

Hamilton City Council – Staff Submission

Petition of Barbara Kuriger MP: Open up Ruffell Road in Te Kowhai

Parliament's Petitions Select Committee

18 March 2025

Improving the Wellbeing of Hamiltonians

Hamilton City Council is focused on improving the wellbeing of Hamiltonians through delivering to our five priorities of shaping:

- **A city that's easy to live in**
- **A city where our people thrive**
- **A central city where our people love to be**
- **A fun city with lots to do**
- **A green city**

The topic of this staff submission is primarily aligned to the Council priority **A city that's easy to live in**.

Council Approval and Reference

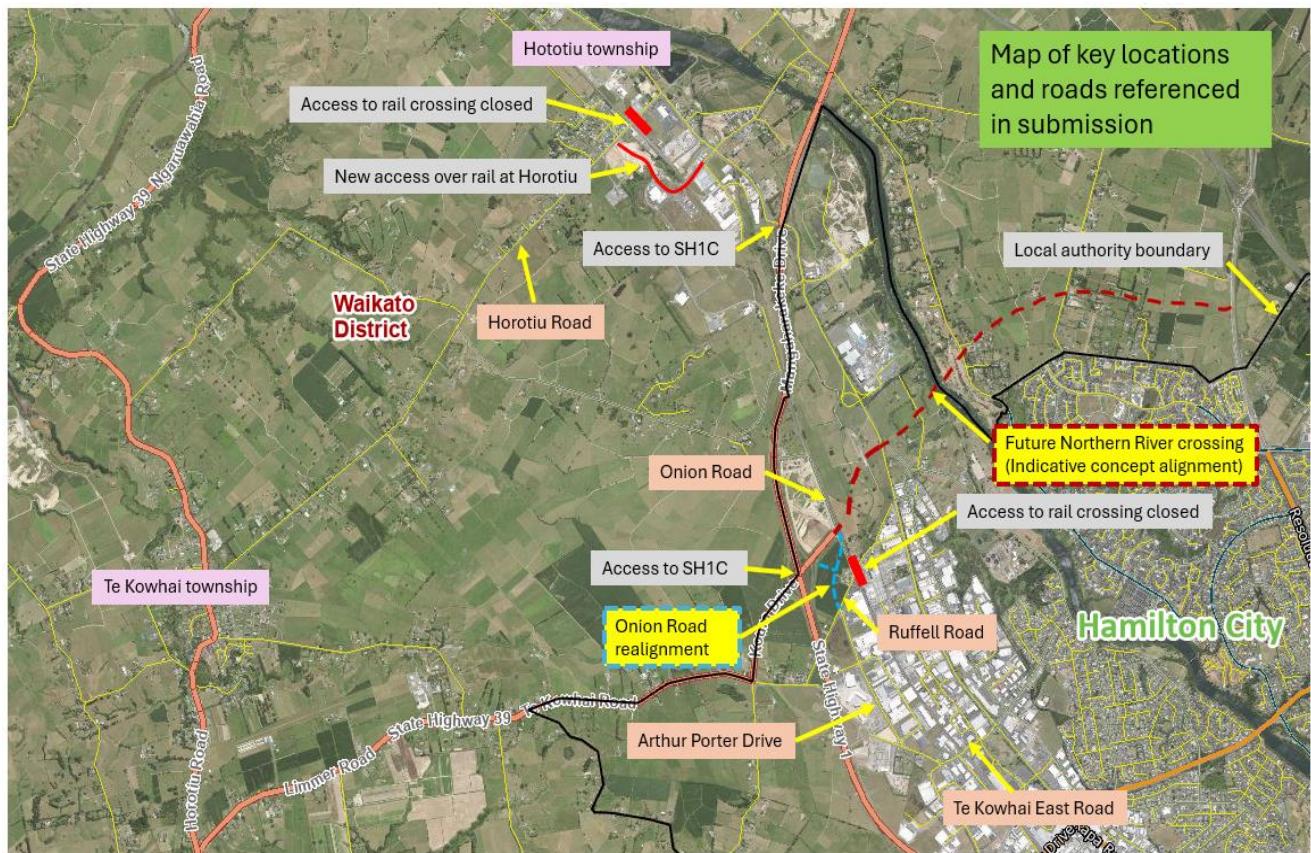
This staff submission was approved by Hamilton City Council's Chief Executive on 18 March 2025.

Submission # 792

It should be noted that the following submission is from staff at Hamilton City Council and does not therefore necessarily represent the views of the Council itself.

Introduction

1. Hamilton City Council staff welcome the opportunity to make a submission to the **Petition of Barbara Kuriger MP: Open up Ruffell Road in Te Kowhai**.
2. Our submission refers to the location map below:



Key Messages and Recommendations

3. Hamilton City Council staff note that the closure of access to the Ruffell Road rail crossing is intended as a temporary arrangement until the safety issues that required the closure of access to the crossing have been addressed.
4. Staff note that, following closure of the Horotiu level crossing to the north of Hamilton in early 2024, the fully grade-separated rail crossing on the adjacent Gateway Drive opened in late 2024, and since the petition was prepared. This new grade-separated rail crossing provides safe and convenient access to the Expressway and into Te Rapa and all parts of Hamilton City for residents of western Waikato towns.
5. Staff note that another grade-separated rail crossing remains planned longer term, connecting the Koura Drive Interchange to Hamilton's eastern suburbs via Council's Northern River Crossing, with designation funding provided for this project in the later years of Council's current 2024-34 Long Term Plan (LTP).
6. Staff note that all options for addressing the safety issues at the Ruffell Road crossing, due to the proximity of the Onion Road intersection, were investigated in 2021 with only the temporary closure of access to the crossing, until the realignment of Onion Road, identified as addressing these safety concerns. This assessment and recommendations were reported to Council's Infrastructure Operations Committee at its meeting of 27 April 2021 (refer attached).
7. Staff note that the realignment of Onion Road has been brought forward in the 2024-34 LTP, with a Private Development Agreement (PDA) entered into with the property developer for design only. Design started this financial year in partnership with the developer, with property purchase possibly in 2026-27 and construction over the following 18 months subject to ongoing funding commitment.
8. Staff note the Onion Road realignment also includes an access to the Koura Drive interchange and discussions have been progressing with NZ Transport Agency regarding the design.
9. The temporary closure of the Ruffell Road access to the rail crossing was implemented in 2021 under the Local Government Act 1974 (LGA 1974), Schedule 10, Clause 11 (d) after the required consultation with the Police and New Zealand Transport Agency. A Communications Plan was also developed updating key stakeholders, affected businesses, and members of the public previously contacted on this matter.

