

Before Kaipara District Council

In the Matter of the Resource Management Act 1991 (**RMA**)

And

In the Matter of an application for Private Plan Change 84 (**PC84**) by **MANGAWHAI HILLS LIMITED** to rezone 218.3 ha of land between Tara Road, Cove Road, Moir Road and Old Waipu Road, Mangawhai from Rural Zone to the Mangawhai Hills Development Area.

Evidence of Peter Justin Kelly on behalf of Mangawhai Hills Limited

Transportation Engineering

Dated 13 May 2024

Jeremy Brabant

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Response to Mr. Arthanari's Evidence

1. I have reviewed Mr. Arthanari's evidence and full and have looked to respond to matters, where I both agree and disagree.
2. In Paragraph 2.5 of Mr. Arthanari's evidence, he indicates that the south area of the Plan Change area is well suited to support early stages of development. I agree with this statement, however, caveat it with there is no expectation that any one area of the Plan Change area must develop first or in whole, before other areas may proceed to be developed. I anticipate that it may follow this trend to an extent, as it creates efficiencies in design and implementation, but is not guaranteed to proceed in this manner.
3. In Paragraph 2.5 of Mr. Arthanari's evidence, he states that the recommended Structure Plan must provide better certainty around transport access to the southern sites. I disagree with this statement, as the recommended Structure Plan identifies two potential connections in the form of either a primary or secondary road. While the intent at this stage of the development process is for the roads to follow this plan, it is acknowledged that other routes may be pursued due to ease of construction, or land availability.
 - a. As part of the Plan Change application, I do not consider it to be appropriate for specific design constraints to resolved for future roading connections, as it provides significant onerous burden on the applicant, as well as can be problematic should access to land be outright refused for these investigations.
 - b. Under the recommended Precinct Provisions, new public roads are to be provided in accordance with the recommended Structure Plan, however should they not be, it is treated as a Discretionary activity, which then provides an acceptable pathway for an alternate road pathway to be pursued, such as the one identified in Figure 3 of Mr. Arthanari's evidence.

4. In Paragraph 2.7 of Mr. Arthanari's evidence, he states that a connection to Moir Road is essential to create efficient urban form. While I agree that these connections would be beneficial and result in the best overall outcome, I do not agree that they are essential and especially are not essential prior to the creation of any lots within the Plan Change area (as alluded to in Paragraph 3.3 of Mr. Arthanari's evidence).
 - a. I acknowledge that without these connections residents would be required to travel longer distances by vehicle and active modes, however requiring these connections, where agreement would be required from no less than two different land owners, ultimately does have the potential to never be realised; and therefore would then prevent any development from occurring within the Plan Change area, if they were to be an explicit requirement.
 - b. Further I note that the recommended Precinct Provisions require subsequent Transport Assessments and Safety Audits to be completed upon the construction of new public roads. As such, I consider that this requirement will suitably capture the required scale of any improvements, in relation to the proposal and the existing environment at the time.

5. In Paragraph 3.8 of Mr. Arthanari's evidence, he expressed concerns with the intersection of Tara Road and Moir Street/Kaiwaka Mangawhai Road. I agree with Mr. Arthanari that current sightlines in this location are substandard and will require improvements to be made.
 - a. I note that from a vehicle queued on Tara Road, a Minimum Gap Sight Distance (MGSD) of 83 metres is required for vehicles to turn left or right. From my review of the boundaries and current road layout, approximately 90 metres of MGSD could be achieved through works within the road reserve. While this work may require some vegetation removal and retaining/regrading to occur within the road reserve, I do not consider it to be unachievable.
 - b. With respect to Safe Intersection Sight Distance (SISD), I consider there to be no issues with visibility to/from the north. To the south,

presently there is approximately 80 metres of visibility, which exceeds the minimum Stopping Sight Distance (SSD), based on an 85th percentile speed of 60 km/h, but is deficient when factoring in a downhill gradient of ~7.5% (requirement of 83 metres).

- c. From the removal and regrading of the berm, it is anticipated that sightlines could be increased to upwards of 100 metres. While this distance is deficient from the SISD requirements it would meet both the MGSD and SSD requirements. I also note that other measures could also be considered to lower the 85th percentile operating speeds to be closer to 50 km/h as opposed to 60 km/h. This would see the intersection having SISD values generally consistent with the Austroads standards when accounting for the downhill gradient and aspects of the Extended Design Domain criteria.
- d. I also explored very preliminarily the possibility of installing a roundabout at this intersection, as well as realigning the intersection to adjust the main flow direction between Moir Road and Tara Road, as opposed to Moir Road and Kaiwaka Mangawhai Road. I note that these are purely concept sketches and have not undergone any design reviews at this stage and are only provided for context in **Figure 1** and **Figure 2**.



