

**Before a Hearings Commissioner appointed by
the Kāpiti Coast District Council**

Under the Resource Management Act
1991

And

In the Matter of an application under section 88 of
the Act by Kāpiti Retail Holdings
Limited for the construction and
operation of a Countdown
supermarket at 160 Kāpiti Road,
Paraparaumu (RM210151)

**Statement of Evidence of
Tim Kelly
for Kāpiti Retail Holdings Limited**

Dated: 24 February 2022

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INTRODUCTION

Qualifications and Experience

1. My name is Tim Kelly. I am owner and director of Tim Kelly Transportation Planning Limited, a traffic engineering and transportation planning practice.
2. I have worked in the traffic engineering and transportation planning field since 1983. I hold a Bachelor of Arts degree in Geography, and a Master of Science degree in Traffic Engineering and Transportation Planning, both from the University of Sheffield in the United Kingdom.
3. I am a full member of the Chartered Institute of Logistics and Transport, and the IPENZ Transportation Group (a Technical Interest Group of IPENZ).
4. My career to date has been spent in the consultancy sector of transportation, in both the United Kingdom and New Zealand. During my career, I have provided policy advice regarding traffic and transportation matters, and undertaken assessments for a wide variety of development proposals across New Zealand.
5. This experience includes work on a wide variety of retail and other projects in the southern part of the North Island. Within Kāpiti, I have provided advice regarding development within the airport area since and including the original Plan Change 73 in 2007/8 (which facilitated development within the airport area) including the Mitre10 Mega development.
6. I can confirm that I am very familiar with the site and the wider area in which it is located, as a result of numerous site visits for this and other projects.

Background and Involvement

7. I was approached in September 2020 to provide advice relating to the transportation aspects of a proposal for a Countdown supermarket to be located on the former Placemakers site at 160, Kāpiti Road (the **Proposal**).
8. My initial advice related to the design aspects of the site. I then prepared an Integrated Transportation Assessment (**Transport Assessment**), dated July 2021. This document forms part of the application material, as Appendix 5 to the Assessment of Environmental Effects (**AEE**).

9. I have liaised with officers of the Kāpiti Coast District Council (**Council**) regarding the application and have provided responses to a number of requests for further information from these officers (specifically, in letters dated 12 August, 29 September, 9 December and 21 December 2021, collectively referred to as the **Transportation RFI Responses**).
10. Finally, I have prepared this statement of evidence.
11. As a result of other commitments, this evidence has been prepared in advance of the section 42A report being available from the planning officer. Mr Trotter, the Council Transport Safety Leader, advised me he was unaware of any residual matters that needed to be addressed.¹ If any do arise, I will address these at the hearing.

Code of Conduct

12. While this is not an Environment Court hearing, I have read and agree to comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2014. This evidence is within my area of expertise, except where I state that I am relying on material produced by another person. 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 EVIDENCE

13. In this evidence I will:
 - (a) describe the site and the transportation aspects of the Proposal;
 - (b) describe a chronology of the relevant aspects of the processing of the Proposal in terms of the information supplied to Council;
 - (c) describe the assessed effects of the Proposal and proposed mitigation;
 - (d) summarise the compliance of the Proposal with the relevant requirements of the District Plan;
 - (e) address residual transportation issues;

¹ Email dated 14 February 2022.

- (f) respond to transport-related matters raised by the three submissions made on the Proposal;
- (g) address the proposed conditions of consent; and
- (h) give my conclusions.

EXECUTIVE SUMMARY

- 14. The Proposal has been the subject of extensive assessments to determine potential effects upon the Kāpiti Road traffic operating environment. These assessments have identified a potential for increased delays at the Friendship Place roundabout but demonstrate that these can be readily mitigated by the provision of an additional lane (within road reserve) on the Friendship Place approach.
- 15. A range of issues raised by Council through requests for further information have been addressed. Issues raised in the three submissions made in relation to the proposal have been similarly addressed.
- 16. The Proposal will make sufficient provision for off-street parking, servicing and disability access.
- 17. Any residual uncertainty relating to effects will be appropriately addressed through a package of conditions on the consent.
- 18. Overall, I consider that any effects associated with the Proposal upon the safe and efficient operation of the road network will be no more than minor.

