

**BEFORE INDEPENDENT HEARING COMMISSIONERS APPOINTED BY THE
WAIMAKARIRI DISTRICT COUNCIL**

IN THE MATTER OF

The Resource Management Act 1991 (**RMA** or
the Act)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on the Proposed Waimakariri
District Plan (**PWDP** or **the Proposed Plan**)

AND

IN THE MATTER OF

Hearing of Submissions and Further
Submissions on Variations 1 and 2 to the
Proposed Waimakariri District Plan

AND

IN THE MATTER OF

Submissions and Further Submissions on the
Proposed Waimakariri District Plan by
Momentum Land Limited

**SUPPLEMENTARY EVIDENCE OF ANDREW DAVID CARR
IN RESPONSE TO OFFICER REPORT
ON BEHALF OF MOMENTUM LAND LIMITED
REGARDING HEARING STREAM 12E**

DATED: 2 August 2024

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INTRODUCTION

- 1 My name is Andrew ("Andy") David Carr.
- 2 I have prepared a statement of evidence (**Evidence in Chief, EiC**) regarding Hearing Stream 12E in support of the submissions of Momentum Land Limited (**Momentum** or **MLL**) to rezone approximately 35ha (310 Beach Road and 143, 145 & 151 Ferry Road – the **Site**) in northeast Kaiapoi from Rural Lifestyle Zone (**RLZ**) to Medium Density Residential Zone (**MRZ**) subject to an Outline Development Plan (**ODP**) through the Proposed Waimakariri District Plan (**PWDP**) and Variation 1 to the PWDP.
- 3 My qualifications and experience are set out in my EiC.
- 4 On 22 July 2024 the Waimakariri District Council (**Council**) released an Officer Report for Hearing Stream 12E prepared under section 42A of the RMA containing an analysis of submissions seeking residential rezoning and recommendations in response to those submissions (**Officer Report**).
- 5 The Officer Report recommends that the Momentum rezoning submission be accepted. My supplementary evidence is filed in response to that Report.
- 6 I have read the Environment Court's Code of Conduct and agree to comply with it. My qualifications as an expert are set out in my EiC. The matters addressed in my evidence are within my area of expertise, however where I make statements on issues that are not in my area of expertise, I will state whose evidence I have relied upon. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in my evidence.

SCOPE OF SUPPLEMENTARY EVIDENCE

- 7 In my supplementary evidence I address the following matters:
 - (a) those parts of the Officer Report that address matters within scope of my expertise, with particular emphasis on matters where there is a difference of view between myself and the Officer Report.

- 8 In preparing my supplementary evidence I have:
- (a) Reviewed the Officer Report of Mr Peter Wilson and the technical appendix produced by by Mr Mark Gregory, which is relied on by Mr Wilson;
 - (b) Reviewed my evidence in chief filed earlier on behalf of the Submitter; and
 - (c) Reviewed other materials specifically mentioned in my supplementary evidence discussed below.

CONTEXT AND APPROACH

- 9 As mentioned, the Officer Report recommends acceptance of the Momentum rezoning submission. A range of reasons are given for this recommendation, some of which relate to my area of expertise.
- 10 The approach I have adopted in this supplementary statement of evidence is to identify those parts of the Officer Report (including Appendices attached to that Report) where I disagree with the Officer Report and to explain my reasons for disagreement.
- 11 I consider it is also relevant to consider the Suburban Estates site, described as 'northeast Kaiapoi' in the Officer Report. This lies to the north of the submitter's site at Ferry Road.
- 12 In summary, Mr Gregory sets out that he supports the Momentum submission seeking rezoning of 147 and 177 Ferry Road and 310 Beach Road, but does not support the rezoning of the Suburban Estates site. I agree with his conclusions in this regard, as I discuss further subsequently.

RESPONSE TO OFFICER REPORT

147/177 Ferry Road

- 13 There is a generally high degree of alignment between Mr Gregory's comments and those in my EiC. He notes a connected network layout in the proposed Outline Development Plan (**ODP**), and that the resultant development will be able to have good access to public transport, if a bus service was to operate in future (his paragraphs 86 to 91).

