



**AGENDA FOR AN ORDINARY MEETING OF A HEARING BY COMMISSIONER TO BE HELD  
IN THE CIVIC CENTRE, 6 WAIPAREIRA AVENUE, LINCOLN, WAITAKERE CITY,  
ON MONDAY, 24 MAY 2004, COMMENCING AT 9.30 AM.**

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**REQUIREMENT FOR A DESIGNATION UNDER SECTION 168A OF THE RESOURCE  
MANAGEMENT ACT 1991 FOR A PROPOSED ROAD 36-38 WAIPAREIRA AVENUE,  
HENDERSON**

N.B. This report sets out the Waitakere City Council's reporting planner's advice on the resource management issues raised by the Council's Notice of Requirement for a designation for a Proposed Road at 36-38 Waipareira Avenue, Henderson. The report contains recommendations to the Commissioner appointed by the Waitakere City Council. It is not the formal notice of recommendation that is prepared by the Commissioner. The Commissioner will compile the formal notice of recommendation, to be considered by the Environmental Management Committee after consideration of the Requirement, the submissions that were received by Council, and has conducted a site visit.

**1.0 PURPOSE OF THE REPORT**

The purpose of this report is to provide:

- the background information on the Requirement,
- discussion of the environmental effects arising from the Requirement;
- discussion of the views of submitters on the Requirement; and
- the staff recommendations to the Commissioner for the Waitakere City Council's (hereafter "the Council") Requirement for the designation.

*A1-A9* A copy of the Notice of Requirement, as attached at pages A1 to A9.

**2.0 PROPOSED DESIGNATION: NATURE OF THE REQUIREMENT AND SITE DESCRIPTION**

**2.1 The Notice of Requirement**

A Notice of Requirement by Waitakere City Council to designate a site for "Proposed Road" was publicly notified on the 5 March 2003. The submission period closed on the 2 April 2003 and nineteen submissions were received. The Notice of Requirement sought that the expiry period to give effect to the designation be five years.

**2.2 Site and Neighbourhood Description**

The land to which the Requirement applies is legally described as Lot 4 DP 121630. The Requirement is for "Proposed Road". At the time of notification of the Notice of Requirement, the land was privately owned and undeveloped. Since that time Council has been successful in purchasing the land.

The site has a total area of 3440m<sup>2</sup> but the portion of the site that is the subject of the notice of requirement is a total of 1254m<sup>2</sup> and consists of a 15 m strip along the eastern boundary of the site. The site is at the end of Waipareira Avenue and adjoins Woodford Reserve. Although the proposed road over Woodford Reserve is not part of the Notice of Requirement the road would continue through Woodford Reserve and link Woodford Road and Waipareira Avenue. The site is identified as being within the Working Environment and General Natural Area in the Waitakere City Council District Plan.

The surrounding properties, apart from Woodford Reserve which is in the Open Space Environment, are identified as Working Environment and are utilised for industrial and business purposes. Woodford Reserve is a rectangular 7969m<sup>2</sup> reserve situated between industrial and residential properties with access from Woodford Avenue. It has an undulating topography and is relatively undeveloped with no facilities and little vegetation apart from grass and some smaller specimen trees.

### 2.3 Other Consents Relating to the Site Subject to the Requirement

The proposed road may require a resource consent from the Auckland Regional Council for the discharge of stormwater unless the Comprehensive Catchment Management Plan has been approved for the area. Apart from this consent required at the time of implementation of the road it is stated in the Notice of Requirement that there are no restrictions proposed on the designation at this point in time, although it is recognised that the work may be subject to restrictions or conditions resulting from any subsequent approvals that may be required in respect of the Resource Management Act 1991. This particular designation will not be subject to the 'Conditions Relating to Waitakere City Council Designations', as detailed in the Designations Appendix of the Proposed District Plan.

Although there are no restrictions placed on the designation it should be noted that completion of the road through to Woodford Avenue requires taking part of Woodford Reserve for roading purposes. This section of road through the reserve would be taken under section 114 of the Public Works Act 1981. This procedure, that has been confirmed by the Council's solicitor, does not require public notification or public input but is subject of the consent of the Minister of Conservation. Section 114 of the Public Works Act provides specifically for reserve land that is required for road to be taken without going through the normal reserve classification revocation process under the Reserves Act 1977. However as the new road through the reserve will decrease the size of the reserve and would also be located adjacent to residential properties, input from residents in the vicinity of Woodford Reserve was sought in relation to this aspect.

### 3.0 STATUTORY PROCESS

The Waitakere City Council is a "Requiring Authority", as defined in section 166 of the Act and as such is entitled to issue a Notice of Requirement in order to designate for a public work.

In respect of this Requirement, all of the procedures as outlined in the Act have been followed. It should be noted that the Notice of Requirement was publicly notified prior to the coming in to effect of the Resource Management Amendment Act 2003. As such, pursuant to Section 112 of the Resource Management Amendment Act 2003 the Notice of Requirement is currently subject to the provisions of the Act as they stood prior to the changes made by the Resource Management Amendment Act 2003.

Section 171(1) of the Act provides that, when considering a Requirement, the territorial authority **shall have regard to** the matters set out under Section 168 (a)-(f) and considered in the Notice of Requirement and shall also have **particular regard to**:

- (a) *Whether the designation is reasonably necessary for achieving the objectives of the public work or project or work for which the designation is sought; and*
- (b) *Whether adequate consideration has been given to alternative sites, routes, or methods of achieving the public work or project or work; and*
- (c) *Whether the nature of the public work or project or work means that it would be unreasonable to expect the requiring authority to use an alternative site, route, or method; and*
- (d) *All relevant provisions of any National Policy Statement, New Zealand Coastal Policy Statement, Regional Policy Statement, Proposed Regional Policy Statement, Regional Plan, Proposed Regional Plan, District Plan or Proposed District Plan.*

#### 4.0 THE OBJECTIVES OF THE REQUIREMENT

As stated in the Notice of Requirement the reason or objective for the requirement is to *“establish a new road to provide a new neighbourhood road connection, supplementary to the Lincoln Road corridor which is part of the primary road network in the City. The proposed road would be an alternative to the main arterial route of Lincoln Road and would allow an improvement in connectivity and traffic flow for local traffic”*.

