

JCA's Speech to the Commission re Stream 1 Workstream at 4.30pm on 22 February 2023

Good afternoon Mr. Chairman and Commissioners,

I would like to start by introducing Mary Therese and myself, Warren Taylor. We are members of the Johnsonville Community Association.

Firstly, thank you for the opportunity to present the Johnsonville Community Association's (JCA) position on several issues in relation to the Council's plans for Johnsonville.

Should you decide that you would like a copy of my speech, I will arrange for a copy of it to be provided to the Wellington City Council officer, Jazz, following the end of this session.

I would like to add, in that regard, that Jazz has been a first-class operator for the JCA to deal with in relation to this hearing.

Is the Johnsonville Rail Line a Rapid Transit Service?

The first issue concerns whether the Johnsonville Rail Line is a Rapid Transit service. We acknowledge and agree with the evidence of Timothy Helm and Don Wignall as expert witnesses.

The JCA's position on this issue is that the Johnsonville Rail Line is **not** a Rapid Transit service. We would love to have a Rapid Transit Service for our community but the reality is that we served by a slow, infrequent rail service and unreliable bus service which is why Johnsonville has both below average cost housing and one of the highest car usages in Wellington City.

We agree with the NPS-UD when it defines a *"rapid transit service means any existing or planned frequent, quick, reliable and high-capacity public transport services that operates on a permanent route (road or rail) that is largely separated from other traffic"*.

It is a real pity that the Council has failed to properly apply generally accepted best practice to this definition, with its integrated suite of criteria, in its assessment of whether the Johnsonville Rail Line meets the standard of a Rapid Transit Service.

But all is not lost.

New Zealand has an example of a council that has followed a good process in assessing which of its public transport services meet the NPS-UD Rapid Transit Rapid Transit standard. That is Auckland Council and Auckland Transport (AT).

As part of Auckland Transport's 2012 update of its Regional Land Transport Plan, they developed the "Rapid Transit Baseline" which is an assessment standard [Refer Evidence Item 5]. It did this based on the integrated suite of criteria set out in the NPS-UD definition for a rapid transit service. For each criterion, Auckland Transport developed a measure that stated an appropriate accepted best practice standard. Auckland Transport did this work

collaboratively with Waka Katohi and other relevant independent parties so that its classification work was appropriately peer reviewed.

The Rapid Transit Baseline was used to assess each public transport service in Auckland City's network as to whether it was, or was not, a rapid transit service. This classification work resulted in the Auckland Regional Land Transport Plan [Refer Evidence Item 7] stating that the **Onehunga Passenger Rail Line is not a Rapid Transit line because** it fails to meet the Rapid Transit Baseline Frequency criteria which is *"at least every 15 minutes, between 7am and 7pm, 7 days per week"*.

The Johnsonville Rail Line fails to meet the Frequency criterion too! This must make it easy for the Council to adopt the Auckland Transport Baseline to classify whether the Johnsonville Rail Line is a rapid transit service? No!

In April 2021, **the One Network Framework (ONF) document** [Refer Evidence Item 2]. That document **defined all Metro Rail lines in NZ as rapid transit corridors irrespective of frequency**, availability and or volume of people movement.

Based on this ONF definition of a rapid transit service, **the Johnsonville Rail Line is classified as a rapid transit service line.**

GWRC, with the strong support of the Council, **updated the Regional Land Transport Plan** based on the ONF classification including declaring that the Johnsonville Rail Line is a rapid transit line.

It should be noted at this point that the GWRC was aware of:

- the Auckland Transport Rapid Transit Baseline, and
- that they had decided the Onehunga Line was not a Rapid Transit Service under the NPS-UD

yet they proceeded to classify the Johnsonville Rail Line as a rapid transit line based on the ONF definition.

This **classification has been set in concrete** in the Regional Land Transport Plan which the JCA claims **is a material error.**

Members of the JCA and ORCA repeatedly challenged this classification of the Johnsonville Rail Line **including submitting** a detailed letter to the Council in May 2022 which is **Appendix D.**

That letter included pointing out that the ONF for Metro Rail did NOT agree with the definition of a rapid transit service contained in the NPS-UD. While Council officers refused, and still refuse, the substance of these issues, **the WCC councillors agreed with these representations and voted to remove the Johnsonville Rail Line as a rapid transit service.**

The JCA also corresponded with and eventually met the ONF Team within Waka Katohi to try to understand the reason why the ONF had effectively defined all rail services as PT1/Rapid Transit. The ONF team confirmed that the ONF is not a standard that can be

directly applied to solve real world transport problems. The ONF Team confirmed in writing that the **ONF alone is not suitable to assess whether a specific public transport service is, or is not, a rapid transit service under the UPS-UD** [Refer Evidence Item 3]. If either the WCC or the GWRC had bothered to check on the validity of their use of the ONF in the RLPT with the ONF Team, it is unlikely we would be sitting here.