The Petition

10. Staff note in the stated reason for the petition includes the claims: "*The partial closure of Arthur Porter Drive, and closures of Ruffell Road, Te Kowhai Road, and Horotiu Road...*". Staff note that:
 - a. Arthur Porter Drive is not partially closed. There is a short realignment of Arthur Porter Drive at the Te Kowhai East Road/Arthur Porter Drive intersection planned and included in the 2024-34 LTP, with a construction start scheduled for the 2031-32 financial years. Meanwhile, Arthur Porter Drive remains fully open to two-way traffic along its full length.
 - b. The Te Kowhai Road access to the city was realigned by the New Zealand Transport Agency as part of constructing the Te Rapa Bypass section of the Waikato Expressway, with access to the Expressway via SH 39 and the Koura Drive interchange and to Arthur Porter Drive and central Te Rapa/the Base and all Hamilton beyond via Onion Road; and

- c. The Horotiu Road rail crossing (in Waikato District Council), which was temporarily closed in early 2024, was replaced in December 2024 by a safer, grade-separated rail crossing via Gateway Drive immediately to the south. This also provides access to the Te Rapa Expressway, northern Te Rapa and all Hamilton beyond.

11. Staff also note the following comment in the petition: *“Funding was not available to build the northwestern access for these residents at the time, and now it appears to have all but disappeared from the radar in the medium term”*. Staff understand the ‘northwestern access’ referred to in the petition to be the Northen River Crossing, which would commence in the west from the Koura Drive Interchange, cross the railway (grade-separated), SH1C (Te Rapa Road) and the Waikato River, and connect the network in the vicinity of Resolution Drive. This future transport corridor was always intended to be associated with future urban development within Waikato District Council north of Kay Road. This future urban development is not likely in the short term; however, Council has funding in 2029-31 to consider a transport corridor designation in its approved 2024-34 Long Term Plan, with construction well into the future.

12. Staff disagree with the statement in the petition: *“...the most logical conclusion would be to open Ruffell Road to give the public better access...”*. The public has better access to Te Rapa now that the Gateway Drive rail overpass in Waikato District is operational, which together with the Koura Drive interchange, both provide access to the Expressway and therefore all parts of Te Rapa and the rest of the city.

13. Staff also disagree with the statement in the petition suggesting: *“...a cost-effective way to apply safety to the rail crossing to enable Ruffell Road to open be investigated by the responsible organisations”* hasn’t already been pursued. Both Hamilton City Council and KiwiRail have extensively investigated, and indeed implemented some, safety intervention options to retain access to the Ruffell Road rail crossing over a number of years, but the safety issues persisted, leaving no option than to temporarily close the access to it (refer 27 April 2021 “Onion Road / Ruffell Road Intersection” Council Report attached).

The Ruffell Road Rail Crossing

14. Hamilton City Council staff met with KiwiRail staff as early as 2013 regarding safety concerns at the Ruffell Road rail crossing. Issues included:

- a. Continued damage to barrier arms by large trucks;
- b. Limited stacking room for turning heavy vehicles; and
- c. Inadequate road width for heavy vehicles resulting in potential head-on conflicts.

15. Numerous improvements were actioned to address these safety concerns, including:

- a. Requesting Interpipe, an adjacent business, to stop using the rail crossing due to the proximity of their driveway to the crossing;
- b. KiwiRail increasing time between the crossing lights being activated and barrier arms coming down;
- c. Road marking changes prior to December 2020;

- d. Installing physical islands in December 2020 to prevent the left turn out of Onion Road and the right turn movement into Onion Road from Ruffell Road. Monitoring by KiwiRail and Council indicated that the compliance by all vehicles, including heavy vehicles, was poor and probably exacerbated the safety concerns; and
 - e. Active traffic control management of the site in early 2021 to manage safety, which was not sustainable.
- 16. A Level Crossing Safety Impact Assessment was undertaken by the consultancy AECOM and indicated that the crossing was operating within the Medium-High risk band, which is the second highest risk band in the assessment. KiwiRail advise the crossing was in the top 1% of at-risk crossings in New Zealand.
- 17. A range of intervention options to create a safe operating environment for both road and rail traffic were analysed and reported to Hamilton City Council's Infrastructure and Operations Committee (refer 27 April 2021 "Onion Road / Ruffell Road Intersection" Council Report attached).
- 18. Following analysis of the intervention options, the preferred options were:
 - a. Progress the Onion Road Realignment project as quickly as possible, but in the meantime to implement an immediate temporary closure of the access to the level rail crossing; and
 - b. Progress the Arthur Porter Drive realignment project as quickly as possible, but in the meantime, to implement a mini roundabout at the Arthur Porter Drive / Te Kowhai East Road intersection.
- 19. Staff acknowledged in the Council Report that *"the closure of the level crossing causes the loss of road network connectivity in the period until it is able to be reopened which will be a significant inconvenience for some road users"*. (However) *"The KiwiRail concerns are supported by staff, given the Vision Zero approach Council wishes to take in relation to road safety"*.
- 20. Temporary closure of access to the Ruffell Road rail crossing was progressed by Council using the Local Government Act 1974 (LGA 1974), Schedule 10, Clause 11 (d).
- 21. A mini roundabout has been installed at the Arthur Porter Drive/Te Kowhai East Road intersection, enabling safe distribution of the diverted traffic following closure of access to the Ruffell Road rail crossing, for the interim period until the Arthur Porter Drive realignment project is completed.
- 22. The Onion Road realignment project has been progressed, including bringing the project forward in the Hamilton City Council 2024-34 LTP and a Private Development Agreement (PDA) entered into with the property developer for the design only. Design started in the 2025-26 year in partnership with the developer, and also with the NZ Transport Agency as the realignment includes an access to the Koura Drive interchange. Property purchase could commence in 2026-27, with construction over the following 18 months subject to ongoing funding commitment.
- 23. Staff note that KiwiRail approval to use the Ruffell Road rail crossing again would be dependent on a review of the Level Crossing Safety Impact Assessment following the Onion Road realignment. One significant safety issue that has not been addressed is the proximity of the Interpipe Holdings Ltd vehicle access to the east of the crossing, which is located on a similar alignment to the current Onion Road intersection to the west.