Council’s Long Term Council Community Plan recognises the importance of roading and pedestrian links between streets and neighbourhood centres and has as a measure of success the number of new road and pathway connections that are developed. Council’s emphasis is on connectivity within the roading network and improving levels of service through new connections wherever possible. This approach is favoured above other options such as widening existing routes and intersections. This emphasis seeks to ensure that all residents have ready access to a full range of essential and “well being” services as well as minimising the use of cars through good street connections, public transport and accessibility to the roading network. Policies within the District Plan recognise that a well-connected transport network is necessary for the efficient flow of traffic and congestion management. This emphasis promotes the safe and efficient movement of people through the City.

#### 5.0 WHETHER THE REQUIREMENT IS REASONABLY NECESSARY TO ACHIEVE THOSE OBJECTIVES

Under Sections 168(3)(a) and 171(1)(a) of the Act the Requiring Authority must indicate the reasons why the Requirement is needed, and whether the Requirement is reasonably necessary for achieving the objectives of the project.

The Requiring Authority has analysed the need as follows:

*“Lincoln Road currently carries up to 40,000 vehicles per day. This is over the capacity for a two-lane road and it is therefore currently being progressively widened to four lanes. The expansion of the hospital is expected to create an additional 5000 vehicle movements per day onto Lincoln Road, thus making it more difficult to access for local residents and compromise their ability to move around the neighbourhood. The need for local residents to access Lincoln Road can also impair the operational efficiency of the primary road network. It is therefore important that a new local road connection be provided. The proposed new road is intended to be a collector road, serving a different but supplementary function to Lincoln Road, establishing connectivity for local properties and residents to local facilities as well as the arterial routes. It would also provide a local connection from the hospital to the north of the City. It is anticipated that there would be up to 3000 vehicle movements per day along the new road, which would correspondingly reduce the amount of vehicles using Lincoln Road.”*

A1-A9 (Taken from Section 1 of the Notice of Requirement attached at pages A1 to A9.)

A10-A18 The Council’s Service Manager: Transport Assets has prepared a report assessing the traffic implications of the proposed road, as attached at pages A10 to A18. The traffic modelling contained in this report has identified that although Woodford Avenue would have additional traffic on it, the effects would be manageable and the new road would enable greater connectivity. This analysis concurs with that contained in the Notice of Requirement.

It is considered that the reasons presented by the Requiring Authority in relation to the need for the Requirement are relevant and appropriate. The designation is needed to facilitate the provision of a new connecting local road between Woodford and Waipareira Avenue to ensure that the expansion of the hospital does not adversely impact on the ability of residents to move around the City. This would be consistent with Council's objectives of the promotion of connectivity in the roading network, the improvement of the amenity values of the area and the importance of taking traffic safety issues into consideration. The proposed road would offer an alternative route for traffic from the newly developed Buscombe Avenue residential area as well as Woodford Avenue, to connect to Central Park Drive and Te Atatu South without having to access Lincoln Road.

## 6.0 OTHER OPTIONS AVAILABLE TO THE REQUIRING AUTHORITY

Sections 168(3)(c), 171(1)(b) and 171(1)(c) of the Act put onus onto Requiring Authorities to consider alternative sites that could achieve the aims of the designation. It is important to note that the Act does not state that all alternatives must be considered or that the best alternative must be picked.

The Council is in the process of undertaking seven strategic traffic corridors; namely Lincoln Road, Triangle Road, Universal Road, Pomaria Road, Swanson Road, Don Buck Road and Waitemata Drive. The link from Waipareira Avenue through to Woodford Avenue is part of an integrated transport solution for Henderson.

The Requiring Authority considered that no other suitable sites were available for the stated purposes within the vicinity. Previously a route through the sites at 26-30 Epping Road was considered but the sites were subsequently developed in a manner that effectively precludes the development of a road through the land. It should also be noted that Council has been successful in purchasing the subject site since the Notice of Requirement was notified.

## 7.0 THE OTHER METHODS AVAILABLE TO THE REQUIRING AUTHORITY

Requiring Authorities are also required under Sections 168(3)(c) and 171(1)(b) of the Act to consider alternative methods that could achieve the aims of the Requirement. The Requiring Authority identified the following other methods:

*"...The main alternative method available is for Waitakere City Council to purchase the required land and budget was provided for in the 2002/2003 financial year for this purpose. However before the budget became available the land was purchased by a business intending to establish commercial premises over the whole of the site. Following a number of meetings between Council and the owner of the land to which the Notice of Requirement applies, it has become apparent that the new owner requires the whole of the site for development and that the portion left after the road was established would not be sufficient for their purposes. They have therefore indicated that they wish to proceed with development of the site. Therefore, while it is appropriate for Council to continue to negotiate with the owner of the land to which the Notice of Requirement applies, it is prudent for the Council to ensure that a Notice of Requirement for a designation under Section 168A of the Resource Management Act 1991 is publicly notified. This will ensure that no development is commenced on the land (to which the Notice of Requirement applies) that would compromise the development of the new road. The Notice of Requirement for the designation is necessary to identify and secure the subject site for roading purposes.*

*The gazetting and vesting of the part of the reserve land needed for roading purposes under Section 114 of the Public Works Act would need to be completed before the road could be constructed."*

The reasons given for not pursuing the identified alternative option at the time are accepted and considered relevant. However since the Notice of Requirement was notified, Waitakere City Council has continued to negotiate with the owner of 36-38 Waipareira Avenue to purchase the land and have now purchased the property. As such the option of withdrawing the designation and using the resource consent or plan change process (the site would need to be included within the Transport Environment) to establish the road could be considered as the designation is no longer necessary to ensure that inappropriate development does not take place on the land that could impede the development of the road. However it is considered that it is appropriate to continue with the designation process. Not only is the designation a considerable way through the publicly notified process, once in place it will clearly highlight to the public the intended use of the site, rather than leave it undesignated and subject to the resource consent process or starting a publicly notified Plan Change that would incur additional costs, delays and uncertainty to submitters regarding the future road options. Continuing with the designation process will also ensure that submitters have an opportunity to present their case at a public hearing. It should be noted that the submission in opposition to the proposed road by the former landowners, Italtex Trading Company Limited, has been withdrawn.