SITE AND SURROUNDING TRANSPORT NETWORK

- 19. The site is located on the north-east side of Kāpiti Road with an established access from the Friendship Place roundabout.
- 20. The existing transportation environment is described in Section 2 of the Transport Assessment. Typical passing traffic volumes are 16 – 18,000 vehicles/day. Periods of maximum traffic activity occur during the weekday evening peak period and Saturday late morning / early afternoon period. During these periods, delays can be experienced on the adjacent road network. Modelling of the Kāpiti Road / Friendship Place roundabout indicates that the highest delays of 24-28 seconds/vehicle (equivalent to

Level of Service (**LOS**)² C) are experienced on the Friendship Place approach.

21. The adjacent section of Kāpiti Road provides for pedestrian and cycle movements and is serviced by a bus route.
22. The crash history reported in the Transport Assessment did not identify any systemic safety problems with the road network in this area. I have recently revisited the crash database to check for any more recent relevant incidents, but none were reported up to February 2022.

THE PROPOSAL

23. The Proposal is described in detail in the planning evidence of Kay Panther Knight for the Applicant and at Section 3 of the Transportation Assessment.
24. The key transport-related features are:
 - (a) a 3,800m² Gross Floor Area (**GFA**) Countdown supermarket (including an on-line fulfilment area) and an additional 800m² GFA trade-retail development;
 - (b) provision of 211 off-street parking spaces (including spaces reserved for mobility vehicles, parents with young children, online pick-up and EVs), customer and staff cycle parking areas;
 - (c) primary vehicular access by means of the existing Kāpiti Road / Friendship Place roundabout;
 - (d) secondary vehicular access by means of a left-in/left-out access on Kāpiti Road;
 - (e) servicing to the rear of the supermarket with service vehicles entering by means of the roundabout and exiting via the secondary access;
 - (f) a proposed package of off-site works within Kāpiti Road including the provision of bus stops; and

² Level of Service is a six-point scale used to describe traffic conditions, in which LOS A represents free-flow conditions and LOS F represents heavily congested conditions.

- (g) mitigation in the form of an additional lane on the Friendship Place approach to the roundabout (within the existing road reserve).

CHRONOLOGY

25. A number of further information requests have been made by Council subsequent to the lodging of the application. For clarity, I set out the various transport documents that have been provided to date:
- (a) July 2021: application lodged (appending the Transport Assessment);
 - (b) 27 July 2021: request from Council for further information;
 - (c) 12 August 2021: response provided to issues raised in the 27 July request;
 - (d) 2 September 2021: (online) meeting with Council representatives to discuss and agree a number of residual matters;
 - (e) 29 September 2021: full response provided to all matters raised in the 27 July request and discussed at the above meeting;
 - (f) 13 October 2021: application notified;
 - (g) 30 November 2021: request from Council for further information arising from submissions;
 - (h) 9 December 2021: response provided to the Council request;
 - (i) 17 December 2021: email from Council indicating that it accepted or noted responses to all points except one relating to the underlying traffic data used; and
 - (j) 21 December 2021: a response provided to Council on the one residual matter, further addressed in my evidence (at paragraphs 40-49).

TRANSPORT EFFECTS AND MITIGATION

26. The Transportation Assessment of July 2021 describes in detail the approach used for the assessment of potential transportation effects, the

underlying assumptions and conclusions. Subsequent correspondence with Council (as I have detailed above) has provided further information to address and resolve issues, including those raised by the submissions. With these matters well documented and agreed, I do not intend to repeat the information provided in the application material or the subsequent correspondence in detail. However, I provide a summary of the transportation effects and mitigation below.

27. In order to quantify the potential effects of the Proposal upon the adjacent road network, I established a computer model (SIDRA)³ of the Kāpiti Road corridor (between the Langdale Drive and Arawhata Road intersections). This assessed conditions for the periods of highest background traffic demand during the weekday evening and Saturday late morning peak periods. For these periods, I estimated that the Proposal would generate 400-430 vehicle movements an hour (split equally between arrivals and departures).
28. Not all of these vehicle movements will be new to the road network. A standard allowance was made for those trips which are currently passing and which instead divert into the site.
29. Other behavioural responses made by drivers include diversion from routes further away, linkage with trips to other retail outlets and diversion from other retail offers. While such effects are known to occur, their individual and combined complexity means that reliable adjustments cannot be made.
30. In my view, a combination of modelling the peak within each peak period and not allowing for the effects above means that the assessment represents a 'worst-case'. In particular, I have not sought to quantify the beneficial effects arising from the diversion of vehicle trips away from other areas as shopping patterns change.
31. My assessments identified that the operation of the Proposal could lead to a deterioration in the performance of the Kāpiti Road / Friendship Place roundabout. In particular, volumes turning right into the supermarket from the Kāpiti Road (SE) approach would increase delays experienced by movements on the Friendship Place approach. This situation was aggravated by the single lane approach from Friendship Place and tests

³ Signalised and Un-signalised Intersection Design and Research Aid.

identified that the provision of a short additional lane would mitigate this issue. It is proposed that this be constructed prior to the operation of the Proposal. A concept plan illustrating this mitigation measure formed part of the section 92 response dated 9 December 2021 and is appended to my evidence at Appendix a for ease of reference.

