedestrian facilities. I am unsure whether the expectation is that Council will fund walk and cycle improvements between Hardy Street East and Collingwood Street.
30. In my opinion, additional information is needed to demonstrate that the transport impacts of PPC28 can be appropriately managed.

#### **Transport matters excluded from Schedule X.11**

- 31. Excluded from Schedule X.11 are any cycling or pedestrian improvements once Nile Street is reached.
- 32. Council has allocated \$1.3m for the construction of cycle lane improvements on Nile Street in their current Long-Term Plan. It is assumed this project is proposed due to current cycle facility deficiencies, and not proposed to cater for the additional pedestrian and cycle journeys resulting from PPC28.

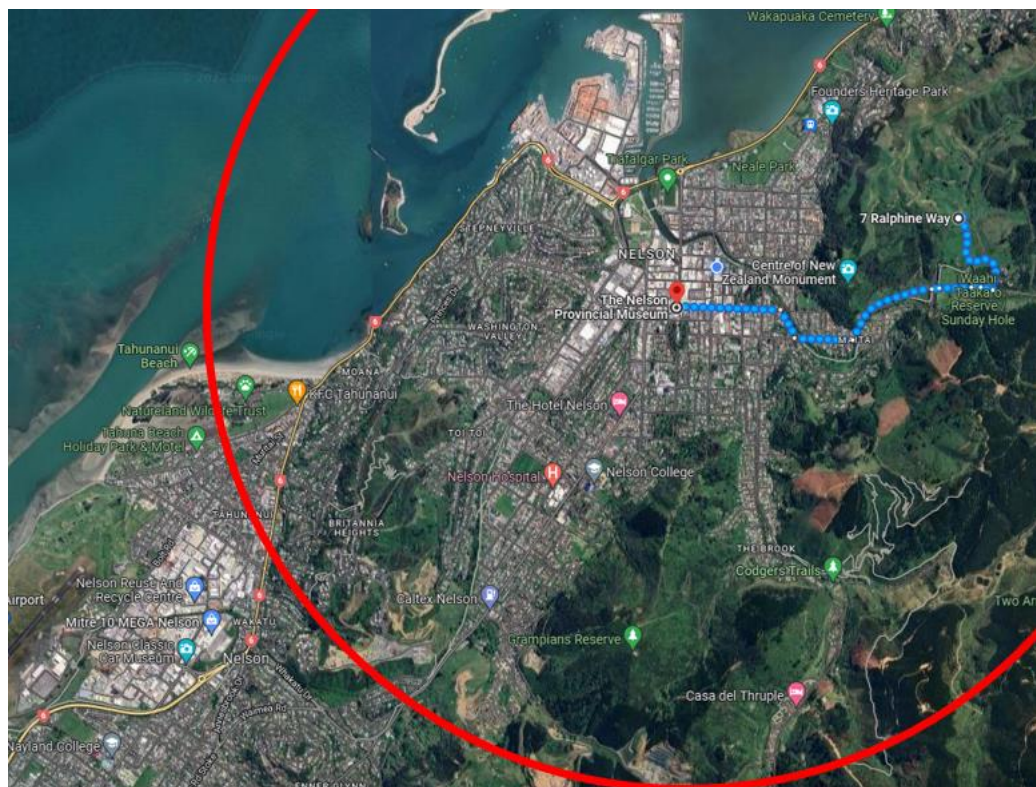


33. The 2021 Nelson Future Access Study (“NFA”) is a Waka Kotahi/Council agreed programme and the most comprehensive study of transport in Nelson ever. The NFA’s recommended programme has a core focus of shifting journeys to alternative modes from private vehicles by encouraging the uptake of walking, cycling, and public transport, and providing a strong focus on integrated land use and transport.
34. The NFA recommends a “primary” cycle route is required along Nile Street from the Collingwood Street roundabout to the Nile Street/Maitai Road intersection.
35. A primary cycle route is defined as providing a high degree of separation from traffic lanes and pedestrians, with minimal conflict with traffic at intersections.
36. To provide this level of service the following is likely:
  - a. The removal of angle parking outside the Nelson Marlborough Institute of Technology and Nelson Central School.
  - b. The removal of trees, currently located between angle parks between Collingwood Street and Domett Street.
  - c. The removal of car parks where the carriageway is narrow immediately east of the Nile Street/Tasman Street roundabout.
  - d. Improvements to the Nile Street/Collingwood Street and Nile Street/Tasman Street roundabouts to make them safer for pedestrian and cyclists.
  - e. Widening of the Nile Street bridge by Domett Steet, currently only 8.5m wide.
  - f. The removal of parking between Tory Steet and Maitai Road or the removal of trees, and installation of retaining walls to provide seperated cycle facilities, noting that the current seperated pathway requires cyclists to give way at each private crossing and as such, is not an acceptable level of service for a primary cycle facility.
  - g. The provision of several pedestrian and cycle crossing points.
37. It is unclear whether some of the measures outlined above would even be acceptable to the public. Mitigating all of the matters identified above is likely to come at significant cost, over and above that currently allocated in Council’s Long-Term Plan.

38. The additional costs and project risks of the necessary walk/cycle facility level of service improvements triggered by PPC28 should not fall to ratepayers, and should be included as part of the PPC28 economic considerations of the development.
39. Without surety that PPC28 will deliver multi-modal transport options, there cannot be confidence that PPC28 will deliver a well-functioning urban environment.
40. The walk/cycle improvements should be completed prior to the commencement of development, and not prior to the first s 224 award. Mitigating the impacts from construction traffic on an already deficient transport network without undermining current walking and cycling trip rates downstream of the development cannot be undertaken through temporary traffic management alone.

### Assessment of active transport uptake

41. The distance from the existing farmhouse, which is roughly located in the middle of the Maitahi area to the Provincial Museum on Trafalgar Street is 3.6km (refer blue dashed line in image below), equivalent to a 7-minute drive, a 11-minute cycle, or a 43-minute walk, via existing roading networks. This distance is shown graphically as a 3.6km radius circle, centred on the Museum (refer red circle in image below).



42. The Applicant's Further Information (Transport), provided 30 August 2021, expects the development will result in an uptake of 20% cycling and 12% walking, totalling 32% of all trips (page 10).
43. Atawhai and Tahuna Hills census data mesh blocks are similarly located some equivalent distance from the CBD. Travel data<sup>3</sup> from these mesh blocks indicate markedly less active mode rates of 10% (8% cycle, 2% walk) and 14% (8% cycle, 6% walk) respectively.
44. In my opinion, given the distance of the PPC28 site to the CBD, the active mode trip rates currently expected from the development are overly optimistic, and are unlikely to achieve anywhere near a third of all trips.

Andrew James

27 June 2022

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<sup>3</sup> <https://commuter.waka.app/>