In November 2022, Waka Katohi issued a new updated ONF document labelled version 1.0 [Refer Evidence Item 8]. **This document updates the PT1 definition to align to the NPS-UD and now classifies the Johnsonville Rail Line and the Onehunga Branch Line as PT4 and therefore not a rapid transit services.** This was because these lines provided less than 4 services per hour throughout the day (7am to 7pm), 7 days a week. In short, both lines failed the Frequency criteria. It appears to the JCA that the ONF staff:

- realised the ONF did not align to the NPS-UD Definition, and also
- noticed how sound the Auckland Transport's Rapid Transit Baseline was for classifying whether a rail corridor is, or is not, a rapid transit service.

They seem to have incorporated AT's classification system within the ONF.

This update to the ONF was another opportunity for the GWRC, with the full support of the Council and it's councillors, to update the RLTP with the updated classification contained in the ONF document version 1.0 and classify the Johnsonville Rail Line as not being a rapid transit service. Did this happen? No!

So, the Council continues to insist that the Johnsonville Rail Line is STILL a rapid transit service even though the ONF no longer supports this classification.

The Council (and GWRC) now rejects the revised ONF criteria because it no longer supports their plans for densifying housing in Johnsonville and along the rail corridor. The Council still claims the Johnsonville Line, and all the stations on the line, are still Rapid Transit under the NPS-UD but have **failed to provide:**

- any documented standard set of the criteria, or
- evidence under which this claim is supported, or
- a Baseline Standard that has been reviewed by Transport experts, the GWRC or Waka Katohi.

Why, after more than 2 years, are we all still debating the Council's claim that this old, steep and narrow rail line is a Rapid Transit Service?

The JCA has always wondered why the Council has been so deterred to have the Johnsonville Rail Line classified as rapid transit in contradiction to best practice. One clue comes from the email exchange between GWRC and AT on the AT's use of their Rapid Transit Baseline that includes the following [Refer Evidence Item 6]:

GWRC Mgr, Reg Transport to AT 12 Feb 2021:

*The first is the Johnsonville line that runs wholly within Wellington City. One views is that this is neither rapid nor can it sustain the frequency that rapid transit might suggest. However, **Wellington City are keen to have it as rapid transit because of the intensification opportunities that it offers particularly at Johnsonville itself.***

This is evidence that the Council wants the Johnsonville Rail Line classified as a rapid transit service **for high density housing intensification opportunities** along the rail line and particularly for Johnsonville itself **irrespective of the poor quality of the passenger rail service.**

There are serious question marks around whether the Council has fulfilled in its fiduciary duty obligations towards Johnsonville residents and the users of the Johnsonville Rail Line when considering the rapid transit service issue. We believe they have failed in their duty of care obligations to residents.

It is the very firm view of the JCA that the Johnsonville Rail Line is not a rapid transit service. It would fail to meet any robust, genuinely independent assessment of its ability to meet Frequency, Quick (Speed), and High Capacity criteria ... such as being assessed using the Auckland Transport Rapid Transit Baseline.

Further, in contrast to the Hutt Line and the Kapiti Line, the GWRC Long Term Plan does not mention any funding or project to improve the Johnsonville Line's Frequency or capacity. Finally, Council claims that such improvements can be easily or cheaply implemented are not supported by any facts or expert evidence.

Finally, it must be noted that even the Council agrees that the rail service from Johnsonville (and Raroa) stations is not "quick" under the NPS-UD. They still insist, even though our rail stops fail multiple NPS-UD criterion, that these should be designated as Rapid Transit Stops.