24. Staff also note that, even if access to the Ruffell road level crossing was opened again, it could subsequently close following completion of the grade-separated rail crossing associated with the new Northern River Crossing project.

Further Information and Hearings

25. Should Parliament's Petitions Select Committee require clarification of the submission from Hamilton City Council staff, or additional information, please contact **Robyn Denton** (Network and Systems Operations Manager) on **021 971 127**, or email Robyn.Denton@hcc.govt.nz in the first instance.

26. Hamilton City Council representatives **do wish to speak** to Parliament's Petitions Select Committee at the hearings in support of this submission on the **Petition of Barbara Kuriger MP: Open up Ruffell Road in Te Kowhai**, should the Committee decide to hold further hearings on this issue.

Yours faithfully



Lance Vervoort
CHIEF EXECUTIVE

Council Report

Committee: Infrastructure Operations Committee **Date:** 27 April 2021

Author: Jason Harrison **Authoriser:** Chris Allen

Position: Unit Manager City Transportation **Position:** General Manager Development

Report Name: Onion Road / Ruffell Road Intersection

Report Status	<i>Open</i>
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Purpose - *Take*

To update the Infrastructure Operations Committee on the monitoring and assessment that has been completed since the current Onion Road / Ruffell Road intersection changes were implemented in December 2020.

To seek endorsement to temporarily close the Ruffell Road level rail crossing in accordance with the process set out in this report.

Staff Recommendation - *Tuutohu-aa-kaimahi*

That the Infrastructure Operations Committee:

- a) approves Council to enter into an agreement with KiwiRail in relations to the Ruffell Road Level Rail Crossing
- b) delegates the Chief Executive to enter into a Letter of Agreement with KiwiRail that supports the temporary closure that allows for its reopening to all motor vehicles once the planned Onion Road Realignment project is completed and all other safety matters have been addressed;
- c) notes that the Chief Executive will negotiate a Deed of Grant Agreement for the Ruffell Road level rail crossing which is a normal operational matter;
- d) approves the proposal to upgrade the Arthur Porter Drive / Te Kowhai Road existing uncontrolled T-intersection to a mini roundabout;
- e) approves the reallocation of \$400,000 from the 2020/21 Low Cost Low Risk and other programmes to fund the upgrade of the Arthur Porter Drive / Te Kowhai Road intersection upgrade; and
- f) notes that staff will undertake targeted engagement and public notification as part of the implementation phase of this work.

Executive Summary - *Whakaraapopotanga matua*

1. Since 2015 staff have investigated a number of solutions to address safety concerns, relating to heavy vehicles turning left out of Onion Road on to Ruffell Road, with rail infrastructure or crossing over the Ruffell Road centreline into on-coming vehicles.
2. To date none of the solutions that have been implemented have delivered a satisfactory outcome and a significant safety issue exists that needs to be addressed urgently.
3. The Ruffell Road Level Crossing Safety Impact Assessment that was undertaken at the request of KiwiRail has identified this site as a dangerous level crossing situation, in which there is a medium-high risk of death or serious injury occurring to users crossing the railway line.
4. Staff are recommending that Council supports KiwiRail closing the level crossing until such time as the safety issues can be addressed.
5. Council has a planned project called the Onion Road Realignment in year 8 (2028/29) of its draft 2021-31 Long Term Plan which is the subject of submissions. Finalisation of the Long Term Plan is likely to determine the timing of this project, and hence the duration of any closure of the level rail crossing.
6. The closure of the level crossing will result in a diversion of traffic onto Arthur Porter Drive with the consequential impact of requiring an improvement to the existing Arthur Porter Drive / Te Kowhai Road existing uncontrolled T-intersection.
7. The estimate for implementing these short term interventions is \$400,000 and staff intend to reprioritise existing funded programmes to fund this work.
8. Staff consider the matters in this report have a medium significance and that the recommendations comply with the Council's legal requirements.
9. In accordance with Hamilton City Council's Significance and Engagement Policy Council must engage with the Community. On the matters outlined in this report, staff are advising that only the 'Inform' method of engagement is undertaken, with targeted engagement with known directly affected businesses.

Background - *Koorero whaimaarama*

10. Since 2015 staff have investigated the identified safety concern relating to heavy vehicles turning left out of Onion Road on to Ruffell Road colliding with rail infrastructure or crossing over the Ruffell Road centreline into on-coming vehicles, likewise, turning vehicles out of the private driveway serving Interpipe Holdings Ltd (on the immediate south eastern side of rail crossing).