32. The off-street parking would meet the demands generated by the Proposal. Those with mobility restrictions will have reserved parking spaces located conveniently close to the main entrance of the supermarket.
33. Servicing will take place to the rear of the supermarket with the associated truck movements able to enter from the Friendship Place roundabout and exit by means of the secondary access on Kāpiti Road.
34. A package of physical works has been proposed within Kāpiti Road, both to physically prevent right turn movements at the secondary access and to provide more convenient bus stops.
35. Construction activity would be subject to a Construction Traffic Management Plan (**CTMP**) which would minimise temporary impacts and ensure the safety of vehicle movements during the construction phase of the Project.

DISTRICT PLAN ASSESSMENT

36. An assessment of the transportation aspects of the Proposal against the relevant requirements of the operative Kāpiti Coast District Plan (**KCDP**) is described at Section 6 of the Transport Assessment.
37. From my assessment the Proposal achieves the intent of the relevant policies of the KCDP.
38. The Proposal is not compliant with the permitted activity standard (Rule TR-R2) which defines a maximum level of traffic activity of 100 vehicle movements/day for an activity in a Working Zone with access to a Community Connector road (Kāpiti Road).
39. The purpose of this standard is to trigger a detailed assessment of the potential effects of the Proposal upon the operation of the road network. This requirement was met by the Transport Assessment.

RESIDUAL TRANSPORTATION ISSUES

40. In my view, the only potential residual transportation issue relating to this application is the reliability of the forecast turning count used as the basis of the assessed effects at the Kāpiti Road / Friendship Place roundabout for the modelled Saturday peak period.
41. Based upon historic count data, the original assessments identified a trend for Saturday peak period traffic volumes to decline. A possible reason for this is 'peak-spreading' as drivers respond to congestion by adjusting their time of travel. In its section 92 request dated 30 November 2021, Council requested that the Saturday assessment should assume zero growth (despite agreement having previously been reached on the growth rates adopted in the analysis). This resulted in higher background traffic volumes and higher overall traffic demands once the Proposal is operational.
42. I ran an analysis which indicated that while the proposed mitigation measure (an additional approach lane from Friendship Place) would reduce delays, this could result in additional delays on the Kāpiti Road (NW) approach, with this then operating at LOS F.
43. Tests indicated that these delays could be mitigated by the provision of an additional approach lane on the Kāpiti Road (NW) approach. Such a measure is readily able to be provided if needed as this could be provided within road reserve.
44. But a more critical review by me of the background traffic volumes (collected in June 2018) suggested these turning counts were significantly higher than volumes recorded in November 2020. Using this more recent data as the basis of the analysis meant that the forecast delays did not occur.
45. In my view, this pointed to issues with variability in the underlying count information and the sensitivity of conditions at the roundabout to these volumes. But mitigation is available if required.
46. On 22 December 2021, Council forwarded recently collected count information for the same section of road as a means of addressing this matter. As this data was collected between 14 and 21 December, I consider it likely that it is heavily affected by pre-Christmas shopping activity and

should not be considered to be a reliable basis for assessment of typical peak period conditions.

47. In my view, all of the SIDRA modelling used to assess the various scenarios generally provides a pessimistic forecast of conditions, because it cannot take account of the behavioural responses made by drivers in response to encountering delays (such as changing their route, time, frequency or even mode of travel).
48. Overall, I am confident that the Proposal (with mitigation measures as I have described) can operate with only minor effects upon the operating efficiency of the road network in this area.
49. I consider the most appropriate and pragmatic response to addressing uncertainty in the background traffic volumes on the Kāpiti Road (NW) approach to the Friendship Place roundabout to be through a condition of consent requiring recording of traffic volumes at prescribed periods before / after the operation of the Proposal and an assessment of the resulting change in delays resulting directly from generation of the Proposal, followed by implementation of the available mitigation (the additional lane on the NW approach), if required. The purpose of this adaptive management approach will be to assess with certainty the direct effect of the supermarket generation on the relevant LOS. I have assessed the feasibility of the upgrade and confirm that all works can comfortably take place without requiring third party land.