The JCA requests the Johnsonville Line be viewed the same way as the LGWM mass transit corridor ... this is a public transport corridor that could be rapid transit in the future when significant investment to increase frequency, speed and capacity is locked into the Long Term Plan. **But for now, it is not rapid transit.**

If the Commissioners decide the Johnsonville Line should be deemed Rapid Transit, **the JCA requests** that the Johnsonville Station and the Raroa Station **not** be designated as Rapid Transit Stops.

Walkable Catchment Issue for Johnsonville – Areas A, B and C

Before I commence this part of my oral submission, a couple of corrections to the November 2022 "JCA Submission to the Proposed District Plan" need to be highlighted:

- On page 25 in reference to Area A, we referred to "unlit gravelled steps". This should be "unlit narrow concrete steps".
- On page 26 in reference to Area B, we should add that, since the 2013 Environment Court Case, a zebra pedestrian crossing has been added to Bassett Road.

I now want to talk about the walkable catchment issue for Johnsonville.

I will:

- deal with the Area A, B and C issues first, and then

- deal, secondly, with size of the Johnsonville walkable catchment.

Following the release of the NPS-UD by Phil Twyford in 2020, the WCC released it's Spatial Plan. That Plan included, **to the incredulousness of the JCA Committee** and members of the Johnsonville community, Areas A, B and C as part of a much larger walkable catchment for Johnsonville residents.

We were incredulous for three reasons:

- **the JCA had taken the Council to the Environment Court in 2013 over the inclusion of Areas A and B in Johnsonville's walkable catchment and the judge agreed with the JCA that Areas A and B should NOT be included in Johnsonville's walkable catchment, and**
- **the Council did not appeal the Environment Court's judgement, and**
- **all three areas have significant pedestrian accessibility issues.**

Tellingly, **the Council did NOT mention the 2013 Environment Court's judgement that Areas A and B were not walkable in their Section 42A Report** [Refer Evidence Item 15]. In fact, the Council failed to mention that Johnsonville (and Kilbirnie) have been zoned as Medium Density Residential Areas since 2013. **The JCA believes these are material omissions in the Council evidence to this Commission.**

Why?

Well, listen to the Environment Court **judge's comment on Area A** which is the area east of the motorway in Johnsonville:

*56) **The Disraeli Street subway is a very different beast. The pathway descending down to its eastern portal from the residential street above is both lengthy and steep, interspersed with several flights of dauntingly steep, shallow and poorly formed steps. Even the reasonably fit would find carrying shopping up the road above a stern challenge, and anyone with mobility issues, or pushing a baby buggy, or accompanied by small children, would find it impossible for practical purposes. For most people and for most purposes, day-to-day access to and from this part of Johnsonville and the Town Centre by this route is not a really practical proposition.***

As an example, in paragraph 365 of the Section 42A Report Area A the Council describes as *"does have a few steps."* **Are 44 narrow concrete steps a "few steps?"** And the Council claims this route, which climbs up to 82 vertical metres (which is equivalent to a 24 storey building), is walkable by an average person! Every day! (The 82 metres is measured from the eastern exit of the Disraeli Street subway up to the top of Chesterton Street).

I would like to thank the Commissioners for walking Area A.

Here is what **the judge said about Area B** which concerns the Middleton Road pedestrian access issues up to and around the 2nd roundabout and then accessing the centre of Johnsonville:

58) ... Anyone leaving any of these MDRA properties on foot and wishing to get to the Town Centre is faced with either crossing Helston Road on or near the roundabout, then Moorefield Road (where there is presently a zebra crossing) then re-crossing Moorefield Rd (where there is another zebra crossing near the medical centre). Alternatively, there is a yet longer and **more fraught route** crossing Middleton Road, Basset Road and Ironside Road (none of which have crossings). **In non-peak traffic periods, these routes might well be doable within 10 minutes, but at peaks it is not hard to imagine them taking at least that, if not longer. At either time, those with mobility issues, or managing a baby buggy or small children would also find this route difficult and even harrowing.**

TBA: Commissioners – as an update to the Environment Court judge’s comment, the JCA notes that about 5 years ago, a pedestrian zebra crossing was placed on Basset Road. This provides a minor improvement to crossing Basset Road. However, the main issue has always been pedestrians having to cross Middleton or Helston Road to get to Johnsonville. These are both very busy arterial roads that the residents walking from Middleton Road to the centre of Johnsonville would have to negotiate without the support of any priority pedestrian crossing.