## 8.0 RESOURCE MANAGEMENT ACT 1991: PART II MATTERS

Section 171(1) is subject to Part II of the Act. Part II contains the purpose and principles of the Act. Section 5 of the Act sets out the purpose of the Act, which is "to promote the sustainable management of natural and physical resources". "Sustainable management" is defined as meaning:

*"Managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well being and for their health and safety while :*

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) avoiding, remedying, or mitigating any adverse effects of activities on the environment."*

It is considered that the Requirement is consistent with Part II of the Act, and would not adversely affect any matters of national importance or matters relating to the Treaty of Waitangi. In particular this proposal is concerned with the sustainable management of the Region's and the City's transport assets in such a way that the community's social and economic aspirations are realised through improved road connectivity. There is scope for the quality of the environment and amenity values of the local neighbourhood to be maintained and enhanced by more street tree planting and improved maintenance contracts by Council and private investment in terms of landscaping, renovation and re-development of sites.

Section 7 of the Act identifies a number of "other matters" to be given particular regard by Council in the consideration of any assessment for a Requirement. In terms of this Requirement, Section 7(c) (the maintenance and enhancement of amenity values) of the Act is relevant.

The provision of new roading connections to enable all citizens to have access to essential goods and services, communication and safety is a key element of the Integrated Transport and Communication Strategic Platform outlined in the Long Term Community and Council Plan.

## 9.0 ENVIRONMENTAL ASSESSMENT

Section 171(1)(d) requires that the territorial authority shall have particular regard to all relevant provisions of any National Policy Statement, New Zealand Coastal Policy Statement, Regional Policy Statement, Proposed Regional Policy Statement, Regional Plan, Proposed Regional Plan, District Plan or Proposed District Plan.

Sections 168(3)(c) also requires that the territorial authority have regard to the effects that the project will have on the environment, and the ways that any adverse effects can be mitigated.

### 9.1 The Waitakere City Council District Plan

The Act requires consideration of the District Plan provisions. The Waitakere City Council District Plan was made operative on 27 March 2003. The designation provisions within the District Plan are operative and are therefore the appropriate provisions to assess the Notice of Requirement. No reference will be made to the previous Proposed and Transitional District Plans.

### 9.2 District Plan Policies

The District Plan is an effects based document that seeks to enable development to occur provided that the adverse effects can be avoided, remedied or mitigated. The District Plan consists of two layers: the Natural Areas and the Human Environments. The Natural Areas rules control the effects of activities on vegetation, earthworks and streams whereas the Human Environments rules control effects on amenity issues such as traffic generation, noise, lighting and signs. The urban area can be characterised as offering most of the City's housing stock, employment, health and educational facilities. Waitakere City is working with central and regional government to improve passenger transport that will allow its residents to have a viable alternative to the private motor vehicle.

The following District Plan policies and objectives are considered to be relevant in consideration of the proposed designation.

Policy 4.4 is a key policy and relates to the design and construction of roads to minimise the adverse effects of vehicle emissions on air. It recognises the importance of a roading pattern, which maximises connections within and between local neighbourhoods, shops, schools, community facilities, recreation areas and town centres. This proposed road designation, which seeks to establish a local road connection to allow residents to access the City, would be consistent with that policy.

Policies 10.2 and 11.13 relate to noise, and seek to ensure that noise created by activities on the site do not cause a nuisance to occupants of surrounding properties. Although this would be more accurately assessed during the Outline of Works process, given that the noise relating to roading, car parking and access is temporary in nature (cars and pedestrian movements) and when assessed in the context of the site which adjoins industrial activities, it is anticipated that any adverse effects from noise would not be significant. This was an issue that was raised through the submission process. It is acknowledged that there would be an increase of traffic on Woodford Avenue. However the area surrounding Waipareira Avenue has been subject to considerable traffic growth in recent years that has been further exacerbated by new developments including Buscomb Avenue residential area and the decision by central government to expand Waitakere Hospital to be a full emergency facility.

It is likely, that the proposed link road would relieve traffic exiting the hospital. Increased traffic flows will result in additional noise levels for residents in the street. It is likely that some of the noise effects may be offset through existing vegetation and fences on residential sites. The Council's traffic report confirms that there will be effects from increased traffic volumes but any increase in noise levels will be minor or less for most residents. The report states:

*"Between the Waitakere Hospital and the Waipareira Extension the new connection would introduce a through traffic component of about 20% and raise the daily traffic from about 1550vpd to about 3410vpd. The volume would increase from the upper part of the range typically expected for local roads into the lower part of the range typically expected for collector roads. The traffic noise level at 10m from the carriageway edge would increase by about 3.5dBA 18 hour L10 from about 58dBA 18 hour L10."*

Although it is not part of the Notice of Requirement, the properties at 24 and 28 Woodford Avenue are likely to experience a moderate increase in noise levels that will be noticeable. It is therefore recommended that Council investigate provision of an acoustic fence during the design phase of the road and in consultation with the landowners.