Fig. One: Rail barrier arm being hit by trucks

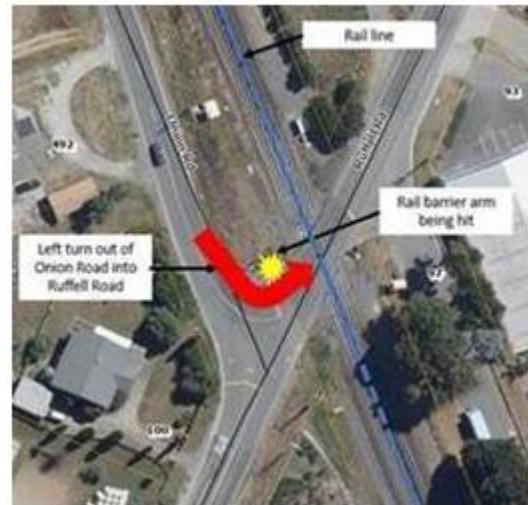


Fig. Two: Truck turning movement out of Onion Rd

11. Prior to December 2020 minor safety interventions that had been implemented were based on continuing to allow the existing acute angled Onion Road / Ruffell Road T-intersection to operate for all traffic movements.
12. Despite several changes to the layout of the intersection, timing of signals, barrier arms and infrastructure to protect the barrier arm (concrete blocks and guardrail) there have been ongoing issues at the Ruffell Road level rail crossing with heavy vehicles turning left out of Onion Road hitting the rail barrier arm system. Due to the limited space and alignment of the intersection, it is almost impossible to have large truck and trailer units moving through the intersection concurrently.
13. KiwiRail approached HCC in October 2020 concerned about these incidents as they result in the barrier arm not working, which could result in a vehicle vs train crash, which is a significant safety concern.
14. Train speeds have been lowered in the area as an interim measure by KiwiRail while further safety measures are explored. KiwiRail advised that they could accept this reduction in operational efficiency for the short term, subject to HCC finding a more effective and longer-term solution(s) to addressing the damage to their rail barrier arm infrastructure, and hence resolving the safety concerns.
15. Staff have exhausted all options to protect the barrier arms from damage and in October/November 2020 staff, at the insistence of KiwiRail, considered what further road layout changes could be made to address KiwiRail's concerns.
16. The KiwiRail concerns are supported by staff, given the Vision Zero approach Council wishes to take in relation to road safety.
17. The solution to this problem needs to be considered through taking a long-term approach, a short to medium term approach and a short-term approach. The seriousness of the problem requires a short-term approach as a minimum, combined with a short to medium term approach.

Long-term approach

18. The long-term approach is Council's Northern River Crossing project which connects Koura Drive Interchange to the eastern suburbs. This project has designation funding in the later years of the 2021-31 draft LTP, the timing of which in itself poses a significant build-out risk.

19. This approach will not result in a suitable resolution of the current problem given the time frames.

Short to medium-term approach

20. The short to medium-term approach is to complete the realignment of Onion Road to link up with the Arthur Porter Drive / Ruffell Road intersection (**Attachment 1**).

21. Anticipating the potential for this situation, the realigned transport corridor has been designated with funding for land purchase and construction included in the 2018-21 Long Term Plan with a construction start scheduled for 2028/29, some nine years away until completion.

22. The short-term measures, that will be required to manage the current safety problem, raise consequential transport problems at the Te Kowhai/Arthur Porter Drive intersection; which also has a medium-term solution planned by Council.

23. A realignment of Arthur Porter Drive in this location is a planned project included in the 2018-21 Long Term Plan with a construction start scheduled for 2028/29, some nine years away until completion.

Short-term approach

24. A short-term approach is urgently required to manage the safety problem which exists now. The options considered later in this report need to prevent certain turning movements at the intersection to minimise the risk of the barrier arm being hit. The turning movements that need to be prevented are:

- left turn movement out of Onion Road; and
- from Ruffell Road, right turn movement into Onion Road.

25. The specific problem is that high sided heavy vehicles continue to hit and damage the level crossing barriers which are essential for safety purposes. A Regulatory option was considered to ban these vehicle types, but the compliance challenges would render the option unsuitable. KiwiRail has indicated this option would not be acceptable to them when other more effective options are available.

26. Some further short-term measures were implemented in December 2020, which included putting in physical islands to prevent all of the problem movements.

27. Following these changes, monitoring by KiwiRail and Council has indicated that the compliance by all vehicles, including heavy vehicles, has been poor and probably exacerbated the safety concerns.

28. The Infrastructure Alliance is currently undertaking active traffic control management of the site to manage safety but this is not sustainable and an urgent intervention is required.

Discussion - Matapaki

29. Our focus is on providing a transport network that is safe and accessible.

30. Since the new road layout was implemented (Wednesday 16 December 2020), we have received feedback from the community that drivers are not complying with the traffic measures put in place. We have also received queries focussed on the following topics:

- i. traffic congestion and safety of road users;

- ii. evidence of data/information used to decide on the proposed temporary intersection work;
- iii. the level of consultation with intersection user (based outside the Hamilton City boundaries); and
- iv. what/when is the permanent solution that is going to be in place.

31. As part of our post-implementation monitoring staff have/are undertaking the following steps:

- i. monitoring the intersection, assessing driver behaviour;
- ii. staff have held a site visit with KiwiRail staff (26 January 2021) to discuss whether their barrier arm can be relocated – at the time of preparing this report KiwiRail have advised that this work is still being investigated; and
- iii. a Road Level Crossing Safety Impact Assessment of the Ruffell Road level rail crossing has been completed following a site visit on 16 February 2021.

