

**NOTICE OF A REQUIREMENT BY REQUIRING AUTHORITY FOR A DESIGNATION  
UNDER SECTION 168A OF THE RESOURCE MANAGEMENT ACT 1991**

Prepared for Waitakere City Council

By

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To: Waitakere City Council  
Private Bag 93109  
Henderson  
Waitakere City

Attn: The Chief Executive

**1.0 The Waitakere City Council** gives notice of a requirement for a designation for the widening of a section of State Highway 18 (also known as Hobsonville Road).

**1.1 The Sites To Which The Notice of Requirement Applies**

The area to be designated includes existing road reserve contained in the New Zealand Transport Agency (NZTA) designation (see table below) as well as a collection of separate pieces of land along State Highway 18 (Hobsonville Road) from the property at 6 Hobsonville Road (legally described as Lot 1 DP 142669), toward the intersection of State Highway 18 and State Highway 16 (North-western Motorway), and just north of the intersection of Hobsonville Road and Buckley Avenue (the northern points of the properties at 130 Hobsonville Road (west side) and 437 Hobsonville Road (east side)).

The New Zealand Transport Agency is the requiring authority responsible for Hobsonville Road (being State Highway 18). The NZTA designation as it currently exists in the Waitakere District Plan is as follows.

LOCATION	REF	LOCAL PLAN	LEGAL DESCRIPTION	DESIGNATED PURPOSE
Hobsonville Road	TSNZ2	B10, C8, C9	State Highway 18	N/A
Hobsonville Road	TSNZRW1	C8, B9	Road Widening	<p>i. From Brighams Creek road to Upper Harbour Drive:</p> <ul style="list-style-type: none"><li>• 11.5m from centre line (both sides)</li><li>• 1.44m from the existing road boundary (both sides)</li></ul> <p>ii. From a point adjacent to Pt 15 SO 2599, being approximately 500m from the Brighams Creek-Hobsonville road intersections to a second point at the corner opposite Pt 25 DP 41296:</p> <ul style="list-style-type: none"><li>• 13m from the centre line (west side only)</li><li>• 2.88m from the existing boundary (west side only)</li></ul>

Hobsonville Road is currently a Strategic Arterial Route in Waitakere City Council's District Plan roading hierarchy with the NZTA being the Requiring Authority of this State Highway 18 (TNZRW1). While this Road currently carries a high volume of traffic, that traffic is largely commuter traffic between North Shore City and Waitakere City over the Upper Harbour Highway Bridge. Following the extension of the Northwestern Motorway to join Upper Harbour Drive coupled with the developments envisaged for Hobsonville it is likely that function will change to meet the needs of this Council identified growth area.

This Notice of Requirement is envisaged as part of the Northern Strategic Growth Area (NoRSGA) and as a result of Proposed Plan Change 14 to the Waitakere City District Plan. The Notice of Requirement enables the construction of a comprehensive and inclusive multiple transport corridor. This will differ to the functionality provided by the current State Highway. The works enabled by the Notice of Requirement will assist in achieving a Quality Transport Network along Hobsonville Road.

This Notice of Requirement covers a similar area as the existing Designation (TSNZ2) and also the Road Widening designation (TSNZRW1). The Notice of Requirement also includes additional areas, as shown in the Land Requirement Plans attached as Appendix A.

In addition to the land contained within the existing NZTA designations, the land to be designated is largely within private ownership, and the full list of land owners is contained in Appendix A of this Notice of Requirement. Certificates of title for the privately owned land identified in Appendix A are contained in Appendix B.

The full property and legal descriptions of the 51 privately owned properties directly affected by this Notice of Requirement are shown on the Requirement Plan submitted with this Notice of Requirement as Appendix A<sup>1</sup>. The total area of land fragments to be designated in addition to the existing New Zealand Transport Agency designation is approximately 2 hectares in cumulative area.

The proposed wording for the Waitakere City Council designation that will be included in the District Plan Designations Appendix is contained in Appendix C to this report.

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<sup>1</sup> Appendix B of Preliminary Land Requirement (Draft) Report prepared by URS and dated 7 November 2008.

## 2.0 The Nature Of The Proposed Work

Hobsonville Road is currently a two lane road administered by the NZTA. The designation would enable Waitakere City Council to undertake future alterations to improve the functionality of that Road. Alterations will include widening of the existing carriageway, construction of a pedestrian footpath, construction of a dedicated cycleway, construction of future road connections to Hobsonville Road and adjustment to several intersections along Hobsonville Road. This designation will provide certainty, to both Council and existing and future landowners in the area, of future road links to Hobsonville Road and will improve the functionality of the road in line with the Quality Transit Network envisaged by the Auckland Regional Transport Authority (ARTA).

Works within and outside the existing NZTA designation have been identified. The additional road reserve width varies along the length of Hobsonville Road, and land is generally being taken on the north side of the road. The specifics of the proposed land take are shown on the attached land requirement plans.

The full extent of the area to be designated will be designated for roading purposes.

The carriageway, intersection and pedestrian area design and construction (and any other works) will be subject to Outline Plan approvals submitted in accordance with section 176A of the Resource Management Act 1991.