Policy 10.3 relates to artificial lighting, and seeks to ensure that occupants of surrounding buildings do not have their sleep adversely affected by such lighting. It is expected that the erection of lighting on the site will be proposed within an Outline Plan of Works, and this matter will be assessed as part of the processing of that Outline Plan of Works to ensure that any adverse effect arising from glare is avoided or mitigated.

Policies 10.7 and 11.5 relate to the design and safety of new reserves in such a way that they are not isolated or separated from public roads and maximises access to local neighbourhoods. Although the road through the reserve is not part of this Requirement, it is considered that the new road would improve the safety and accessibility of Woodford Reserve by allowing for access on two sides of the proposed new road. Currently the reserve is under utilised and undeveloped mainly due to its rear position, access and lack of visibility. Although the road would bisect the reserve it would establish road frontage for the reserve and provide greater access to the reserve for the residential public as well as the Waipareira Avenue business area, giving it greater visibility and hence promoting a greater use of the reserve and improving surveillance. As stated in the Notice of Requirement *"it would provide a pleasant green area for local workers and the surrounding residential community"*.

Policies 10.8 and 11.6 relate to the need for a transportation strategy that provides for the safe and efficient movement of people through private and public transport. The policies seek to ensure the safe movement of vehicles around the City and design and construction that protects amenity values and neighbourhood character. The proposed new road would allow for the efficient and safe movement of local traffic around the City without having to access the arterial routes. It will alter the character of the area. However, there are several mitigation measures that can be taken to reduce the effect of the new road such as replacement specimen tree planting, upgrading the reserve sign to the new Waitakere City standard and installing two new park benches for the public. These measures have the support of the Manager, Landscape Development.

Policies 10.14 and 11.12 relate to the relationship of the site to the adjacent road network; the effects on the capacity of that road network; on-site parking and loading of vehicles; and the design and access to those areas. The Council's traffic engineer has assessed the proposed connection and consider that it is necessary to ensure that the safe and efficient operation of the road network is not compromised and that the adjacent roads that the new road is connecting are of sufficient standard to cope with the expected increase in traffic.

Policy 11.12 seeks to ensure that activities do not generate vehicle trips that will adversely affect the amenity values of the surrounding environment. As discussed previously although there will be some change in the character of the neighbourhood, the development of Woodford Reserve would ensure that the amenity values of the neighbourhood generally are not compromised and the provision of the new connection would ensure that adverse traffic impacts on the neighbourhood arising from the hospital expansion are minimised.

### 9.3 District Plan Rules

The site where the new road is planned is zoned Working Environment and could reasonably be expected to be developed with an industrial building and associated car parking. The proposed designation for the proposed road, does not anticipate the erection of any structures and would potentially have lesser adverse effects on adjoining and surrounding sites to those effects anticipated by the rules of the Plan.

Woodford Reserve is a rectangular 7969m<sup>2</sup> park situated between industrial and residential properties with access from Woodford Avenue. The reserve is a local neighbourhood reserve. It has an undulating topography and is relatively undeveloped with no facilities and not much formal planting except for some specimen trees such as pin oaks. There is no reserve management plan for the park. The Working Environment Rules that apply to land to the north of the reserve contain requirements for screening, fencing and planted strips along site boundaries. The proposed road will not alter those requirements.

The area of land to be dedicated as a road comprises a total area of 1,456m<sup>2</sup> formed by a 17.5 metre wide and 48.0 metre length that occupies the main, former access to the reserve, and a connecting section to the proposed Waipareira Avenue linkage which measures approximately 13.25 metres wide by 47 metres in length. The initial section from Woodford Avenue comprises an area of 842m<sup>2</sup>. The land immediately facing Woodford Avenue is essentially level in contour and features two established oak trees. An asphalt sealed path and hardstand has been developed although it is currently in an average state of condition. Fencing to boundaries (excluding those erected upon adjoining residential properties) consists of basic timber poles delineating the road frontage boundary. The rear section of land that is proposed road comprises an area of 614m<sup>2</sup> and has a gently falling contour in a north-easterly direction.

As identified in the Notice of Requirement, and when assessed in the context of the surrounding industrial land uses, it is considered that any potential adverse effects would be less than minor or temporary in nature during the construction period.

Rules in the District Plan are also concerned with the effects of traffic generation of non-residential activities and its effects on the road network, noise and lighting and glare.

It is also anticipated that any adverse effects from noise would be minor given that the noise related to roading, car parking and access is temporary in nature (cars and pedestrian movements) and the existing background noise levels of the area which is industrial in nature. The traffic volume results outlined in the traffic report indicate that traffic eastwards and south from the Waipareira Extension and between the Waitakere Hospital and Lincoln Road, there would be increases in traffic volumes but the adverse effects would be minor or less given that there would only be a maximum increase of between 1 and 3.5 dBA. However, the properties at 24 and 28 Woodford Avenue are likely to experience a moderate increase in noise levels that will be noticeable. It is therefore recommended that Council investigate provision of an acoustic fence during the design phase of the road and in consultation with the landowners.

#### 9.4 Regional Policy Statement

It is considered that the proposed designation would be consistent with the Auckland Regional Policy Statement. The Auckland Regional Policy Statement recognises that Auckland's transportation system is essential for the Community's social and economic well-being and that investment in the land transportation network should be designed to maintain an efficient and effective system and support urban development which gives effect to the purposes and the principles of the Resource Management Act. The proposed new road would provide a local connection for traffic so that movement around the City can be achieved without having to access the arterial road network. The new road connection will ensure that the hospital expansion does not adversely effect traffic movement around the City.

#### 9.5 Adverse Effects

Council is also required to have regard to any adverse effects that the proposed public work may have on the environment and the way in which they may be mitigated. The Requiring Authority has identified very few adverse effects, and those would be mitigated by the design of the works and location of the landscaping associated with these works. The Requiring Authority indicates that any adverse effects arising from noise (mostly vehicular traffic), and car park lighting and/or glare from that lighting would be addressed via the Outline Plan of Works.