Monitoring

32. As of 3 March 2021, staff had completed 6 recorded surveys over three days (24 & 25 February; 2 March) and carried out a number of drive-throughs of the intersection since the changes were made in December 2021.

33. Essentially, illegal turns are occurring throughout the day and seem to reflect the tidal nature of the intersection, if there are lots of vehicles exiting Onion Rd then there is an increase in illegal left turns and vice versa, although the detailed data shows that, in general, there is a higher percentage of illegal right turners than left turners in general.

34. The biggest concern is the near misses that are happening, with the highest number being: right turn out of Onion Rd into the path of an Eastbound (straight through) Ruffell Rd vehicle. This causes concern because it is arguably the highest-risk crash-type in terms of fatal or serious injury from vehicle/vehicle crash. These near misses may be partly happening due to the reported lack of visibility from the driver waiting to turn right out of Onion Rd to their left and/or drivers not seeing the new give way priority control.

35. Below is a summary of the six recorded surveys at the Onion Road / Ruffell Road Intersection.

Date	Time	Turning Movement						Near Miss Types				% Illegal Turns	% Near Miss
		A	B	C	D	E	F	DF	ED	AF	CB		
24/02/2021	AM	148	23	212	278	37	810	15	1	1		4%	1%
24/02/2021	Noon	190	41	333	114	16	300	5		2		6%	1%
25/02/2021	Noon	220	46	354	114	20	328			1		6%	0%
25/02/2021	PM	539	84	1131	134	20	303	1			1	5%	0%
24/02/2021	AM	179	21	232	302	41	859	1				4%	0%
2/03/2021	PM	553	71	1112	93	16	449					4%	0%

Table 1.0 – Recorded Surveys at Onion Road / Ruffell Road Intersection



Fig three: Aerial view with directional arrows

Ruffell Road Level Crossing Safety Impact Assessment

36. The purpose of the Level Crossing Safety Impact Assessment (LCSIA) is to identify the existing risk and the change in risk at a level crossing due to increased traffic flows and changes to the road or rail layout.
37. With future development planned for this area and the recent changes made to the Onion Road / Ruffell road intersection it was appropriate that a formal assessment of the Ruffell Road level crossing was completed. This is a formal prescribed process and it was required by KiwiRail.
38. Aecom were engaged to complete the LCSIA for the Ruffell Road Level Crossing.
39. The LCSIA for Ruffell Road rail level crossing indicated that the crossing currently operates within the **Medium-High** risk band which is the second highest risk band.



Fig. Four: Level Crossing Safety Score Risk Band

40. Staff believe that more substantial safety measures are urgently required, on the basis of:

- the level of non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements creating a vehicle on vehicle safety risk; and
- the findings of the Ruffell Road Level Crossing Safety Impact Assessment (LCSIA) which identifies a vehicle/train safety risk.

Options

41. There are 2 locations where staff are recommending interventions to create a safe operating environment for both road and rail traffic.

- Location 1: Onion Road/Ruffell Road intersection including level rail crossing (L1)
- Location 2: Arthur Porter Drive / Te Kowhai Road Intersection (L2)

Location 1: Onion Road/Ruffell Road intersection including level rail crossing (L1)

42. There are 5 options to consider for L1:

- Option L1A:** Status Quo
- Option L1B:** Traffic Signal Control
- Option L1C:** Permanent Closure of Level Crossing.
- Option L1D:** Onion Road Realignment
- Option L1E:** Temporary Closure of Level Crossing

Option L1A – Status Quo (estimated cost \$30,000)

43. This option retains the existing intersection layout, with banned traffic movements, along with further minor works to upgrade the existing guard rail and rail crossing signage.
44. This option does not address the non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements, nor does it address the findings of the LCSIA.
45. This option is unacceptable to KiwiRail and is not supported by staff.

Option L1B – Traffic Signal Control (estimated cost \$3,000,000)

46. A traffic signal control scheme has been considered. The costs are significant due to the need to link in with the railway signalling system together with improvement to the intersection layout.
47. KiwiRail have indicated that this would be a complex issue and would need substantive work to be undertaken to prove that it is feasible.
48. Any work undertaken would be sacrificial once the short to medium term Onion Road realignment was undertaken.
49. This option would take a significant amount of time to implement meaning that a significant safety issue would need to be mitigated by extensive traffic management intervention in the interim period.
50. This option does address the non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements, and it would partly address the findings of the LCSIA. This option retains however the risk of queuing or vehicle stacking across the rail crossing and potential damage to KiwiRail's rail barrier arm infrastructure.
51. This option is not supported by KiwiRail and is not supported by staff.

Option L1C – Permanent Closure of Level Crossing (estimated cost up to \$250,000)

52. The LCSIA has identified the closure of the Ruffell Road level rail crossing as being the highest scoring option which best addresses all of the immediate safety problems.
53. The closure of the level crossing would result in traffic from Onion Road diverting along Ruffell Road onto Arthur Porter Drive. This option will add approximately 250 metres in trip distance (based on travelling from Onion/Ruffell to Te Rapa/Church Intersections) as shown in figure three below.

