

Appendix 3: Joint Witness Statement – CHAT (Transport)

Before a Hearings Panel
Appointed by the Selwyn District Council

Under The Resource Management Act 1991

In the matter of A submission (DPR-0097) on the Proposed Selwyn District Plan by Castle Hill Adventure Tours Limited seeking rezoning of RS40841 (CFR CB312/468)) West Coast Road, Lake Pearson, Selwyn District

Joint Witness Statement: Transport Matters

11 April 2023

Introduction

- 1 This Joint Witness Statement (**JWS**) has been prepared in response to a question from the Hearings Panel in respect of a potential 'trigger rule' associated with the Submission.
- 2 Experts involved in the conferencing were (in alphabetical order):
 - Andy Carr of Carriageway Consulting Limited, engaged by Castle Hill Adventure Tours Limited (**the Submitter**); and
 - Mat Collins of AECOM, engaged by Selwyn District Council (**the Council**).
- 3 In preparing this statement, the expert witnesses confirm that they have read and understood the Code of Conduct for Expert Witnesses as included in the Environment Court of New Zealand Practice Note 2023 and this JWS has been prepared in accordance with that document. The experts have confined their conferencing to matters within their field of expertise and have exercised independent and professional judgment. The experts also confirm that they have not acted on the instructions or directions of any person to withhold data or information, or to withhold or avoid agreement, or as to the contents of this JWS.
- 4 The experts carried out conferencing through exchanges of email and a telephone conversation. None of the expert witness conferencing was facilitated.
- 5 The specific question asked by the Panel was whether Mr Carr agreed with Mr Collins' suggested inclusion of a 'trigger' rule, to provide confidence that site access to SH73 will be upgraded in the future if required.

Clarification of Mr Collins' Position

- 6 Mr Collins has clarified his position in respect of the trigger rule. In particular:
 - (a) He agrees that the proposed intersection layout referred to in Mr Carr's Statement of Evidence and as attached to the rear of this Joint Witness Statement, is appropriate for serving the realistic development that could arise under the Submitter's requested rezoning of Castle Hill Rural Visitor Zone;
 - (b) His concern relates to a potential scenario whereby the proposed intersection layout is not put in place, but development within the Castle Hill Rural Visitor Zone (if approved) occurs and relies on the

intersection layout in place at the time of writing his technical report. Under this scenario, poor levels of service may arise;

- (c) It is only this scenario, (that is, bullet (b) above) for which Mr Collins seeks a 'trigger rule'. He does not seek such a rule for the consented (and unimplemented) development nor for any development within the requested zone provided that the proposed intersection improvement is in place.

- 7 For completeness, Mr Carr agrees that the intersection layout in place at the time of Mr Collins' technical report would not be suitable for serving the additional development that could occur within the requested zone and that an improvement scheme is justified.

Revised Situation Subsequent to Mr Collins' Report

- 8 In order for any works to be carried out on a state highway, a 'corridor access request' has to be made to Waka Kotahi, and plans provided to them of the works that are proposed. Waka Kotahi then checks those plans to ensure that they are appropriate and that they achieve relevant standards and guides. Only when they are satisfied will Waka Kotahi approve the corridor access request, which gives their permission to undertake those works.
- 9 For clarity, if changes are subsequently made to the layout, the corridor access request approval can be rescinded if Waka Kotahi is dissatisfied with those changes. In that case, the works cannot be carried out.
- 10 Subsequent to Mr Collins' review of the initial submission, the Submitter has:
 - (a) Reached agreement with Waka Kotahi in respect of the proposed intersection improvement; and
 - (b) Made a corridor access request to undertake the works associated with the proposed intersection improvement; and
 - (c) Had the corridor access request approved by Waka Kotahi; and
 - (d) Arranged for a contractor to undertake the proposed intersection improvement prior to winter 2023.
- 11 At the time of writing this JWS, it is very likely that the proposed intersection improvement will be in place by the time of Hearing 30.9 – Malvern.

Expert Views

- 12 Given that the situation has changed since Mr Carr's Statement of Evidence and Mr Collins' technical report, the experts agree that it is appropriate for them to revisit their views.
- 13 Mr Collins considers that:
- (a) If the proposed intersection improvement scheme is in place by the time of the hearing, the rezoning request can be approved without any trigger rule or any further provision in respect of an intersection upgrade.
 - (b) If the proposed intersection improvement scheme is not in place by the time of the hearing, then some form of rule is required to ensure the intersection is upgraded.
- 14 Mr Carr agrees with Mr Collins in respect of 13(a) and 13(b) above.
- 15 The experts agree that there can be a high degree of confidence that the proposed intersection improvement scheme referred to in Mr Carr's Statement of Evidence will be implemented, due to the progress made by the Submitter. Consequently in the event that 13(b) applies, they agree that a modified trigger rule would be appropriate as follows:

| <i>CHRVZ - Rx</i> | <i>Vehicle crossings</i> | |
|-------------------|--|---|
| | <p><i>ACTIVITY STATUS: PER</i></p> <p><i>1. the use or formation of a vehicle crossing onto SH73</i></p> <p><i>WHERE</i></p> <p><i>a. it services the CHRVZ; and</i></p> <p><i>b. the intersection of the vehicle crossing with SH73 has been formed in general accordance with Diagram XXX.</i></p> | <p><i>ACTIVITY STATUS WHEN COMPLIANCE NOT ACHIEVED</i></p> <p><i>2. When compliance with CHRVZ - Rx is not achieved: RDIS</i></p> <p><i>MATTER FOR DISCRETION</i></p> <p><i>3. The exercise of discretion in relation to CHRVZ – Rx is restricted to the following matter:</i></p> <p><i>Whether Waka Kotahi has been consulted on the proposal and has approved the access arrangements.</i></p> |

- 16 Diagram XXX would be the proposed intersection improvement scheme as approved by Waka Kotahi and for which the corridor access request has been approved (this is attached to the rear of this Joint Witness Statement).

- 17 Mr Carr will be able to give the Hearings Panel an update on progress with implementation of the proposed intersection upgrade at the hearing, and consequently whether the revised trigger rule is necessary.

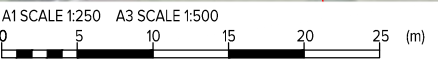
Dated this 11th day of August 2023.



Andy Carr



Mat Collins



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| Designed CPS | Date 18.02.2021 | Drawing No. 14805-E-350 | |
| Approved TmCL | Scale A1 AS SHOWN | Scale A3 AS SHOWN | Revision F |