- 14 In his paragraph 92, he raises three concerns with the ODP, relating to some 'obtuse' intersection alignments, the use of four-way priority intersections, and possible design constraints at an internal roundabout.
- 15 With regard to the alignment of roads at intersections and the design constraints of the roundabout, Mr Gregory's comments relate to an illustrative masterplan which I included in my EiC to demonstrate how the site could develop. The ODP itself is included in the EiC of Mr Bruce Weir and it can be seen that these particular matters raised by Mr Gregory are not evident. Consequently, I consider that they can be addressed when subdivision consents are sought.
- 16 Regarding the use of four-way priority intersections, the ODP shows one such intersection is proposed, towards the centre of the site where the primary connector and a local road meet. While Mr Gregory's comments are not incorrect per se, they also do not take into account that the ODP does not specify the type of intersection (for example, a roundabout is not precluded by the ODP), or if a priority intersection was to be constructed, whether traffic calming measures would be implemented at the intersection as part of an area-wide traffic scheme to slow speeds. Again then, I consider that this is a matter for consideration when subdivision consents are sought.
- 17 By way of example, I am aware that the submitter is the developer for the Beach Grove subdivision to the immediate south. This has also been developed under an ODP and matters of intersection geometries and road formation have regularly been raised by the Council and discussed through the development of that site.
- 18 Mr Gregory rightly notes that my assessment of the Smith Street / Williams Street / Beach Road roundabout identified that significant delays and queues would develop if the submitter's Site was to be developed and the roundabout remained in its current form (his paragraphs 102 and 103). In passing, Mr Gregory states that I have not given exact values for the delays, and this is correct. The reason for this is that the queues and delays are forecast from a model, and the model is not accurate once operating beyond the parameters for which it has been tested. It is sufficient in my view to note that the queues and delays are substantial, would not be acceptable to the

road controlling authority, and that some form of improvement is required prior to that point.

- 19 I do not disagree with Mr Gregory's simplified Table 2 – in essence it simply shows that the existing roundabout does not perform well and improvements are needed. Mr Gregory is correct when describing that the adverse effects are the greatest in the morning (his paragraph 103).
- 20 As I set out in my EiC, there are two possible scenarios for development of the submitter's Site, a 'low' scenario (700 residences in total) and a 'high' scenario (1,045 residences in total). As would be expected, the two scenarios generate different traffic volumes, and this leads to two potential solutions for possible upgrades to the roundabout.
- 21 I confirm that the formation of the second approach lane on Beach Grove would be achieved through increasing the crossing length for pedestrians on this approach. While Mr Gregory considers that residents of a proposed retirement village at 310 Beach Road might use this (his paragraph 108), I highlight that there is a zebra crossing located just 35m to the east which provides a highly convenient alternative and would not increase walking distance for retirement village residents.
- 22 Mr Gregory is dubious about the positive effects of a short second lane at the roundabout (his paragraphs 110 onwards), but we are both of the view that under a 'high' development yield, the intersection would be required to be signalised. I therefore agree with Mr Gregory (his paragraph 117) that the appropriate form of intersection upgrade will likely lie at some point between the 'low' and the 'high' development yield scenarios.
- 23 I do not propose to traverse the nuances or detail of traffic modelling in this supplementary evidence. However, there are several matters that I consider to be relevant to this 'trigger point' where the roundabout upgrades are required when assessed in the context of a land rezoning.
- 24 Firstly, although a detailed design has not been developed for traffic signals, within my EiC I gave an example of urban traffic signals that recently replaced

a roundabout within Christchurch¹, on roads that have the same legal width as Smith Street, Williams Street and Beach Road. In my view then, there can be confidence that an appropriate design of traffic signals can be accommodated within the road reserve at the time when they are needed.

- 25 The second matter is that even if the submitter's Site was to be rezoned for residential development, this does not exempt the site from being assessed under Rule TRAN-R20 'high traffic generators'. I mentioned this within my Transportation Assessment (paragraph 7.1.19) but in brief:
- (a) The threshold for this Rule is currently set at the traffic generated by 25 residences.
 - (b) Subdivision is at least a Controlled Activity and this would trigger the need for a 'Basic' Transportation Assessment under Table TRAN-2.
 - (c) TRAN-MD11 sets out that part of this, an assessment is required of the "*extent to which any additional vehicle movements will affect the capacity of the road network*".
 - (d) I consider that this gives the Council scope to consider the Smith Street / Williams Street / Beach Road intersection whenever a subdivision consent is sought for the site².
- 26 Consequently, while I agree with Mr Gregory that the threshold for roading upgrades is usually expressed in terms of a maximum number of dwellings (his paragraph 117), in this case the High Traffic Generator rule means that a specific number of residences is not required to be set at this point in time.
- 27 Thirdly, even the lowest value yield of 600 residences will take several years to be developed. Over that time, it is reasonable to expect that the prevailing traffic conditions will change. Any threshold for when intersection

¹ See Annexure A of my EiC at Figure 17

² For completeness, the exception to this this would be if the development was staged and each stage had fewer than 25 residences but in my experience this is unlikely as I understand that it is not economic to develop in this manner.

improvements are required that is fixed at the present time, will likely be superseded by that point.

28 For example, one change which may arise relates to the Woodend Bypass. As set out in paragraph 3.3.3 of my Transportation Assessment, this is expected to change the layout of the existing State Highway 1 / Williams Street intersection at Pineacres, which may in turn result in changes to traffic flows on Williams Street. Until the effects of this have been determined, there will be uncertainty in the point at which the Smith Street / Williams Street / Beach Road intersection should be upgraded.