The construction of the road would require earthworks. Sediment control mechanisms would be required to be in place throughout the site during the period time when the earthworks will occur. There will be additional effects caused by a minor increase in stormwater run-off from the road. EcoWater's stormwater engineer has advised that there is sufficient capacity in the current system to cope with the additional flows.

There will be effects on amenity values and neighbourhood character from the proposed road and these are discussed in detail below. The most noticeable adverse effects will be noise and visual effects from the increased traffic generation. The Woodford/Epping/Buscomb route is classed as 'local road' which typically serves traffic flows of less than 1,500 vehicles per day. Whilst the proposed link with Waipareira Avenue is intended to advantage local traffic by reducing the need to use Lincoln Road and to advantage Lincoln Road traffic by reducing traffic loads there, there will be some noticeable noise effects between the Waitakere Hospital and the Waipareira Extension the adverse effects from noise which would result in an increase that would be minor or less. However, this must be balanced against the significant net road user benefits.

It should be noted that properties at 24 and 28 Woodford Avenue are likely to experience a moderate increase in noise levels that will be noticeable. The Council's traffic report has identified that the noise likely to be generated from the road extension will be 58 dBA, acoustic fencing or screening can further reduce this level. Although this is a low level in terms of roading noise, it would be a noticeable increase for adjoining properties. It is therefore recommended that Council investigate provision of acoustic fencing/shielding during the design phase of the road and in consultation with the landowners.

As discussed in section 9.2, 9.3 and 9.5 above, it is considered that any adverse effects arising from the proposal would be minor or able to be avoided, remedied or mitigated. As such, the adverse effects generated by the facilities would generally be considered minor within the context of the neighbourhood, and would be subject to assessment at the time of the Outline Plan of Works.

## 10.0 ISSUES IDENTIFIED THROUGH THE SUBMISSION PROCESS

The Council publicly notified the Requirement in the New Zealand Herald on 12 February 2003.

*A10-A18*

The public notification of the Requirement for "Proposed Road" attracted nineteen submissions in opposition (one was later withdrawn by Italtex), mainly from local residents. A summary of the submissions and copies of the submissions are attached at pages A10 to A18 and the main issues raised are summarised below. The submitters have raised issues relating to both the new road and the bisecting of Woodford Reserve by the proposed road.

### **New Road**

- New collector road will not solve the problems of Lincoln Road and would not ease traffic congestion waiting to access the motorway on ramp -would not be needed if motorway on ramps properly planned.
- Noise and pollution levels from traffic on the road and use of the road by trucks unacceptable.
- Woodford Avenue is already congested with traffic and Woodford and Buscomb Avenue are too narrow to cope with 3000 more cars.
- The entrance/exit of the road on Woodford Avenue is dangerous, particularly in the setting sun, as it is too close to the brow of a hill.
- Proposed road will not benefit the local community and will not be used by locals.
- The area where the proposed road is to be built is in a hollow and along a natural drain.
- Traffic controls should be established at the entrance to the hospital in Woodford Avenue.
- When cars are parked on both sides of the street in Woodford Avenue and Buscomb near the police station, only one-way traffic flow is possible.
- Woodford Avenue is already a racetrack as it is used as shortcut from Lincoln Road to Sel Peacock Drive and will become more dangerous for children.
- Proposed road is forcing the Woodford Avenue area to turn commercial rather than residential.
- Funding should be put into the widening of Lincoln road rather than the proposed road.
- Already problems on Woodford Avenue relating to access for emergency vehicles.
- Speed restrictions such as speed humps or chicanes should be put on Woodford Avenue.
- As Lincoln Road becomes commercial the traffic should be kept to the commercial area.
- Lights from cars will shine into residential properties.
- Parking restrictions would assist the use of the road but this would be an unacceptable restriction on residents and their visitors.
- The new road will cause problems at the Te Pai place intersection.
- Traffic lights should be installed at the northern end of Waipareira Avenue.
- need a compulsory stop at Woodford Avenue.
- Road should go from Epping Street through to Central Park Drive.
- Industrial traffic should not use new road.
- There should be no parking on one side of Woodford Avenue from Lincoln Road to the proposed road.
- Increase in suburban traffic with resulting noise and pollution, effects on waterways.

## Reserve

- Loss of reserve - Need to protect existing open space as the City intensifies.
- reserve could be used for staff car parking for the hospital.
- Proposed road would destroy the reserve which acts as a buffer between the residential and industrial.
- The two oak trees to be removed are fine specimens.
- No justification for using Woodford Reserve.
- Reserve is not under-utilised and is used by children on a regular basis, reserve needs to be mowed more frequently.
- Bisecting Woodford reserve with a road would create an unnecessary hazard.
- Do not want reserve to be divided.
- Already it has been suggested that the reserve be sold.
- Remaining reserve should be landscaped – what happened to Waitakere Green?

## General

- Devaluation of property because of increased traffic, noise and speed.
- Oppose the Notice of Requirement.

## Discussion

### Issues Relating to the Need for the New Road

- New road will not solve the congestion of traffic waiting to get on the motorway on ramp.
- Noise and pollution levels from traffic on the road and use of the road by trucks unacceptable.

As stated in the Notice of Requirement the designation is needed to provide a new connection for local traffic within the City and is not intended to address the issues relating to traffic waiting times for the motorway on /off ramps. The need has arisen from the expansion of the hospital and the additional traffic that it would generate on to Lincoln Road. The new road is not intended to serve the same function as Lincoln Road but is intended to ensure that the ability of local residents to move around the city is not compromised by the additional traffic on Lincoln Road from the hospital. Lincoln Road is part of a regional arterial route through Waitakere City, and the main approach to the Henderson Town Centre from the north. The proposed Waipareira Avenue extension would complete a secondary route parallel to Lincoln Road between Sel Peacock Drive and Te Pai Place, enabling a significant proportion of local residential and business traffic generated along the route and its side roads to avoid Lincoln Road.

