

BEFORE THE HEARING COMMISSIONERS
KAIPARA DISTRICT COUNCIL

IN THE MATTER OF the Resource Management Act 1991 (**the Act**)

AND

IN THE MATTER of a Request for a Private Plan Change – Plan Change 84 to the
Kaipara District Plan

BY Mangawhai Hills Limited

Applicant

TO Kaipara District Council

Territorial Authority

STATEMENT OF SUPPLEMENTARY EVIDENCE OF AMITABH (AMIT) ARTHANARI AND
PAIGE PAMELA FARLEY

ON BEHALF OF BERGGREN TRUSTEE CO. C/- MARIA BERGGREN

(Traffic and Civil Engineering)

15 May 2024

INTRODUCTION

1. This supplementary evidence has been prepared by Amitabh (Amit) Arthanari and Paige Pamela Farley to provide additional clarity regarding the proposed north south access ("Primary Road 2") alternate route discussed in our statement of evidence previously submitted on behalf of Berggren Trustee Co. Limited dated 6 May 2024.
2. The evidence referred to is detailed below:
 - a. Evidence of Amitabh (Amit) Arthanari on behalf of Berggren Trustee Co. Limited C/- Maria Berggren (Traffic Engineering)
 - b. Statement of evidence of Paige Pamela Farley on behalf of Berggren Trustee Co. C/- Maria Berggren (Civil Engineering)
3. Since submitting the above evidence, discrepancies within the applicant's submission between the proposed Structure Plan, Stormwater Management Plan and Ecology report have been identified relating to the "Primary Road 2" alternative access route proposed. These discrepancies are further described below along with the implications.

ACCESS

4. As included within Mr Arthanari's evidence, the draft structure plan proposes two southern links to Moir Street as shown in Figure 1 below.

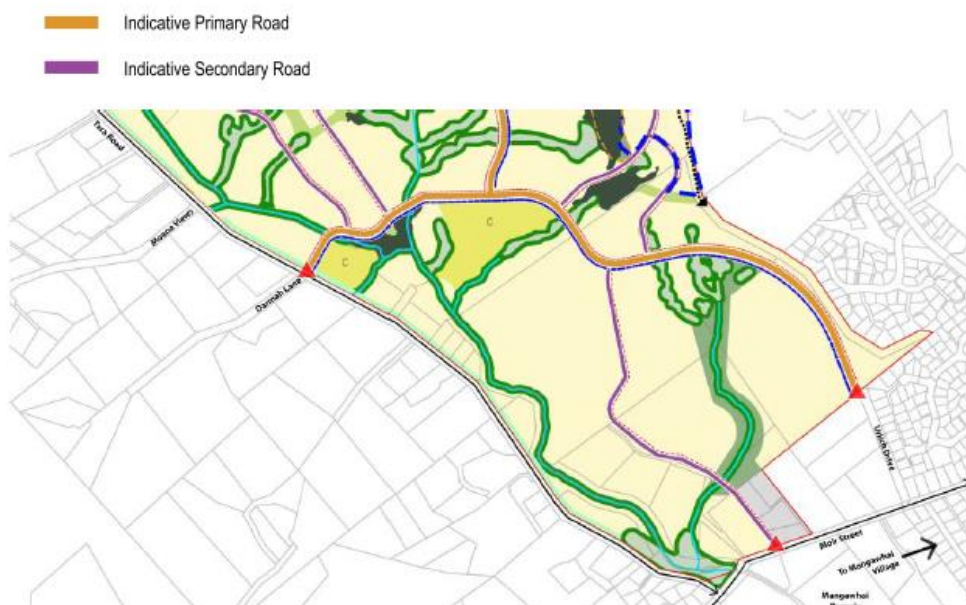


Figure 1: Draft Structure Plan PC84¹

¹ PC84 Evidence Falconer Urban Design and Landscape Att 3 Recommended Revised Structure plan

5. We are aware that the primary road connection (orange line) proposed through the Mangawhai Church Trust Land is opposed by the Trust (Para 4.12 Mr Arthanari's evidence).
6. Potential issues (cost, technical, construction and land ownership) also create doubt for the feasibility and viability of the secondary road connection (purple line). (Para 4.13 Mr Arthanari's evidence).
7. An alternative route was proposed within Mr Arthanari's evidence as indicated in Figure 2 below. Benefits of this alternative route were described within paragraph 4.17 of Mr Arthanari's evidence. The primary benefit of this alternative route included formation of the road outside of the Church's property.

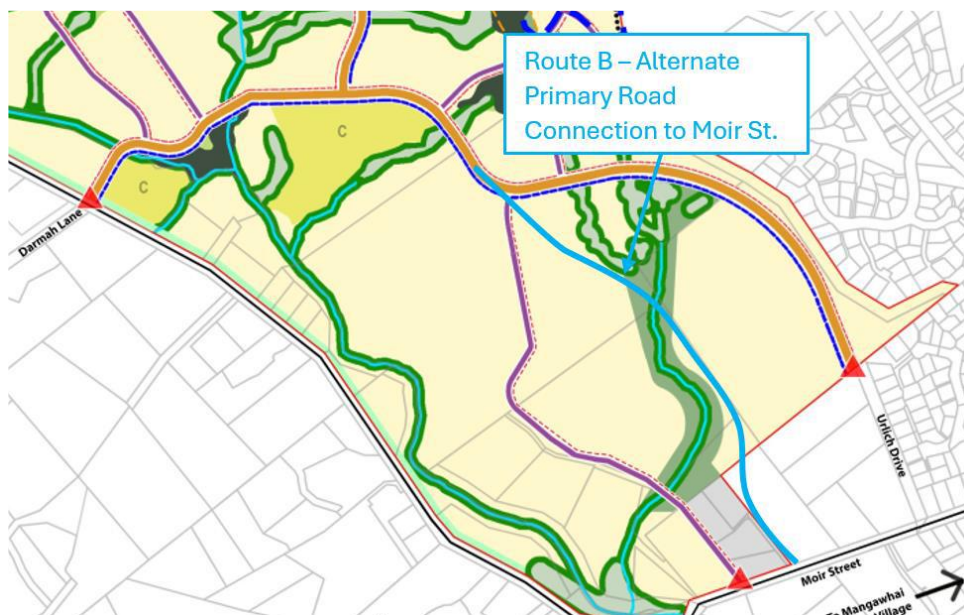


Figure 2: Route B – Alternative Primary Road Connection to Moir Street as presented by Mr Amit Arthanari²