It is also of note that the traffic levels around Johnsonville have also increased since 2013 with the Council currently undertaking a safety study of the Johnsonville Roundabouts due to the high number of crashes and accidents.

TBA: Commissioners - **regarding Area C, there is a Ridgeline issue associated with this area so that also needs to be noted by you for the Stream that deals with the Ridgelines.**

Area C is the area that starts up the very steep part of Frankmoore Avenue turning left onto a rising Prospect Terrace and then turning right into the first part of Woodland Road. The accessibility issues with this area are that:

- there is only one narrow footpath up the very steep Frankmoore Avenue and there are no footpaths on either side of Prospect Terrace, and
- there is a blind corner when motorists drive up Frankmoore Avenue and turn left into Prospect Terrace and would often face pedestrians on the road.

Using a reasonable bystander test, Areas A, B and C are not places for those with:

- mobility issues, or
- for managing a baby buggy, and / or
- bringing small children along, and
- carrying significant loads, such as grocery shopping.

A significant aspect of high-density housing is to enable most people to live without needing to use a private vehicle. Prospective residents in these three areas would likely find travelling between their home and local amenities difficult and even harrowing.

The Ministry for Environment guidance titled *Understanding and Implementing Intensification Provisions for the National Policy Statement on Urban Development* [Refer Evidence Item 17] includes instructions such as:

... These distances are also affected by factors such as land form (e.g. hills take longer to walk up and can be an obstacle to walking), connectivity or severance (e.g. the lack of ease and safety of crossing roads, highways and intersections), and the quality of footpaths.

The Council has applied a simple computer model in determining these areas are walkable on a one-time basis without properly taking-into-account the:

- severance factors, or
- height, or
- safety.

The Council model also ignores whether:

- a normal person would consider walking this route every day, sometimes multiple times per day, or
- whether the route is accessible to mothers with small children, or
- the elderly who make up an increasing portion of our population.

Given all of the above comments, it is difficult to accept that the Council has used the guidance contained in the Ministry for Environment guidance document when considering its duty of care obligations when including Areas A, B and C in the Johnsonville walkable catchment. That document also sets out, on page 24, a range of local factors that should be considered when determining the walkable catchment for Johnsonville. **It is the view of the JCA that the Council's decision to include Areas A, B and C has ignored this guidance from the Ministry for Environment and is therefore completely wrong.**

Walkable Catchment Issue for Johnsonville – Size of the Catchment

I will now deal with the issues concerning the size of the Johnsonville walkable catchment.

During the court case in the Environment Court in 2013, **a Council officer, Lucie Desrosiers, presented as her evidence, on behalf of the Council, what was the “10-minute” walkable catchment for Johnsonville** [Refer Evidence Item 16]. Following the court judgement, the Council removed Areas A and B from that walkable catchment. The remaining walkable catchment is the current Medium Density Residential Area (MDRA) for Johnsonville. It represented the walkable catchment for Johnsonville as agreed between the Council and the Environment Court. I emphasise again that the Council did not appeal the Environment Court's judgement from 2013.

When the WCC released its Spatial Plan in 2020 that Plan contained, to the incredulousness of the JCA Committee and members of the Johnsonville community, a much larger so called “10-minute” walkable catchment for Johnsonville residents.

In setting that larger “10-minute” walkable catchment, the Council ignored its own earlier evidence concerning the MDRA agreed with the Environment Court in 2013.

There seems to be general acceptance that an appropriate walking catchment assumed in the NPS-UD is 10 minutes. However, it is clear that **the extended walkable catchment for Johnsonville is now up to somewhere between 15 to 20 minutes.**

The fundamental issue is where the catchment is measured from.

In 2013 the Council determined that a 10-minutes walkable catchment should be measured from the centre of Johnsonville i.e. from the centre of the Johnsonville Mall. It was on this basis that the Council determined the extent of the MDRA using its computer model and international best practice.

Following the release of the Council's Spatial Plan in 2020 **it was clear that the Council was now measuring the 10-minutes walkable catchment from the edge of Johnsonville's metropolitan centre.** It is true that the NPS-UD does require the measurement of the walkable catchment from the edge of the metropolitan centre. **But nowhere in the NPS-UD, a government regulation, does it say that that measurement from the edge must be 10 minutes. Nowhere!**

In the Ministry for the Environment's *Understanding and Implementing Intensification Provisions for the National Policy Statement on Urban Development* document it states at the beginning of Section 5.5 that:

"A walkable catchment is the area that an average person could walk from a specific point to get to multiple destinations. A walkable catchment of 400 metres is typically associated with a five-minute average walk and 800 metres with a 10-minute average walk. These distances are also affected by factors"

This guidance document strongly suggests that "a specific point" is a resident's home. If not, what else would it be for a resident on a regular, daily basis?