Traffic between Te Atatu, the North-Western Motorway and Waitakere Hospital plus residences in Woodford Avenue, Epping Road and Buscomb Avenue, would be assisted in this way. Also the proposed extension would afford additional access to Working Environment zoned land enabling more flexible access and traffic load sharing at busy times.

It is important that when new road connections are made that the rerouted traffic volumes are compatible with the neighbourhoods that they pass through, and do not result in unsafe traffic conditions. The affected roads are Woodford Avenue, Epping Road and Buscomb Avenue. The existing volumes are 2900 vehicles per day west and 1600 vehicles per day east/south of the Waitakere Hospital entrance in Woodford Avenue.

The Council supports introducing measures to restrict heavy vehicles from using the new road. In addition, the design of the road through its width can restrict the type of vehicles that would be likely to use it.

It is acknowledged that there will be an increase in noise levels, particularly along the new road extension through the reserve and this has been raised by adjoining property owners in their submissions. However, as discussed above adverse effects generally from the new road would be minor or less. There would be a noticeable increase in noise levels for the adjoining properties at 24 and 28 Woodford Avenue. However, this could be mitigated to an acceptable level through the provision of acoustic screening and it is recommended that Council investigate this at the design phase of the new road and in consultation with the affected landowners.

### Issues Relating to the Use of Woodford Avenue

The main issues relating to the use of Woodford Avenue area:

- Woodford Avenue is already congested with traffic and the width of the carriage way means that it is inadequate to cope with the increased traffic.
- The intersection is dangerous as it is too close to the brow of a hill.
- Woodford Avenue is already a race track.
- Speed restrictions such as speed humps/chicanes should be put on Woodford Avenue.

A12 The Council's Traffic Engineer has assessed the proposal and is satisfied that the carriageways on Woodford Avenue and Buscomb Avenue would be adequate to cope with the increased traffic. Council's traffic report states on A12:

#### ***"Traffic Volumes***

*The traffic volumes used for the assessment are those on the Waipareira Extension, on Woodford Avenue between Lincoln Road and the Waitakere Hospital Entrance, between this entrance and Waipareira Extension, and east/south of the Waipareira Extension on the Woodford/Epping/Buscomb route. Tables A1,A2, A3 and A4 of Appendix 2 hereto present details of the traffic components estimated for 2011.*

Table 1: Summary of Traffic Volumes for Pertinent Road Sections at 2011.

Road Section	Traffic Without Waipareira Extension (vpd)	Traffic With Waipareira Extension (vpd)	Through Traffic with Waipareira Extension (%)
Waipareira Extension	-	3,340	55
Woodford/Epping/Buscomb East from Hospital	1,550	1,990	20
Woodford between Waipareira and Hospital	1,550	3,410	20
Woodford between Lincoln and Hospital	3,550	4,530	15

... It is evident from the traffic volume results above that:

1. Eastwards and south from the Waipareira Extension the new connection would introduce a through traffic component of about 20% and raise the daily traffic from about 1500vpd to about 1990 vpd. The volume would remain in the upper range typically expected for local roads. The traffic noise level at 10m from the carriageway edge would increase by about 2dBA 18 hour L10 from about 58dBA 18 hour L10.
2. Between the Waitakere Hospital and the Waipareira Extension the new connection would introduce a through traffic component of about 20% and raise the daily traffic from about 1550 vpd to about 3410 vpd. The volume would increase from the upper part of the range typically expected for collector roads. The traffic noise level at 10m from the carriageway edge would increase by about 3.5dBA 18 hour L10 from about 58dBA 18 hour L10.
3. Between the Waitakere Hospital and Lincoln Road the new connection would introduce a through traffic component of about 15% and raise the daily traffic from about 3550vpd to about 4530vpd. The volume would remain in the lower part of the range typically expected for collector roads. The traffic noise level at 10m from the carriageway edge would increase by about 1dBA 18 hour L10 from about 62.5dBA 18 hour L10.

*IN assessing differences in noise level, changes of 1 or 2 dBA are not noticeable, the effects are less than minor, a change of 3dBA is just noticeable, the effect is minor, a change of 5dBA is clearly noticeable, the effects is significant, and a change of 10 dBA is perceived as a doubling in loudness*

*It is concluded that in cases 1 and 3 above the social effects of traffic volume changes would be less than minor. In case 2 the social effects of traffic volume change would be minor; furthermore, in this case the base level of traffic noise is low."*

The Council's traffic report notes that the carriageway width in Woodford Avenue is 8m and concurs with the views of local residents that are seeking to restrict parking to one side of the road. The report states:

*"For efficient traffic movement on an 8m wide carriageway it is desirable to restrict parking to one side of the road if there is a moderate demand for kerbside parking, together with traffic flows of about 3000 vpd or more. This is now appropriate between Lincoln Road and the Hospital Entrance, and it would be more efficient to prohibit the parking on the hospital side of the road."*

It is recommended that no parking signs and dotted yellow lines should be put in place down the hospital side of Woodford Avenue to enable traffic to flow freely and this should be recommended to the Henderson Community Board. The parking restriction could be extended to the Waipareira Extension in the future. Parking on Woodford Avenue, particularly near the intersection with Lincoln Road has been seen as a problem by the residents of the area for some time. This is mainly because there are a number of non residential activities, mainly medical related businesses/health services that have established in the area between Lincoln Road and the hospital entrance. Generally the parking on the road is during business hours with the road being clearer in the evenings and mornings. It is unlikely that the provision of a link road would "force" Woodford Avenue to become commercial. However, there are a number of health service businesses that are related to the hospital activities already operating near the Lincoln Road intersection. It is not anticipated that the link road would encourage any more such to establish as they have primarily been constructed due to the presence of the hospital and commercial opportunities.

