

BEFORE THE HEARING COMMISSIONERS NAPIER

IN THE MATTER of the Resource Management Act 1991 (the Act)

AND

IN THE MATTER of the application for residential subdivision and
development at 16 and 38 Willow Bank Avenue
Napier

HEARING **RMS19006**
REFERENCE

Evidence of David John Curson

On behalf of Napier City Council

Dated 28 April 2021

Introduction

1. My name is David John Curson, and I am a Transportation Development Engineer employed by Napier City Council and have previously worked as a road safety engineer for the Director of Infrastructure at Napier City Council
2. I have completed a Higher National Certificate in Civil Engineering (Transportation) with the Business and technology Education Council (UK).
3. I have extensive experience in the following:
 - Providing input to the District Plan and Engineering Code of Practice updates
 - Attending pre-resource consent meetings with the Planning Team and Applicant(s) to provide guidance on proposal content
 - Assessing resource consent and building consent applications in line with the Resource Management Act, District Plan (including the Council's Engineering Code of Practice), LTP and transportation planning objectives
 - Managing multiple Development applications, compliance auditing, approving construction stages, assessing changes requested during construction and monitoring progress through to completion
 - Hosting workshops for the Development community to discuss Council's expectations and receive feedback to improve future interaction
 - Responding to resource consent issues raised by the Community, Councillors, Developers and other key stakeholders in an appropriate manner with decisions made in accordance with relevant Council policies and procedures
 - Attending resource consent hearings and providing evidence on behalf of Council
 - Using an innovative and solution focused approach to identify more effective land use planning outcomes within capital projects to contribute towards safe, integrated and sustainable growth
 - Using existing Council data sources for evaluating resource consent and building consent applications. Analysing available data, making

recommendations and preparing reports in support of decisions made.

- Previous experience includes 15 years transportation work in New Zealand with New Zealand Transport Agency as a Road Safety engineer and Senior Transportation Engineer. My experience includes the Supervising, training and managing a team of four staff supporting Hastings District Council's Planning Team with transportation issues associated to proposed developments, the review of development proposals with the potential for significant traffic generating or with particular road safety concerns and carrying out Resource Management Act transportation assessments.
4. I confirm I have read the "Code of Conduct for Expert Witnesses" contained in the Environmental Court Consolidated Practise Note 2014. In particular, unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions I express.

Scope and purpose of Evidence

5. My evidence is primarily intended to provide an overview of the transportation assessment of the application.

Privately Owned Roading Issues

6. The following issues relate to specific areas of non-compliance with Napier City Council's Engineering Code of Practice and concerns related to the roading network, including the issue of not vesting the roads within Stages 2 – 8 of the development.
7. For a transportation perspective, the location of the waste water pump station within Lot 500 is problematic in that it does not meet the other requirements of the Code of Practice relating to providing a safe work site for operators and the public, a buffer zone, parking and manoeuvring for operator vehicles and is likely to impinge on the sight lines required at the intersection. No design has been submitted to confirm sight lines. The wastewater operators will need to access the pump for operation and maintenance tasks with small trucks and/or utes.

8. The proposed pump station location is highly likely to reduce the safety of motorists, especially those turning into or out of the proposed intersection, the operations and maintenance staff and the general public using the road reserve or what they presume to be road reserve.
9. No safety and design risk assessment has been provided demonstrating that the design where reasonably practicable, is without risks to the health and safety of persons as required by section 39 of the Health and Safety at Work Act 2015.

Domestic Waste Collection

10. Napier City Council's Contractors will not operate on privately owned roads due to potential liability issues and insurance claims. This means that the private road owners will need to provide suitable facilities within the public road network that can be operated in a safe manner. No Waste Collection infrastructure has been provided or details of alternative arrangements to facilitate this service for the residents. 165 wheelie bins on the berm outside the Development cannot be considered an acceptable solution for residents, neighbouring property owners or road users.

Mail Deliveries

11. Similar to the domestic waste collection, mail deliveries to individual addresses will not be carried out on private roads. This means that the private road owners will need to provide suitable facilities within the public road network that can be operated in a safe manner. No mail delivery infrastructure has been provided or details of alternative arrangements to facilitate this service for the residents. 165 mailboxes on the berm outside the Development cannot be considered an acceptable solution for residents, neighbouring property owners or road users.

Above ground Structures

12. The positioning of the above ground features, for example the water backflow/flowmeter and electrical transformers (which are not

currently shown on the plans) shall be placed over or affect the typical service corridor in NCC's Code of Practise (water, gas, power, communications, streetlights). An alternative arrangement to avoid this situation is to position these features outside the typical road reserve corridor, within the footprint of a lot, but vested as road reserve or included in the private road ownership.

Access for Emergency Services

13. Potential delays to emergency services vehicles attending a call-out to one of the privately owned residences may result from having to negotiate the proposed gate(s) to enter and exit the Development. This is not acceptable and is one of the reasons why gating of a road is legally prevented.

RV & Boat parking area

14. Alongside the "Secondary Entrance" looks very limited for the intended purpose. No evidence has been provided to ensure Parking and manoeuvring space is compliant within the roading network adjacent to Lot 24. Visibility for road users entering the proposed Development from Eriksen Road and those using the spaces must be considered.

David John Curson