RESPONSE TO SUBMISSIONS

50. I have reviewed the three submissions made in response to the application.
51. In doing so, I note that all of the submissions are from commercial entities with no submissions from local residents.
52. I also note that, while some of the points raised are critical of some aspects of the analysis, no alternate analysis or modelling has been presented.
53. References [in brackets] refer to the relevant sections of each submission.

Submission: Modern Merchants Ltd & Young Supermarkets Ltd

54. The submission suggests [8] that the operation of the road network may be adversely affected. For the reasons I have summarised above and detailed in my Transport Assessment, I consider that the operation of the network would not be adversely affected, subject to the mitigation proposed.
55. Doubt is raised [11.2] about the extent to which the traffic modelling reflects the existing environment, in relation to development which is consented but not yet constructed. As noted in the 29 September 2021 response to Council (Question 4), the only relevant development identified by Council in this category was the proposed extension to the Mitre10 Mega store at Kāpiti Landing. It was agreed with Council that the scale of this extension was small and that consequently no further action was required.
56. The submission [11.3] questions whether traffic growth has been applied in the traffic modelling. It has.
57. The submission [11.7] questions whether the proposed mitigation is able to be completed within road reserve. The plans which were supplied to Council showed that this is the case.
58. The submission [11.8] questions whether the proposed mitigation is adequate or appropriate. In my view, it is both adequate and appropriate and this is confirmed by the SIDRA results reported in the Transport Assessment.
59. The submission [11.10] questions whether consideration was given to allowing a right turn entry into the site from Kāpiti Road. This was considered but was dismissed early in the process because of safety concerns.

Submission: Templeton Kāpiti Ltd

60. This submission only opposes the application in part.
61. The covering submission form discusses the rules applicable to airport development and raises a concern that *'the additional traffic generation that will arise as a result of this application will affect the overall capacity of the transportation network in a manner that has not considered the anticipated extent of development enabled by the Mixed Use Precinct (MUP) rules and/or may adversely affect the ability of the MUP to be developed as anticipated by the MUP.'*

62. The rules which are currently applicable to the MUP were established as part of Plan Change 73 in 2007/8. These were specifically designed to address uncertainties relating to both the rate of development and the provision of roading infrastructure in the district. As such, development beyond a GFA threshold was given Restricted Discretionary Activity status, with a requirement for a transportation assessment. This assessment would necessarily take account of changes to the receiving environment, in terms of background traffic volumes and the effects of other consented developments, with the intent of ensuring that development did not 'get ahead' of the ability of the road network to accommodate the associated traffic demands.
63. The TKL submission is effectively suggesting that other development should be constrained in order that capacity be reserved in the road network to accommodate its development intentions.
64. The covering submission expresses a concern regarding the level of detail in the Transport Assessment. The Transport Assessment provided a significant volume of detail regarding the underlying analysis and assumptions. As I have described in the chronology above, all of the matters raised by Council officers have been addressed, with further justification and analysis where appropriate.
65. The submission [page 2 of the Carriageway Consulting letter] suggests the reduction in background traffic volumes could be due to differences by month. This possibility was reviewed at the time by reference to other counts and found not to be significant. This issue was addressed in the 9 December 2021 response to Council (Question 1) by reference to available count data and concludes that *'there is no evidence that the use of November 2020 count information would have under-stated rates of traffic growth. On the contrary, it appears likely that the calculated rates of growth may have been over-stated, resulting in an over-statement of forecast volumes for the 2026 assessment year.'* I note that no alternate analysis of volumes has been presented by the submitter.
66. The submission [page 3] raises the issue of allowance for consented development. This matter has been addressed in response to Question 4 from Council in the 29 September 2021 response and above.