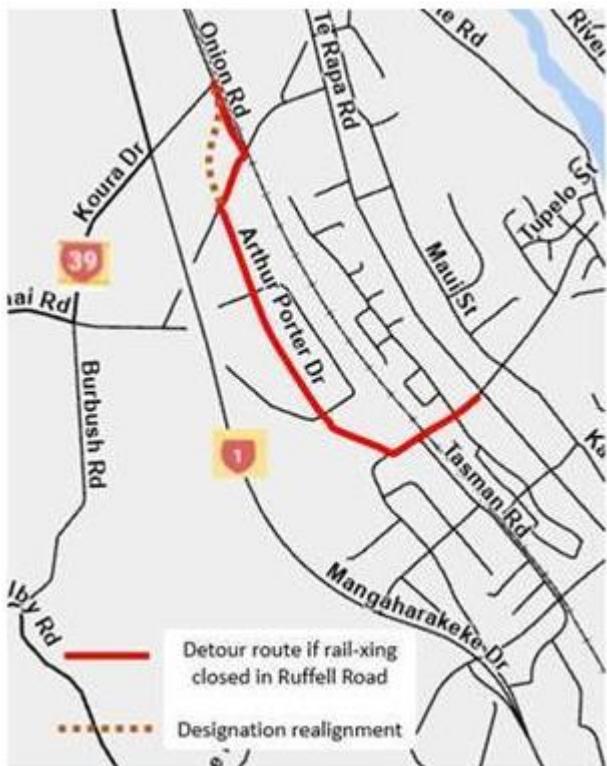


Fig. Five: Detour routes and designation alignment

54. The closure will be installed using guardrail. A budget of \$50,000 is estimated to complete this physical work on the basis of closing the level crossing to all traffic including pedestrians and cyclists.
55. Staff are yet to finalise the details of any closure with Kiwirail, however staff would recommend that micro-mobility and pedestrian access is retained. A budget of \$200,000 is estimated to allow for physical works required to allow this to occur.
56. Permanent closure would also address the potential for vehicles at the Interpipe access queuing or vehicle stacking across the rail crossing, which is also a significant safety risk.
57. This option addresses the non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements, and it addresses the findings of the LCSIA.
58. The permanent closure of the level crossing causes the loss of road network connectivity in the medium to long term which is considered a poor outcome.
59. This option would be supported by KiwiRail but not supported by staff due to the permanent loss of network connectivity.

Option L1D – Onion Road Realignment (estimated cost \$15,879,000)

60. This option is a planned project in the draft LTP. It is programmed for a construction start in year 8 (2028/29) of the draft 2021-31 LTP and is the subject of submissions to the LTP. The route has been designated, the land is not owned but is in the control of one developer and the design is yet to be undertaken.
61. This project has been specifically initiated to mitigate the risk that existed at this level rail crossing and to improve the efficiency of the Arthur Porter Drive/ Waikato Expressway link.

- 62. This option addresses the non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements, and it address the findings of the LCSIA relating to the road layout.
- 63. This option would take a significant amount of time to implement, meaning that a significant safety issue would need to be mitigated by extensive traffic management intervention in the interim period. At current planned timing the interim period would be 9 years.
- 64. This option would be supported by KiwiRail and is recommended by staff as the preferred option.
- 65. The timing is a serious issue however and it is not an option to do nothing in the meantime. The next option to close the level crossing on a temporary basis until the Onion Road realignment is completed is also recommended as a package with this option.

Option L1E – Temporary Closure of Level Crossing (estimated cost up to \$250,000)

- 66. This option would be implemented and remain in place until such time that the proposed short to medium term solution of realigning Onion Road to link the Waikato Expressway with the Arthur Porter Drive / Ruffell Road intersection is constructed.
- 67. The LCSIA has identified the closure of the Ruffell Road level rail crossing as being the highest scoring option which best addresses all of the immediate safety problems.
- 68. The closure of the level crossing would result in traffic from Onion Road diverting along Ruffell Road onto Arthur Porter Drive. This option will add approximately 250 metres in trip distance (based on travelling from Onion/Ruffell to Te Rapa/Church Intersections).
- 69. The closure will be installed using guardrail. A budget of \$50,000 is estimated to complete this physical work on the basis of closing the level crossing to all traffic including pedestrians and cyclists.
- 70. Staff are yet to finalised the details of any closure with Kiwirail, however staff would recommend that micro-mobility and pedestrian access is retained. A budget of \$200,000 is estimated to allow for physical works required to allow this to occur.
- 71. This option addresses the non-compliant behaviour that has been observed with light vehicles undertaking banned turning movements, and it address the findings of the LCSIA.
- 72. The closure of the level crossing causes the loss of road network connectivity in the period until it is able to be reopened which will be a significant inconvenience for some road users.
- 73. The closure also addresses the potential for vehicles at the Interpipe access queuing or vehicle stacking across the rail crossing, but a solution to this safety issue will need to be identified and addressed prior to any re-opening.
- 74. This option would be supported by KiwiRail and is recommended by staff as the preferred option, pending the construction of the Onion Road Realignment.

Location 2: Arthur Porter Drive / Te Kowhai Road (L2)

- 75. To give effect to any closure of the Ruffell Road level rail crossing the Arthur Porter Drive / Te Kowhai Road intersection will need to be upgraded to accommodate the additional traffic that will be diverted to this intersection.
- 76. There are 4 options to consider for L2:
 - i. **Option L2A:** Arthur Porter Realignment

- ii. **Option L2B:** T-Intersection Upgrade
- iii. **Option L2C:** Mini Roundabout
- iv. **Option L2D:** Small Roundabout

Option L2A- Arthur Porter Realignment (estimated cost \$4,470,000)

- 77. This option is a planned project in the draft LTP. It is programmed for a construction start in year 8 (2028/29) of the draft 2021-31 LTP and is the subject of submissions to the LTP. The route has not been designated, the land is not owned and the design is yet to be undertaken.
- 78. This project has been specifically initiated to mitigate the risk that existed at this location and to improve the efficiency of the Arthur Porter Drive Corridor.
- 79. This option would address the issues that exist now and the effects of future traffic.
- 80. This option is recommended by staff as the preferred option.
- 81. This option would take a significant amount of time to implement however meaning that a significant safety issue would exist in the interim period. At current planned timing the interim period would be 9 years.
- 82. It is not an option to do nothing in the meantime. One of the next three options would need to be implemented immediately.

