

KAPITI COAST DISTRICT COUNCIL

APPLICATION FOR RESOURCE CONSENT: RM210151 – KAPITI RETAIL HOLDINGS LTD

MINUTE 4 OF COMMISSIONER

1. I have received responses to Minute 3 from all parties and have carefully considered all points of view, and now issue the following directions. If any party has fundamental concerns with the process outlined below then please make these concerns known as soon as possible.
2. My directions on the process are as follows:
 - 2.1 The assessment of effects to determine appropriate mitigation works should relate to Kapiti Road as well as to the performance of the whole intersection at the Friendship Place roundabout.
 - 2.2 The Applicant's mitigation works need to be based on proper and thorough assessment of realistic traffic numbers along Kapiti Road and traffic generation into and out of the Kapiti Landing area. It is most efficient if I take advice from the parties as set out below, and then set the parameters for the design process in terms of assumptions around traffic growth and vehicle generation.
 - 2.3 I request advice from the:
 - (a) planning experts - as to the potential for additional development that might be expected in the Kapiti Landing area in the Airport Zone in terms of permitted activities, controlled activities, and recently consented activities.

I request that the expert planners already engaged (and any additional expert planners that the parties may wish to engage) shall confer to provide an agreed statement as to the list of permitted and controlled activities and the relevant triggers and assessment matters where resource consent is required. This information will assist the traffic engineers (in task 2.3(b) below) in modelling traffic generation that could occur through the Kapiti Road/Friendship Place roundabout firstly from permitted development in the Airport Zone (including recently consented development), and secondly from controlled activity development.

- (b) traffic experts - as to the changes in traffic volumes on Kapiti Road, and at the Friendship Road roundabout.

I request that the expert traffic witnesses shall confer on these two matters. Firstly, to determine at least two realistic growth rates to apply in addition to nil growth - taking account of firstly realistic growth that may occur as Kapiti grows with no changes to the network, and secondly traffic volumes that may arise with planned or known changes to the network (including the links identified in Mr Trotter's statement of evidence). Secondly, to determine appropriate growth rates at the roundabout based on the information to be provided by the planners, as set out above. The experts are to explain the basis for their assessments, and any differences in opinion shall be itemised in the statement that is produced.

(c) legal counsel from all parties – as to the assumptions to be made regarding traffic growth, volumes and whether the development potential assessed for the Airport Zone is appropriately limited to permitted activities or should also include controlled activities.

2.4 Whilst this process is occurring the Applicant is to provide a draft set of recommended conditions of consent, which I may then (if necessary), make available to the submitters for any comments they may have.

3. My directions as to time frames are as follows:

- Step 2.3 (a) by **13 April 2022**
- Step 2.3 (b) by **19 April 2022**
- Step 2.3 (c) by **22 April 2022** (noting counsel will first need to have seen the reports from (a) and (b)).

4. If those timeframes cause difficulty to any party please advise Council's hearing administrator as soon as possible.

5. Following receipt of that information I will then issue directions to the Applicant as to the traffic growth parameters to be used for the design of the mitigation works.

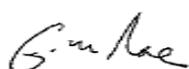
6. When received the design(s), together with Mr Kelly's supporting supplementary statement of evidence as to methodology for modelling etc, will then be sent to the submitters for preliminary comment. Depending on the comments received I may then issue further directions as to further joint witness conferencing by the traffic experts. In that event, I will first invite the parties to suggest appropriate terms of reference for the joint witness conferencing.

7. When all the information has been circulated the submitters may make legal submissions with respect to Mr Kelly's statement, the proposed designs, any joint witness statements, and the recommended draft conditions.

8. I will then request the Applicant provide its written Right of Reply.

DATED this 5th day of April 2022

Signed by



GM Rae, Independent Commissioner