Specific issues related to intersections and their safety are outlined below.

### **New Road and Problems with the Intersections**

Regarding the proposed intersection of the new road with Woodford Avenue, the traffic report intersection analysis shows that this intersection is capable of coping with the traffic flow patterns following the establishment of the new road.

#### Waipareira Avenue/Woodford Avenue Intersection

The Council's traffic report states:

*"Separate left and right turn lanes over a short distance and a "Give Way" control would be provided on the Waipareira Extension approach to Woodford Avenue. Under these conditions and taking into account the traffic volume estimates for 2011, delays at the intersection would be minimal."*

#### Woodford/Lincoln Intersection

The Council is now engaged in completing the widening of Lincoln Road, to provide two lanes each way and a central painted median. At the same time traffic signals are being provided at the Norval Road intersection: there will be traffic signals in close proximity north and south of the Woodford/Lincoln intersection. These outcomes will increase the traffic capacity of the Woodford/Lincoln intersection for turns in and out of Woodford Avenue.

The Council's traffic report states that in the event that traffic on Lincoln Road is even greater than assumed, the proposal to extend Waipareira Avenue would ensure an extra alternative outlet and improve the network.

#### Compulsory Stop at Woodford Avenue/Speed Humps and Heavy Vehicles

As discussed above, the traffic report has identified that a 'Give Way' controls would be provided on the Waipareira Extension approach to Woodford Avenue. It is considered that road profile and design matters such as width will slow down traffic to acceptable levels. The traffic report states that heavy goods vehicles should be prohibited from entering the area except for vehicles serving properties in Woodford Avenue, Penders Place, Epping Road, Jubaea Place, Hoya Court, Rosebay Rise, Crocket Lane, Millstream drive and Buscomb Avenue. It is recommended that the Council should promulgate a bylaw to prohibit heavy goods vehicles from using the extension and should erect appropriate signs.

#### Entrance/Exit Dangerous Because of Brow of Hill and Setting Sun

The new Waipareira Avenue/Woodford Avenue intersection is an adequate distance from the top of the hill on Woodford Avenue so as not to cause a problem with sun strike, greater than may be encountered on any road.

#### Install traffic controls at hospital entrance/Lights at Woodford Avenue

The council plans to install new traffic signals on Lincoln Road linking Norval Road and the Hospital entrance by July 2004. Normal intersection markings and signage will be provided for the Hospital intersection on Woodford Avenue. This will improve traffic safety for vehicles entering and exiting the hospital and provide enough of a break in the traffic flow to assist the movements at the Woodford Avenue/Lincoln Road intersection. Traffic lights are not considered necessary on Woodford Avenue.

### Funding should be put into the widening of Lincoln Road

As outlined above, the Council is in the process of widening Lincoln Road to allow for four lanes (two in each direction) over its entire length. This will facilitate passenger transport linking rail at Henderson town centre with as Lincoln Road.

It is anticipated that most traffic, including emergency vehicles, will access the hospital from Lincoln Road.

There would be a minor level of increased noise and pollution caused by the roading connection and the potential for some nuisance from car lights. However, there will be an environmental net benefit in providing for an alternative access to the hospital and an alternative route for locals to Te Atatu without having to use Lincoln Road. The effects of car lights would be no more than minor and if necessary could be reduced through screening.

### **Reserve Issues**

- Loss of reserve - Need to protect existing open space as the City intensifies.
- Reserve could be used for staff car parking for the hospital.
- Proposed road would destroy the reserve which acts as a buffer between the residential and industrial.
- The two oak trees to be removed are fine specimens.
- No justification for using Woodford Reserve.
- Reserve is not under-utilised and is used by children on a regular basis, reserve needs to be mowed more frequently.
- Bisecting Woodford reserve with a road would create an unnecessary hazard.
- Already it has been suggested that the reserve be sold.
- Proposed road would have an adverse effects on the amenities of the area, including Woodford reserve.

### **Loss of Reserve**

Woodford Reserve is a rectangular 7969m<sup>2</sup> reserve, situated at the rear of residential and business properties with access from Woodford Road. It has an undulating topography and is undeveloped with no facilities and little vegetation apart from grass and a few small specimen trees. Few people use the reserve due to its position, access and visibility. Its location behind high residential fences and factories, currently makes this reserve a relatively unsafe environment.

Although the use of the reserve was not part of the Notice of Requirement, the significant issue that arises through this proposal is the use of part of a reserve for the road. The proposed new road would bisect Woodford Reserve into two distinct sections effectively decreasing the size of the reserve from 7969m<sup>2</sup> to 6513m<sup>2</sup>, a reduction of 1456m<sup>2</sup>. However although used by neighbourhood children, the reserve is under-utilised and undeveloped due mainly to its position, access and visibility. As the City intensifies it is important that open space is well utilised, attractive and accessible. Although the road would bisect the reserve, resulting the loss of some reserve land it would not destroy the reserve as a buffer and by establishing road frontage for the reserve it would provide greater access to the reserve for the public and the Waipareira Avenue business area, giving it greater visibility and hence promoting a greater use of the reserve. It would provide a pleasant green area for local workers and the surrounding residential community. This is an increasingly important as the City intensifies.

The proposed road would result in the loss of two 5-6m high oak trees in the entrance to the reserve, which would need to be removed. The Council's Landscape Development Manager has recommended that the sign entrance to the park can be upgraded to the new Waitakere City standards, replacement specimen trees planted and two park benches could be installed to mitigate the effects of removing the existing trees and diminishing the available recreational space. It should be noted that submitters may request further landscaping and additional works through the Council's annual plan process.