Figure 1: Roundabout Preliminary Concept Design

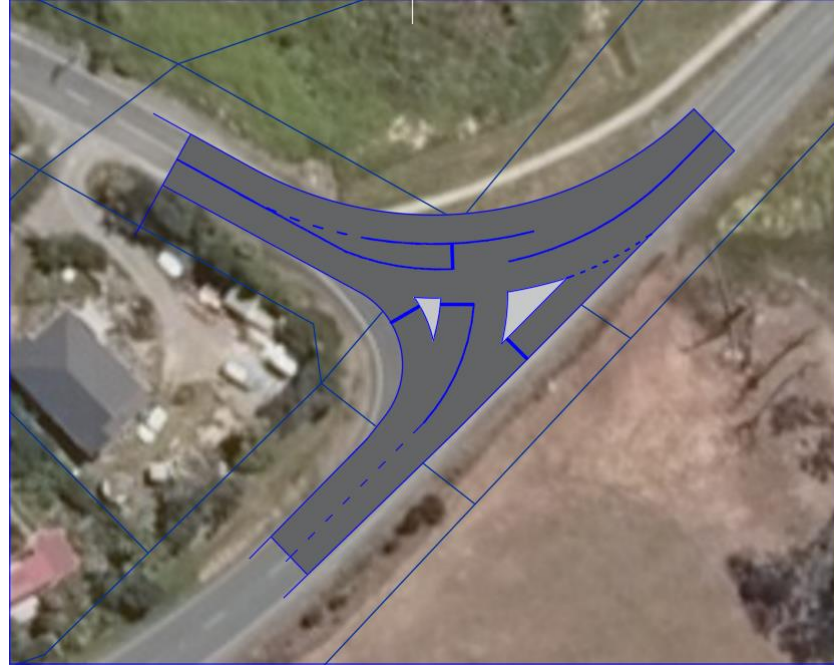


Figure 2: Road Realignment Preliminary Concept Design

6. In Paragraph 4.14/4.15 of Mr. Arthanari's evidence, he expressed concerns that sites within the southern area of the Plan Change area may not be able to see a viable road connection due to the current parcel arrangement and the limited available of access to public roads for his client's land. I acknowledge that some of the parcels of land will have challenges in establishing road connections as it will be dependent on other parties, specifically in the south section of the Plan Change area.
 - a. I do not consider that these challenges are unique to this Plan Change application, as often is the case that the previous subdivisions have created parcels of land which are served by right-of-ways or access lots, which would see challenges in these lots seeing the fully development capacity of the Plan Change in the immediate term but would hopefully see sought outcomes within the following decade.
 - b. The roads identified in the recommended Precinct Plan were chosen as they were considered to have the least potential effect on the existing layouts of dwellings and properties, but also looked to serve the majority of properties, thereby helping all sites within

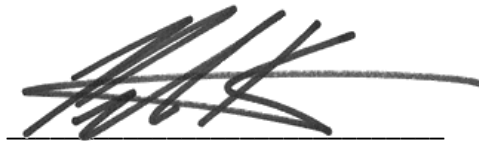
the area to potentially see the full realisation of the Plan Change over time.

- c. As previously stated, I consider that the recommended Precinct Provisions provide suitable scope and opportunity for alternate roadways to be constructed, it would just be subject to a Discretionary activity status and would then fall on Council to apply the appropriate matters of discretion and objective and policies.
7. In Paragraph 4.19, of Mr. Arthanari's evidence, he expressed concerns that should the northern link not be extended to Allot 247, there is potential that this site will have no roading access and then may not be able to be developed. He then goes to state in Paragraph 4.20 that this primary road connection to Allot 247 is a prerequisite for any development in the Plan Change area.
- a. As any road which does not follow the recommended Structure Plan is a Discretionary activity, I consider that any subdivision activity within the southern part of the applicant's land would see this road connection constructed based on the overall activity status, and its wider role within the overall Structure Plan.
 - b. I do not consider that this road is a prerequisite for any development in the Plan Change area, as similar to many of the other properties in the area, there is a degree of needing to come to agreements with neighbours on potential access routes. The connection of Allot 247 through Allot 254 would be no dissimilar to that of Allot 254 seeking connection through other adjacent properties. I consider that the purpose of this Plan Change is to enable opportunity for intensification within the area and see its development over the following decade or so, rather than seeing its full redevelopment from 'Day 1'. Should Mr. Arthanari's client wish to explore future subdivisions following a successful plan change, it is my opinion that they would be able to either attempt to coordinate with neighbours along the existing shared access, or alternatively seek the

construction of Primary Road in the north, through a cost share agreement with the Plan Change Applicant.

8. In Paragraph 4.31, of Mr. Arthanari's evidence he expresses concerns with the gradients of roads for those with mobility restrictions. While I agree that roads should wherever possible be formed so to serve all members of the community, the reality is that the topography throughout New Zealand is not supportive of all roads having gradients which are aligned with the requirements of the various types of mobility restrictions. Further I do not consider it necessary for it to be demonstrated that the roads are able to be constructed as part of the Plan Change process as it would require significant engineering design work and upfront costs which would likely dissuade anyone from pursuing a plan change and thereby stifle growth. I consider the proposal and the available information provided to date to be consistent with what would typically be seen as part of a Plan Change, and that the recommended Precinct Provisions provide suitable guidance and requirement for future assessment to ensure a safe and well performing road network.

This evidence has been prepared in full by:

A handwritten signature in black ink, consisting of several overlapping, stylized strokes, positioned above a horizontal line.

Peter Justin Kelly

Dated 13 May 2024