BEFORE THE HEARING PANEL APPOINTED BY KAIPARA DISTRICT COUNCIL

Under the	Resource Management Act 1991 (**RMA**)
In the matter	of Private Plan Change 85 (Mangawhai East) to the Kaipara District Plan

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STATEMENT OF REBUTTAL EVIDENCE OF LUKAS GERHARD VAN DER WESTHUIZEN ON BEHALF OF KAIPARA DISTRICT COUNCIL

Transport

9 February 2026

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1. INTRODUCTION

1.1 My full name is Lukas Gerhard van der Westhuizen.

1.2 I prepared a statement of evidence dated 1 December 2025 on behalf of Kaipara District Council (**Council**) in relation to the application by Foundry Group Limited and Pro Land Matters Company (**Applicant**) for a private plan change to rezone land in Mangawhai East (**PPC 85**). I refer to my qualifications and experience in my original statement of evidence and do not repeat them here.

1.3 Although this matter is not being heard by the Environment Court, I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 and I agree to comply with it.

1.4 I am authorised to make this statement on behalf of the Council.

2. SCOPE OF EVIDENCE

2.1 The purpose of this statement is to respond to the evidence-in-chief of Mr Leo Hills dated 16 December 2025, filed on behalf of the Applicant. In particular, I will address:

(a) the operational assessment of the Moir Street / Insley Street roundabout;

(b) the Safe System Assessment (SSA) of the Swamp Road / Insley Street / Tomarata Road intersection; and

(c) the proposed intersection form at Black Swamp Road / Insley Street / Tomarata Road intersection.

3. RESPONSE TO EVIDENCE OF MR HILLS

3.1 Whilst Mr Hills' evidence addresses a wide range of topics, Mr Hills agrees with all of my recommendations, except for the proposed intersection form (roundabout or priority-controlled with a right turn bay) at Black Swamp Road / Insley Street / Tomarata Road. As such, my rebuttal is limited to responding to the parts of his evidence relating to this, and the associated matters set out in paragraphs 2.1 (a) to (c) above.

The operational assessment of the Moir Street / Insley Street roundabout

3.2 Mr Hills has modelled the Moir Street / Insley Street roundabout in SIDRA with and without the estimated traffic generated by PPC 85 and has confirmed that the SIDRA results show:[1]

(a) the existing intersection shows minimal queuing and delay;

(b) the additional PPC85 traffic has little change on the operation of the intersection with up to half a second additional delay and less than one additional vehicle queuing; and

(c) with an additional 3% growth per annum for 10 years (30%) across the wider intersection catchment, the intersections will still operate well within acceptable levels with Level of Service A.

3.3 I agree with his assessment and conclusions reached in relation to the Moir Street / Insley Street roundabout.

The Safe System Assessment of the Swamp Road / Insley Street / Tomarata Road intersection

3.4 Mr Hills disagrees with my review of his SSA as follows[2]:

(a) he considers that widening of the intersection with the right turn bay and the inclusion of upgraded shoulders and kerbs will reduce the likelihood of run-off road, head-on and intersection crashes; and

[1] Paragraphs 42 to 47 of Mr Hills' evidence.
[2] Paragraphs 48 to 50 of Mr Hills' evidence.

(b) that the posted speed limit of 60 km/hr leads to his conclusion that severity score of "2" is appropriate which in terms of the Waka Kotahi Safe System audit guidelines 2022 states "*Should a crash occur, it is unlikely that it will result in a fatality or serious injury to any people involved*" rather than a "3" as I preferred which the guideline states "S*hould a crash occur, it is likely that it will result in a fatality or serious injury to any people involved"*.

3.5 I respond as follows:

(a) In response to the matters raised by Mr Hills summarised in my paragraph 3.4 (a) above, the proposed right-turn bay does not alter the fundamental conflict geometry of the intersection. While it may reduce rear-end conflicts, it does not address loss-of-control, high-speed angle, or head-on crashes arising from driver error or gap misjudgement. Kerbs may marginally influence run-off-road outcomes but do not prevent loss of control and may increase crash severity in a rural-fringe context. As approach speeds and priority control remain unchanged, the key Safe System mechanisms for reducing crash likelihood (including lower speeds, removal of conflict points, or fundamental changes to movement types) are not achieved. It is therefore not appropriate to assign a lower crash likelihood score than the existing intersection; and

(b) In response to the matters raised by Mr Hills summarised in my paragraph 3.5 (b) above, in my opinion, a severity score of 2 is not appropriate for intersection crashes in a 60 km/h environment. Safe System principles recognise that serious injury risk for vehicle occupants increases sharply above 50 km/h, and that survivable impact speeds for pedestrians and cyclists are around 30 km/h. A 60 km/h environment exceeds these thresholds, permits high-energy right-angle conflicts, and carries the risk of fatal or serious injury, particularly for vulnerable users. Severity is determined by impact speed and crash type, not by the perceived "low-speed" nature of the road. A severity score of 3 is therefore consistent with Safe System guideline intent.

