

IN THE MATTER OF

An application for resource consent under the
Resource Management Act 1991

IN THE MATTER OF

of an application to Kapiti Coast District Council for non-
complying resource consent for a proposed 53 lot
subdivision (including earthworks and infrastructure) at
Otaihanga, Kapiti Coast.

BETWEEN

The Mansell Family
(The Applicant)

AND

Submitters

AND

Kapiti Coast District Council
(The Council)

**JOINT WITNESSES STATEMENT OF
TRANSPORT & ROADING EXPERTS &
REPRESENTATIVES OF APPLICANT &
KCDC**

Held on: 24th August 2022

INTRODUCTION

1. This joint note summarises a meeting held on 24 August 2022 at KCDC, on the topic of transport and roading matters associated with Tieko Street as a result of the resource consent application by the Mansell family. The primary purpose of this meeting was for traffic expert conferencing directed by the Panel in Minute 2.
2. In Minute 2 the Panel requested that the Traffic experts:
 - 14.b. Tieko Street Improvements – for the purpose of resolving the apparent impasse regarding the use and terms of a Development Agreement versus requiring improvements via consent conditions. Subject to any outcomes from this conferencing, we have formed a preliminary view that an Agreement is the preferable approach. If necessary, we agree that the Applicant (Mr Mansell) and legal counsel should also take part in this conferencing.
3. Attendees at the 24th August 2022 discussion were:
 - (a) Richard Mansell (RM) – representing the Mansell Family (the Applicant).
 - (b) Phernne Tancock (PT) legal counsel to the Mansell Family.
 - (c) Harriet Fraser (HF) roading/ traffic expert on behalf of the Mansell Family.
 - (d) Nick Taylor (NTa) engineering expert on behalf of the Mansell Family.
 - (e) Neil Trotter (NTr) roading/ traffic expert on behalf of KCDC.
 - (f) Sean Mallon (SM) on behalf of KCDC.
 - (g) Isaac Cant (IS) on behalf of KCDC.
4. All experts that attended confirm that attendance at these joint witnesses conferencing is carried out in their capacity as independent expert witnesses in accordance with the Environment Court Practice Note 2014 Part 7 and Appendix 3 relating to expert conferencing.
5. This note records the main items discussed, actions arising, and areas of agreement/ disagreement as requested by the Panel.
 - (a) Applicant and Council were agreed in principle that the Tieko Street Improvement Package was appropriate as designed.
 - (b) Mr. Taylor confirmed that the costings only related to the upgrade works for the existing part of Tieko Street, not the proposed extension, and did not include stormwater works.
 - (c) Council indicated a preference to do consultation under the LGA and confirm the final design and undertake the construction of those works themselves.
 - (d) The parties were agreed that entering into a development agreement removes

this from the resource consent process and it is desirable to do that.

- (e) The cost of the upgrade will be shared between the Applicant and Council. The Applicant will contribute a confidential amount towards the Tieko Street upgrade.
- (f) While there was a commitment from Council to do the improvements, the timing of those will not be related to the resource consent conditions or development timeframe for Otiahanga Estates.
- (g) Council has undertaken to do these works in a reasonable timeframe.
- (h) The parties may continue to explore depending on timeframes whether there is an opportunity for the works to be undertaken at the same time as a subdivision works or as part of the KCDC maintenance contract and vary the terms of the agreement if need be.
- (i) The parties were agreed that all references to the Tieko Street Improvement Works, Scheme Plans drawings etc. will be entirely removed from the resource consent conditions. The works do not form part of the resource consent application.
- (j) A new note on the consent will be proposed replacing the standard advice regarding payment of financial conditions and development contributions for the development, to note that a development agreement has been entered into.

Construction Traffic related to the resource consent

- 6. With regard to the use of Tieko Street by construction traffic for the project it was agreed that construction traffic can be appropriately and safely managed through the CTMP in the event that the Tieko Street works are not completed prior to construction of the subdivision.
- 7. It was agreed that construction traffic activity on Tieko Street should be limited to no more than 200 vehicle movements per day. Which is the permitted activity allowance for the two lots currently owned by the Applicant on Tieko Street.
- 8. In line with the District Plan definition, an entering light vehicle is equivalent to 1 vehicle movement, an entering single unit truck is equivalent to 3 vehicle movements and an entering truck and trailer is equivalent to 5 vehicle movements. That is 2 vehicle movements for a light vehicle return trip, 6 vehicle movements for a single unit truck return trip and 10 vehicle movements for truck and trailer return trip. Flexibility in the mix of single unit trucks and truck and trailers is needed as it will vary depending on the contractor and their vehicle fleet.

Date: 26th August 2022

Harriet Fraser

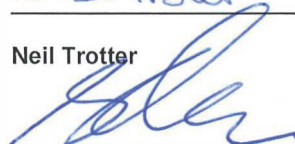
Harriet Fraser



Nick Taylor



Neil Trotter



Sean Mallon



Richard Mansell



Pernne Tancock