The road would not be a hazard and may improve the amenity of the area by enabling greater public access and is more likely to be maintained to a higher standard given the through-traffic. The passive surveillance offered by the road frontage is likely to encourage greater use by pedestrians and local residents who may be reluctant to make full use of a park that is not well-maintained and faces a series of residential back fences and the rear of industrial sites.

## 10.0 OTHER ISSUES

### 10.1 Use of Part of Woodford Reserve for Road

As discussed previously, the completion of the road connection through to Woodford Avenue would necessitate the use of part of the reserve for road. Under section 114 of the Public Works Act 1981, when reserve land is specifically required for roading purposes, Council as owner of the land can have the Minister of Lands declare the land as "road" in the *Gazette*. On publication of the notice in the *Gazette* the land is vested in Council as road. This process is subject to the consent of the Minister of Conservation as the land is a recreation reserve. The procedure does not require public input although the Department of Conservation have advised that the consent of local iwi would be required as part of the process of gaining the consent of the Minister of Conservation. The Department of Conservation would also require that the value of the land taken as road be paid back into Council's public account or a similarly valued piece of land be made reserve.

As the land would be vested in Council as road under the Public Works Act 1981, it would not be designated or go through the process of having the reserve classification revoked and as such does not need to go through a publicly notified process under that Act or the Reserves Act 1977. The land through the reserve was therefore specifically not included in this Notice of a Requirement for a designation for a proposed road. However the input of residents into the use of the reserve for road was sought, including suggestions in relation to development of the reserve to mitigate for the loss of the reserve land and the construction of a road over reserve land.

### 10.2 Proposed Restrictions

The Requiring Authority has stated that the designation will not be subject to any restrictions such as compliance with District Plan rules. Currently all existing Waitakere City Designations listed in the District Plan are subject to:

- All relevant Natural Area rules.
- City wide rules of the plan relating to noise standards, natural hazards, hazardous facilities, contaminated sites and heritage.

- All relevant Human Environment rules relating to noise, air discharges and odour, dust, glare and vibration:

However the Notice of Requirement has stated that the designation will not be subject to these conditions -

It is considered that it is appropriate that the designation be unrestricted in order to facilitate the implementation of the designation. Designations are utilised to implement a public work that may not necessarily be consistent with surrounding land uses or meet District Plan controls. Any adverse effects on the environment would be assessed as part of the Outline Plan of Works process and appropriate recommendations made at that time to ensure that adverse effects are avoided, remedied or mitigated. It would place an unnecessary constraint on the Requiring Authority's ability to implement a designation to require resource consent for works that do not meet the District Plan standards when the issues could be effectively dealt with under the Outline Plan of Works procedure. However it would be appropriate for general conditions to be imposed, to ensure that the requirements of Section 176A3(f) are met. It is recommended that the designation be subject to the following:

- “1. *In order to ensure that section 176A 3(f) of the Act has been adequately addressed, an Outline Plan shall include, as appropriate -*
  - A statement on the relevant Plan objectives, policies and rules;*
  - A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out.*
2. *Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.”*

## 11.0 CONCLUSION

It is considered that the designation is necessary to achieve the objectives of the public work and that there are no alternative sites that would be suitable given the requirement to connect between Woodford Avenue and Waipareira Avenue. It is also considered that any adverse effects would be minor or able to be avoided or mitigated and that the provision of a connecting local road would be consistent with the provisions of both the District Plan and the Regional Policy Statement. Overall it is concluded that this requirement for a designation should be confirmed subject to the above conditions. Advice notes relating to signage, development of the park, bylaws to restrict heavy goods vehicles and no parking are also recommended.

## RECOMMENDATIONS

That pursuant to Section 171 of the Resource Management Act 1991, the Requirement for a Designation for “Proposed Road” at 36-38 Waipareira Avenue being Lot 4, DP 12630, be confirmed for a period of five (5) years for the following reasons:

- (i) That the need for the Requirement has been satisfactorily demonstrated;
- (ii) That the other options available to the requiring authority have been considered;
- (iii) That the other methods available to the requiring authority have been considered;
- (iv) That any adverse effects arising from the proposed road such as traffic noise would be minor or less or could be mitigated;
- (v) Significant positive effects relating to neighbourhood road connections would occur as a result of the proposed road; and
- (vi) The proposal meets the relevant Objectives and Policies of the District Plan, and has been considered in terms of the relevant Rules and assessment criteria.

### **RECOMMENDED CONDITIONS AND ADVICE NOTE**

1. That the designation lapse on the expiry of five (5) years after the date on which it is included in the Waitakere City Council District Plan.
2. In order to ensure that Section 176A 3(f) of the Act has been adequately addressed, an Outline Plan shall include, as appropriate:
  - (c) A statement on the relevant Plan objectives, policies and rules;
  - (b) A statement on any adverse effects the works will have on the environment and the mitigation measures to be carried out.

### **ADVICE NOTES**

1. Appropriate sedimentation and erosion control measures shall be employed for any earthworks on the designated site.
2. That it be recommended to the Henderson Community Board that parking on the hospital side of Woodford Avenue should be prohibited by yellow dotted lines between Lincoln Road and the Hospital entrance.
3. That Council plant replacement specimen trees, upgrade signage for the park and install two new park benches to Woodford Reserve.
4. That a report should be presented to the Environmental Management Committee recommending that a bylaw prohibiting heavy goods vehicle access to the Waipareira Avenue extension should be promulgated and appropriate signage erected.
5. That Council investigate the provision of an acoustic fencing/screening for the properties at 24 and 28 Woodford Avenue during the design phase in consultation with the landowners.
6. Apart from the above conditions the designation shall be unrestricted. The conditions applicable to existing Waitakere City designations as outlined in the Designations Appendix of the District Plan shall not apply to this designation.

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