3.6 The roundabout assessment remains valid because it fundamentally changes crash mechanisms by removing right-angle and head-on conflicts and enforcing lower entry speeds through geometry. As a result, the reductions in crash likelihood and severity are inherent to the design and consistent with Safe System principles, unlike the right-turn bay scenario where risk reduction is assumed rather than structurally achieved.

The proposed intersection form at Black Swamp Road / Insley Street / Tomarata Road

3.7 Mr Hills disagrees that a roundabout is required to mitigate the effects of PPC 85, stating that the proposed priority T-intersection provides safety outcomes comparable to a roundabout and that both options result in low SSA scores. He considers the proposed treatment to be a recognised, cost-effective, Safe System-compliant solution commonly implemented across Council and State Highway networks, and consistent with recent residential Plan Changes in the Kaipara region (including PPC 84 and PPC 81), which also relied on upgraded priority T-intersections. Mr Hills further contends that there is no requirement for a development to achieve the same level of safety or efficiency as the existing environment, and therefore rejects the need for a roundabout on that basis.

3.8 In my view, while priority T-intersections are a recognised and commonly applied treatment, their widespread use does not in itself demonstrate that they deliver Safe System-aligned outcomes in all contexts. The relevant consideration is whether the treatment appropriately addresses the specific crash mechanisms and risk profile of this intersection under PPC 85 traffic conditions.

3.9 Although Mr Hills concludes that the proposed T-intersection and a roundabout achieve similarly "low" SSA scores, this relies on assumptions regarding crash likelihood and severity that are not consistent with Safe System principles. The priority T-intersection retains high-speed right-angle and head-on conflicts, whereas a roundabout removes these conflict types and enforces lower approach speeds through geometry. The safety benefits of a roundabout are therefore structural rather than assumed.

3.10 Reference to other Plan Changes in the Kaipara region does not establish suitability in this case. Each intersection must be assessed on its own geometry, operating

speeds, traffic mix and exposure, and precedent does not override the requirement to avoid or mitigate adverse effects where practicable.

3.11 While there is no requirement for development to replicate existing safety conditions, the RMA requires that adverse effects arising from additional traffic are appropriately mitigated. Of the options assessed, a roundabout most effectively offsets the increased risk associated with PPC 85 by materially reducing both crash likelihood and severity in accordance with Safe System objectives.

3.12 Notwithstanding the above, I acknowledge that recognised measures can be applied to a priority-controlled T-intersection to improve safety outcomes, including appropriate signage, markings, surface treatments, lighting, reducing the speed limit through the intersection and adequately sized medians and turning bays. These measures represent good practice and can reduce risk relative to the existing situation.

3.13 However, such measures do not change the fundamental conflict geometry or operating speed environment and therefore cannot achieve the same level of risk reduction as a roundabout.

3.14 Both a priority T-intersection upgrade and a roundabout can be accommodated within the existing road reserve, with works of a broadly comparable scale. My preference for a roundabout is therefore based on its superior and more robust safety performance, rather than constructability or feasibility considerations.

4. CONCLUSION

4.1 I acknowledge that the applicant has accepted several of my recommendations, including amendments to the plan provisions requiring the shared use path to be delivered prior to the development exceeding 50 lots. This represents a material improvement and addresses a key safety concern identified in my evidence.

4.2 The only area of disagreement, therefore, relates to the form of intersection control at Black Swamp Road / Insley Street / Tomarata Road. For the reasons outlined in my evidence, I maintain a strong preference for a roundabout, as it provides a more robust and inherent Safe System outcome by structurally reducing

both crash likelihood and severity in a manner that cannot be fully achieved through a priority-controlled T-intersection.

4.3 While a roundabout is, in my view, a clearly superior outcome from a traffic safety perspective, if the Hearing Panel was otherwise minded to approve PPC85, the absence of a roundabout would not, in and of itself, be a sufficient transportation related reason to decline PPC85. However, it would be critical that all other recommended mitigation measures are adopted, and if a priority-controlled T-intersection is used, that it is subject to detailed design that incorporates appropriate safety treatments, such as those I have stated in paragraph 3.12 of my evidence.

Lukas van der Westhuizen

9 February 2026