Option L2B- T-Intersection Upgrade (estimated cost \$50,000)

- 83. This option retains the existing intersection layout, with some minor works to road marking, install a traffic island, and general tidy up of the area.
- 84. This option is not supported by staff as it does not support the circulation of traffic.

Option L2C- Mini Roundabout (estimated cost \$150,000)

- 85. This option introduces a mountable roundabout including road marking, installation of traffic islands, some localised pavement works and speed platforms.
- 86. This is the staff preferred and recommended option.
- 87. This option will encourage the distribution of traffic flow at this intersection for the interim period until the Arthur Porter Drive realignment project is completed.

Option L2D- Small Roundabout (estimated cost \$2,000,000)

- 88. This option introduces a non-mountable roundabout including road marking, installation of traffic islands, and substantial pavement works.
- 89. Considering the cost of this option and that there are plans for Arthur Porter Drive to be realigned in the future this option is not supported by staff.

Preferred Options

- 90. The preferred option for Location 1 is to progress the Onion Road Realignment project (Option L1D) as quickly as possible but in the meantime to implement an immediate temporary closure of the level rail crossing (Option L1E).
- 91. The preferred option for Location 2 is to progress the Arthur Porter Realignment project (Option L2A) as quickly as possible but in the meantime to implement a mini roundabout at the Arthur Porter Drive / Te Kowhai Road intersection (Option L2C).

Financial Considerations - *Whaiwhakaaro Puutea*

92. The more permanent options are large capital projects programmed in the 2021-31 LTP and their timing and cost will be determined as part of finalising the LTP.
93. The work that is required immediately to address the urgent safety issues will cost \$400,000 which includes;
 - **Option L1E**- Temporary Closure of the Ruffell Road Level Rail Crossing- \$250,000
 - **Option L2C**- Mini Roundabout at the Te Kowhai Road intersection- \$150,000
94. These are serious existing network issues and can be funded from reallocation and prioritisation of existing 2020/21 Low Cost Low Risk (LCLR) and other programmes.

Legal and Policy Considerations - *Whaiwhakaaro-aa-ture*

95. There are two methods that can be used to temporarily close the Ruffell Road level rail crossing.

Local Government Act 1974

96. The temporary closure of Ruffell Road is permitted under the Local Government Act 1974 (LGA 1974), Schedule 10, Clause 11 (d), which allows Council, after consultation with the Police and New Zealand Transport Agency, to close any road when for any reason it is considered desirable that traffic should be temporarily diverted to other roads.
97. Considering the proposal for temporary closure of any road is set within the 'Terms of Reference and powers' for the Hearings and Engagement Committee.
98. Legal advice has been obtained and while the LGA 1974 is available it is not entirely risk free. There is a question as to how long is reasonable for a Temporary closure using this legislation.

Closure by KiwiRail with HCC Agreement

99. The other option is for KiwiRail to close the crossing. KiwiRail have indicated to staff that given the significant safety concerns that exist, they will be prepared to give effect to a closure.
100. Most level rail crossings are managed through a Deed of Grant Agreement (Deed) but the parties have been unable to find an existing Deed for this particular crossing. This situation provides an opportunity to enter into a Deed that gives effect to the closure and most importantly for HCC to describe the circumstances that KiwiRail would undertake to allow the crossing to reopen. This commitment may need to be documented through a separate and parallel Agreement.
101. Staff are recommending that HCC enters into an Agreement with KiwiRail to give immediate effect to the Ruffell Road Level Rail Crossing and to also enter into a Deed of Grant Agreement for the crossing which is a normal requirement.

Significance and Engagement Policy

102. Consideration of HCC's significance and engagement policy on this matter is set out below.

Wellbeing Considerations - *Whaiwhakaaro-aa-oranga tonutanga*

103. The purpose of Local Government changed on the 14 May 2019 to include promotion of the social, economic, environmental and cultural wellbeing of communities in the present and for the future ('the 4 wellbeings').

104. The subject matter of this report has been evaluated in terms of the 4 wellbeings during the process of developing this report as outlined below.
105. The recommendations set out in this report are consistent with that purpose.

Social

106. The proposed changes at the Ruffell Road level rail crossing and the Te Kowhai Road East/Te Kowhai Road intersection are intended to address the immediate safety concerns identified in these locations.
107. While there will be a level of network severance that the community will experience from the proposed changes these changes will foster the health and wellbeing of communities by ensuring the transport network supports good travel choices that are safe.

Economic

108. The proposed changes at the Ruffell Road level rail crossing and the Te Kowhai Road East/Te Kowhai Road intersection will still allow the ability for businesses to move goods and services safely within the city.
109. The planned projects in the 2021/31 LTP will increase this ability for the short to medium term.

Environmental

110. The proposed changes to the roading network will create a level of network severance which will result in some vehicles travelling longer distances to complete their travel journeys which would adversely impact on congestion and vehicle emissions.
111. The duration of these environmental impacts is expected to be temporary and addressed once the long-term roading solutions are constructed.

Cultural

112. Given the timeframe to prepare this report staff have not been able to engage with and update tangata whenua on this matter.
113. Staff are planning to update tangata whenua and a verbal update will be available at the Committee meeting.
114. The two planned projects in the 2021/31 LTP will follow the normal consultation and engagement processes applicable for large infrastructure projects.