The key question is the location of place that is "multiple locations". It is clear that in 2013 that the Council used the centre of the Johnsonville Suburban Area (e.g. in the centre of the Mall) as the central location from which to determine the 10-minute walking catchment. **This is logical because homes that are 10-minutes from here can get to multiple shops and facilities in Johnsonville. That this same definition is in the Ministry of the Environment Implementation guidance document indicates that a central location should still be used as the basis for determining the extent of the walkable catchment for the Johnsonville Metropolitan Centre.**

Instead, it appears the Council has used the edge of the Suburban Centre as the starting point from which to measure their 10-minute walking catchment. Such a catchment assumes that the facilities of interest to residents are located on the edge of the metropolitan centre which is not the case for Johnsonville. In fact the "10-minute" walking catchment is really a "15-minute" walking catchment. **The Council has not provided any evidence to justify why this different, much larger walking catchment will work for Johnsonville.** **The Council has not explained why:**

- people would choose to live in housing 15-minutes walk away from central facilities,
- when in 2013 they would only live in housing up to 10-minutes walk away?

The Council has also failed to properly consider a second important factor in proposing a 15-minute walking catchment for Johnsonville **and that is the relatively poor amenity provided by our suburban centre.** Section 5.5.3 of the Ministry of Environment guidance states:

*We should expect **walkable catchments of rapid transit stops and a city centre to be larger than those of metropolitan centre zones**, particularly in larger tier 1 urban environments. This is because city centres are likely to be larger, have more services and amenities, and be better connected than a metropolitan centre. Also, the convenience of using rapid transit and the connections that rapid transit services often offer, mean people are prepared to travel further to use them than other modes of public or active transport.*

The centre's size can also affect the size of the catchment. For example, a smaller metropolitan centre with fewer services and amenities than a larger centre, will also be likely to have a smaller walkable catchment. Additionally, a city or a metropolitan centre with a rapid transit stop located within or close by, is also likely to have a larger walkable catchment than a centre without a rapid transit stop.

As outlined in our evidence above, the Johnsonville Line is not Rapid Transit and our public transport usage is low relative to the rest of Wellington City. We also have relatively few shops, the Mall is run-down with few chain stores and we are missing many of the other shopping types, such as a department store or hardware store, present in successful suburban centres.

So on this item, the Council has failed to properly size the walking catchment for Johnsonville imposing one that is much larger than is justified by the amenity in our centre.

It is the view of the JCA that the Council got it wrong when they extended the Johnsonville walkable catchment so much larger than the MDRA walkable catchment agreed with the Council for Johnsonville in 2013.

Process Followed by Council

The JCA has concerns about a number of the decisions made by the Council in relation to the:

- Johnsonville Rail Line rapid transit service, and
- Johnsonville walkable catchment

issues. Our concerns are that the Council's plans for high-density housing are affecting the quality of the Council's decisions in relation to these two significant issues for Johnsonville residents and the users of the Johnsonville Rail Line.

Conclusion

In conclusion, the Johnsonville Community Association asks that the Commission agree with the recommendations set out in our Executive Summary Report to the Commission and incorporates those recommendations in the Commission's report to the Wellington City Council on the Proposed District Plan.

Thank you.

Warren Taylor
on behalf of the Johnsonville Community Association

NB: For the purpose of completeness I have included below, the recommendations that were set out in the JCA's Executive Summary Overview Report to the Commission, **as I did not state these recommendations in my speech to the Commission:**

- a) The Johnsonville Rail Line is not a Rapid Transit service.
- b) The Johnsonville and Raroa Train Stops are not Rapid Transit stops.
- c) Areas A, B and C be removed from the High-Density Residential Zone walkable catchment for Johnsonville.
- d) Note that Area D does not require any action from the Commission for reasons set out earlier in this report.
- e) The 10-minute walkable catchment for Johnsonville should be the MDRA (Medium Density Residential Area) that was agreed by the JCA with the Wellington City Council in 2013.