67. The submission [page 3] questions the adopted volumes for the Kāpiti Road / Friendship Place roundabout and the resulting increases in delays. The derivation of the turning volumes has been detailed in the 29 September 2021 response to Council. The modelled increases in delay at the roundabout was the reason that the proposed mitigation was identified, which addresses the delay increase issue.
68. The submission [page 4] notes that no design was provided showing the proposed mitigation measure at the roundabout. This information was provided to Council but it is unclear whether this was forwarded to submitters. The 29 September 2021 response to Council includes relevant plans of the roundabout.
69. Comments are made in the submission [page 4] regarding the impacts upon walking and cycling of the operation of the roundabout and a need to quantify and fully evaluate effects. To be clear, the roundabout already exists and the impact of the Proposal will be increased turning movements to/from the northern arm. While I acknowledge that this will result in a minor effect upon pedestrians and cyclists, I consider that any attempt to quantify this would be unreliable and not particularly helpful to an understanding of how this area will perform.
70. The submission [page 4] raises concerns regarding the ability of the site to be serviced by larger vehicles. The design team has worked closely with Countdown to understand its servicing requirements in terms of details such as vehicle dimensions. Plans included with the 29 September 2021 response demonstrate that service vehicle swept paths can be accommodated (including the 0.5m clearance requirement).
71. Comments made in relation to the roundabout design [page 5] appear to have been made without the benefit of the plans which were supplied to Council. Again, plans provided as part of the 29 September 2021 response clarify these matters and demonstrate that the swept paths of larger vehicles will be able to be accommodated.
72. On the basis of the preceding assessment, I am confident that the matters raised in the submissions relating to potential transportation effects have already been effectively addressed and that the proposal including mitigation

measures will ensure that any such effects upon the safe and efficient functioning of the transport network will be no more than minor.

RESPONSE TO COUNCIL REPORTS

73. As I indicated above, this evidence has been prepared in advance of receipt of the section 42A report.
74. I have liaised with Council officers to identify issues likely to be raised by this report. As I described above, Mr Trotter has indicated that he has no residual concerns regarding the application.

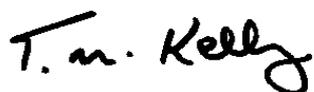
PROPOSED CONDITIONS OF CONSENT

75. A package of conditions is yet to be finalised. These will include provision for a Construction Traffic Management Plan, a package of measures within Kāpiti Road, mitigation at the Kāpiti Road / Friendship Place roundabout and monitoring of traffic volumes on the Kāpiti Road (NW) approach to the roundabout.
76. The intent of these conditions is to address areas of uncertainty and provide confidence to Council that the operation of the road network will not be adversely affected by the operation of the Proposal.

CONCLUSIONS

77. I have undertaken extensive analyses in order to fully assess the potential effects of the operation of the Proposal upon the adjoining road network, on-site servicing and car parking effects.
78. As expected, principal effects will be in the vicinity of the Kāpiti Road / Friendship Place roundabout and mitigation has been volunteered to address the possibility of capacity effects. With this mitigation, the supermarket will operate with only minor effects upon the adjacent road network.
79. Elsewhere, beneficial effects can be anticipated as shopping patterns change and vehicle movements divert from other areas. These effects are not capable of reliable quantification and have been excluded from the assessments.

80. The supermarket operator is willing to facilitate a package of external works (beyond the site and within road reserve) to ensure safe and efficient operation, and to enable the provision of bus stops in close proximity to the store.
81. Countdown is a major supermarket operator with a strong track record in the development and operation of sites which are internally safe and efficient and which minimise impacts on the adjacent road network.
82. On the basis of the transportation issues which I have addressed, I recommend that the application for consent be approved.

A handwritten signature in black ink that reads "Tim Kelly". The signature is written in a cursive, slightly slanted style.

Tim Kelly

24 February 2022

Appendix 1

**PLAN 21-005-SK001/C (submitted as part of section
92 response to Council dated 9 December 2021)**



NOT FOR CONSTRUCTION

REV	REVISION DESCRIPTION	DRAWN	CHECKED	APPROVED	DATE
D	DESIGN REVISED TO AVOID LAND TAKE	JO	TK		03.12.21
C	LAND TAKE AREA ADDED	JO	TK		01.12.21
B	23m B-TRAIN TRACKING ADDED	JO	TK		29.09.21
A	ISSUED FOR DISCUSSION	JO	TK		28.09.21

NAME	DESIGNED	DRAWN	REVIEWED	APPROVED
J. ORRINGE	J. ORRINGE	T. KELLY		



CIVIL & TRANSPORTATION DESIGN LIMITED
 josh@ctdesign.co.nz
 027 641 6653

TIM KELLY TRANSPORTATION PLANNING LIMITED
 COUNTDOWN KAPITI ROAD, PARAPARAUMU
 INDICATIVE ROAD LAYOUT CHANGES

DRAWING STATUS: CONCEPT	
PLOT DATE: 03.12.2021	SCALE AT A1: 1:250
DRAWING NO. 21-005-SK001	REV C