Risks - *Tuuraru*

115. The key risks associated with the delivery of the proposed works have been identified as the following:
 - **Public Safety** – the completed Ruffell Road Level Crossing Safety Impact Assessment has identified this site as a dangerous level crossing situation, in which there is a medium-high risk of death or serious injury occurring to users crossing the railway line. The proposed work will provide an interim solution which can be funded from within existing budgets to address this risk.
 - **Funding** – currently the proposed works are unfunded. However, we will look to reprioritise the 2020-21 Low Cost Low Risk and other programmes to accommodate this work. Staff are not seeking additional funding to deliver this work.
 - **Public Engagement** – the proposed level of public engagement on this matter (i.e. Inform only) is unlikely to be positively received. Staff are developing a

Communications Plan which will involve updating key stakeholders, including members of the public that we have updated previously on this matter. This targeted communication has commenced with directly affected businesses.

Significance & Engagement Policy - *Kaupapa here whakahira/anganui*

Significance

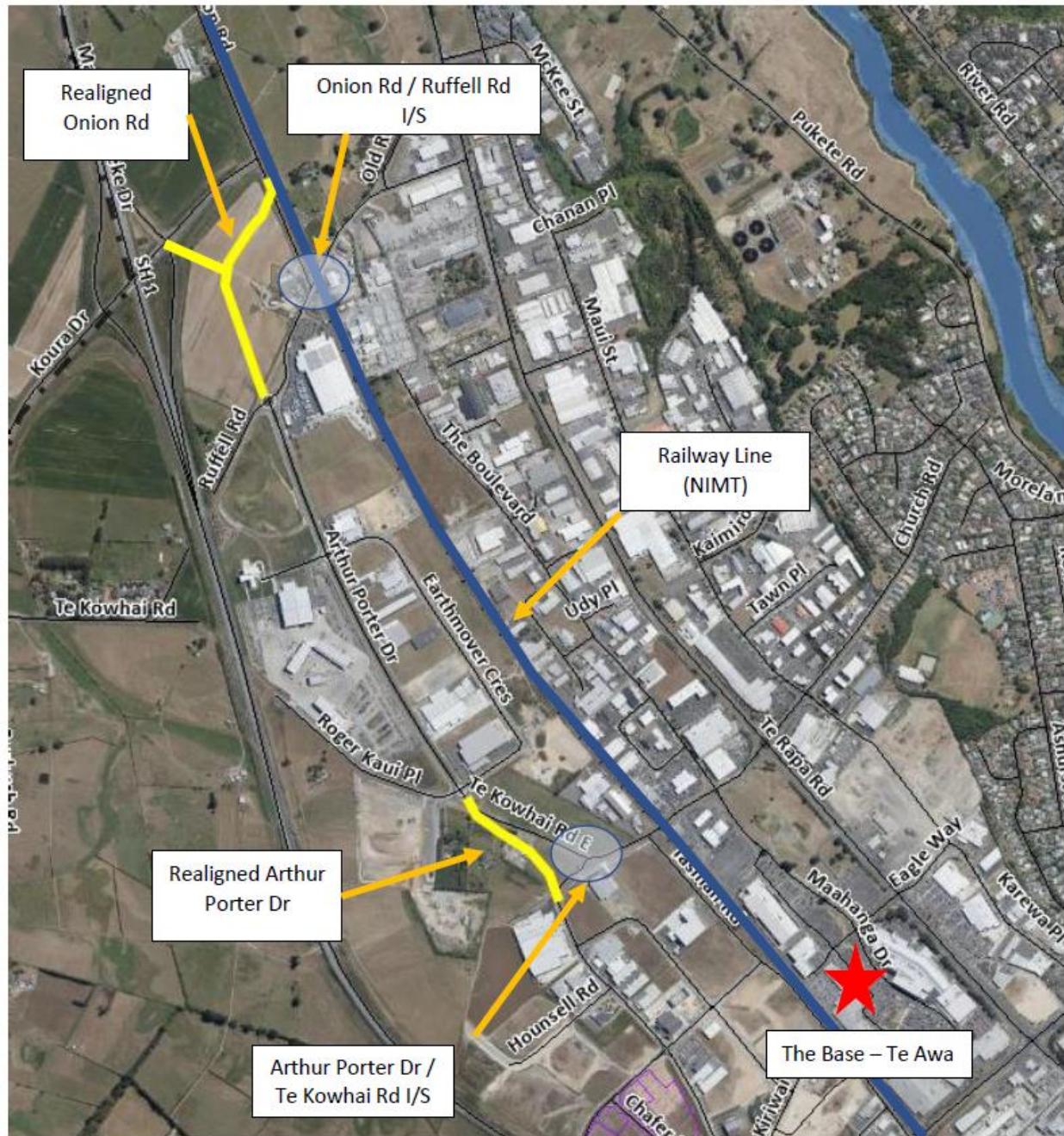
116. Staff have considered the key considerations under the Significance and Engagement Policy and have assessed that the recommendation(s) in this report has/have a medium level of significance.

Engagement

117. As noted earlier in the report since the current road layout was implemented (Wednesday 16 December 2020), we have received feedback from the community that drivers are not following directions. We have also received queries focussed on:
 - traffic congestion and safety of road users;
 - evidence of data/information used to decide on the proposed temporary intersection work;
 - the level of consultation with intersection user (based outside the Hamilton City boundaries); and
 - what/when is the permanent solution that is going to be in place.
118. We continue to receive community feedback questioning why the most recent changes were made and asking for the intersection to be changed back.
119. This matter has been assessed as having a Medium Level of Significance. In accordance with HCC's Significance and Engagement Policy Council must engage with the Community.
120. The Engagement methods available include:
 - i. Inform
 - ii. Consult
 - iii. Involve
 - iv. Collaborate
121. Staff are advising that only the 'Inform' method of engagement is appropriate on this matter given the immediate safety imperative.
122. Given the medium level of significance determined, the engagement level is medium. Engagement is required.

Attachments - *Ngaa taapirihanga*

Attachment 1 - Locality Plans .



FURTHER INFORMATION

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