8. However, on closer examination of the information submitted within the applicant's submission, there appears to be a discrepancy of the alignment of the stream with regard to contours and boundaries between the proposed structure plan, the Chester Stormwater Management Plan and the Bioresarches Ecology Impact Assessment.
9. Whilst the latest proposed structure plan indicates the stream at 106B Moir Street to be contained within the property and offset from the Church's boundary it might not be the case. Refer to the pink circled area in Figure 3 below that shows the stream being contained within the property boundary of 106B Moir Street and offset from the shared boundary with the Church.

² PC84 Evidence Amit Arthanari, 6 May 2024



Figure 3: Draft Structure Plan with location of stream indicated within 106B Moir Road

10. Contradictory to the above the Chester plan contained within the Stormwater Management Plan (Figure 4-8) indicates that the stream at this location is on the shared boundary of 106B Moir Road and the Church's land. Refer to Figure 4 below.

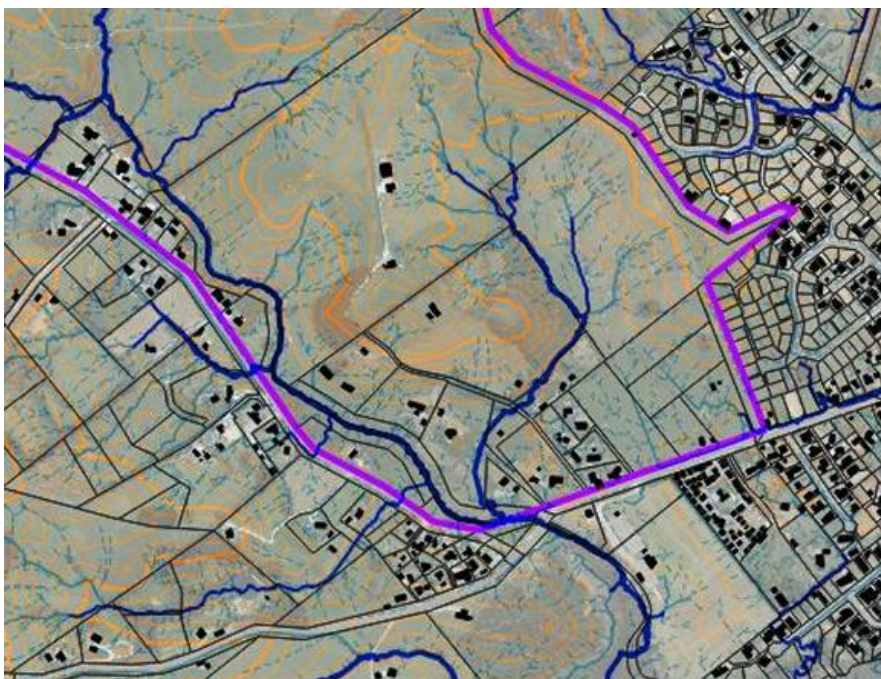


Figure 4: Location of stream as presented within the Chester Stormwater Management Plan³

³ PC84 Figure 4-8 Stormwater Management Plan by Chester, February 2023

11. Furthermore, the Bioresearches Ecological Impact Assessment report indicates that the stream is within the property boundary of 106B Moir Road. Refer to Figure 5 below.



Figure 5: Location of stream as presented within the Bioresearches Ecological Impact Assessment Report⁴

12. Accurate confirmation of this stream location should be provided to clarify where it sits in relation to the adjacent property boundaries. This is important for a range of reasons related to the plan change proposal, including the proposed provisions.
13. Should the stream location be confirmed as per the Chesters plan (which appears to be based on survey data), then the alternative route suggested on behalf of the Berggren Trustee Co. Limited (as included within Mr Arthanari's evidence) would also be contained within the Church's boundary and therefore the primary benefit of being outside of the Church owned land would no longer be true.
14. If the location of the stream is confirmed to be on the shared boundary, it would therefore appear that the original location of the "Primary North 2" road as indicated in the applicant's revised proposed Structure Plan remains as an option and may be the most appropriate route given it makes use of an existing public road formation (Urlich Road). However, land ownership issues would need to be resolved.

⁴ PC84 Figure 5 Ecological Impact Assessment report by Bioresearches, March 2023

CONCLUSION

15. To conclude, discrepancies have been found within the detailed assessments provided in support of the applicant's submission pertaining to the location of the stream that traverses within or along the property boundary of 106B Moir Road. The location of this stream should be accurately defined. Should the stream be located on the shared boundary of 106B Moir Road and Mangawhai Church Trust land then the alternative route that has been described within Mr Arthanari's evidence would not have the benefit of being outside of the Church land.
16. The above further reiterates the need for a confirmed north-south road connection to be explored and identified now at the plan change stage, rather than left to individual development stage.



Amit Arthanari and Paige Farley

15 May 2024