29 Ultimately Mr Gregory concludes that there should be a specific Rule included in the rezoning provisions for the submitter's site that requires the provision of traffic signals at the Smith Street / Williams Street / Beach Road intersection (his paragraph 126). For the reasons set out above, I do not consider that this is necessary or would ensure a robust outcome. In my view, there can instead be reliance on Rule TRAN-R20 'high traffic generators' to identify the need for improvements at the appropriate time.

30 In his paragraphs 129 onwards, Mr Gregory discusses the options available for addressing identified capacity-related issues at the Beach Road / Tuho Drive intersection, concluding that measures should be considered further within a Transportation Assessment. I concur, noting that such a Transportation Assessment would be produced to respond to Rule TRAN-R20 'high traffic generators' when subdivision consents are sought.

310 Beach Road

31 In his paragraph 141, Mr Gregory sets out that the access into this area appears to be aligned directly opposite Meadow Street. In fact it is located slightly further east, so the Meadow Street / Site Access intersection would be formed as two offset tee-intersections as Mr Gregory seeks

32 In his paragraph 142, Mr Gregory considers that providing kerb and channel on Beach Road should be a "*requirement of the final ODP*". I consider that this is a matter for subdivision.

33 Finally, Mr Gregory wishes to see how the site connects to the existing active travel infrastructure (his paragraph 142). The ODP already shows a pedestrian and cycling route but it would be possible to reinforce this through the ODP narrative, if desired.

Suburban Estates (Submission 208)

34 Mr Gregory also makes comment on the site to the north of the submitter's site, being a submission made by Suburban Estates. Mr Gregory notes that a Transportation Assessment does not appear to have been provided for this site, although he calculates that the site could accommodate in the order of 600 residences (his paragraphs 143 and 146 respectively). I confirm that I have also not been able to identify a Transportation Assessment associated with the submission.

35 In his paragraph 152, Mr Gregory raises matters relating to cumulative transportation effects if the Momentum submission is accepted as well as the submission of Suburban Estates, and raises the potential that third party land may be required for intersection improvements.

36 One outcome of the absence of transportation information supporting the Suburban Estates submission is that there has been no identification of locations where roading or intersection improvements may be required, nor of the scale of effects, what improvement measures might be required, or whether any such measures are viable. Similarly, there is no identification of the traffic generation of the site, nor the routes that residents might take. Had those matters been properly assessed and relevant details provided, I consider it would be possible to quickly complete a coarse evaluation of the cumulative effects of both sites being developed.

37 While I acknowledge there would be a role for Rule TRAN-R20 'high traffic generators' in considering the Suburban Estates site, I consider that there is an important difference between the two submissions. In the case of the Momentum submission, I have undertaken an analysis to show that an appropriate transportation solution exists without the need for third party land at full site development. Thus Rule TRAN-R20 is applied solely to ascertain the point at which necessary improvement measures should be

implemented. At that point though, those improvements could be put in place as a permitted activity, and the site can then be developed to the extent anticipated under the zoning.

- 38 No analysis has been carried out of the Suburban Estates submission. Consequently, when Rule TRAN-R20 is applied to that site there is a risk that development that would otherwise have been anticipated under the zoning is found to have adverse traffic effects which are unable to be mitigated. The site could then not be developed as per the density of the zoning provisions.
- 39 In other words, while the Momentum submission shows that the effects of site development are able to be mitigated, the Suburban Estates submission has not demonstrated this.
- 40 Overall, Mr Gregory considers that further information is required to assess the transportation effects that could arise before the Suburban Estates site is able to be rezoned (his paragraph 151). Ultimately, he concludes that in the absence of such information, he is unable to support the submission (his paragraph 13).
- 41 Upon reviewing the recommendation of Mr Wilson, I see that he repeats Mr Gregory's comments regarding the lack of information provided. However, notwithstanding these, Mr Wilson goes on to recommend that the Suburban Estate submission is accepted.
- 42 From a transportation perspective, I do not support Mr Wilson's views. Rather, I consider that the lack of assessment of transportation effects means that there can be no certainty as to scale of transportation effects arising from development of the Suburban Estates site or that appropriate mitigation measures can be implemented.

CONCLUSION

- 43 In his paragraph 980, Mr Wilson sets out that for the Momentum submission, there appears to be considerable alignment amongst the expert advice received by Council and that received from the submitter, that any differences are of a technical rather than strategic nature, and that these can be

addressed at the subdivision stage. Accordingly, he recommends that the Momentum submission can be accepted. I agree with his views.

44 However, I share Mr Gregory's concerns with regard to the lack of transportation information provided within the Suburban Estates submission. In my view, there is no evident alignment with the Council's transport expert, nor confirmation that any differences are only of a technical nature, nor that matters outstanding can be addressed at the subdivision stage. From a transportation perspective then, I disagree with Mr Wilson's recommendation for this submitter.

Andy Carr
2 August 2024