### Strategic Context

Waitakere City Council's Long Term Council Community Plan 2009-2019 (LTCCP) seeks to improve the City's infrastructure to provide for current demands and future growth in the City. Within the Transport Section of the LTCCP it is stated that:

*Transport Strategy is also involved in land use development and area planning to ensure the integration of transport and land use. Examples are the integration of car/non car travel and development in the town centres and in new growth areas at Westgate/Hobsonville.<sup>2</sup>*

*Travel Demand Management must support other national, regional and local strategic objectives to:*

- *Improve public health by encouraging greater use of physically active travel modes such as walking and cycling.*
- *Improve energy efficiency and reducing green house gas emissions through increased use of public transport and car pooling.*

*The Council expects to manage travel demand incorporating the following:*

#### **WALKING AND CYCLING**

*Provision of better facilities for pedestrians and cyclists in the transport network makes it safer to use walking and cycling travel modes, particularly for short trips. The key programmes for delivery are:*

- *Implementing the walking and cycling strategy to provide a network of off-road and on-road cycle routes connecting communities to town centres and public transport facilities*

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<sup>2</sup> WCC LTCCP Volume 2 page 68

- *Implementing the school travel plan programme which focuses on providing safer walking environments around schools and reducing car use for trips to and from school.*

#### **PUBLIC TRANSPORT – BUSES**

*The Council has no responsibility for providing buses or determining bus routes (ARTA facilitates these) but the Council’s Transport Strategy section advocates for better bus services for Waitakere. The Transport Assets section is responsible for construction, renewal and maintenance of infrastructure that supports bus services. This includes:*

- *local facilities such as bus stop signs, timetable cases (for which ARTA provide timetable information) and bus shelters*
- *on-road facilities such as bus lanes and signal optimisation to prioritise bus movements*
- *footpaths to bus stops.<sup>3</sup>*

The LTCCP goes on to outline major projects required to provide additional capacity in the future growth areas (over the next 10 years) include:

- *Northern Strategic Growth Area new transport network (about 90% of the capital works provides additional capacity)*
- *Land purchase and construction (100% of the costs provide additional capacity)*
- *Corridor improvement projects - to alleviate capacity constraints, reduce traffic congestion, and improve safety, such as additional traffic lanes or major intersection works including traffic signal installations<sup>4</sup>*

This Notice of Requirement will allow certainty in future provision for all transport modes along Hobsonville Road. The Notice of Requirement reflects public demands for safe and efficient movement of pedestrians, cyclists, and motor vehicles, and for on-street parking opportunities.

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<sup>3</sup> WCC LTCCP Part A, Section 2 page 118  
<sup>4</sup> WCC LTCCP Part A, Section 2 page 119

### 3.0 The Nature Of The Proposed Restrictions

The Designations Appendix of the Waitakere City District Plan lists conditions applicable to existing designations.

The detailed design for future works along this route will take into account Low Impact Design for storm water and provision for Low Impact Design would be an appropriate condition of this Notice of Requirement. The incorporation of Low Impact Design recognises that storm water is a precious resource which is to be managed carefully rather than a waste product in need of disposal.

An erosion and sediment control plan and a storm water management plan will be submitted with any Outline Plan of Works for the widening of Hobsonville Road. This management plan will act to further reduce potential environmental effects upon the adjacent land and wider catchment.

### 3.1 Conditions Relating To This Notice Of Requirement

The Waitakere City Council proposes the following Conditions be applied to this Notice of Requirement:

1. In accordance with section 184(1)(c) this designation shall lapse on the expiry of **10 years** after the date on which the designation is included in the District Plan unless:
  - (a) It is given effect to before the end of that period; or
  - (b) The Council determines that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made; or
  - (c) The designation lapses earlier by virtue of the District Plan ceasing to be operative.
2. No cut or fill earthworks exceeding a height of two metres shall be located within one metre of a property abutting the designation.
3. Prior to works commencing, organise a Pre-Start meeting onsite with Council staff to discuss the following:
  - (a) The final location and design of the sediment and erosion controls;
  - (b) Provide the name, phone number and signed confirmation that a road sweeping contractor has been engaged to sweep the roads on an as-needed basis to ensure stormwater quality is not affected;
  - (c) Designated site entry and stabilisation requirements; and
  - (d) Stockpile locations.

The Requiring Authority's representative and all site works contractors are to be present. The Outline Plan of Works Holder's representative shall minute the meeting and circulate those minutes to all in attendance.

4. Before commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures in accordance with an approved sediment control plan and in accordance with Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guideline for Earthworks" (latest edition) shall be constructed and maintained by the Outline Plan of Works Holder. Work shall not commence until approval has been gained in writing from the Manager Resource Consents. The control

measures must be maintained until the site has been adequately stabilised against erosion and sediment-laden run off.

5. All “clean water” runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthwork areas via a stabilised system, so as to prevent surface erosion and sediment laden runoff.
6. All earthworks, stockpiles of earth and the storage of other construction materials/ vehicles / works shall be excluded from the drip-line of all vegetation to be retained on site and from the riparian margins of streams. A protective fence shall be erected around the affected area prior to the commencement of any work on the site and shall remain in place until the completion of all works on site.
7. In the event of archaeological features being uncovered (e.g. shell middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) work shall cease in the vicinity of the discovery and the area shall be secured. The Manager Resource Consents, the New Zealand Historic Places Trust Auckland Regional Council Archaeologist and the appropriate Iwi authorities shall be contacted so that appropriate action can be taken. This includes such persons being given a reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence.
8. Footpaths, berms and kerbs shall be protected from damage by crossing or parking vehicles to the satisfaction of the Manager Resource Consents. Any damage which is attributed to the earthworks operation shall be rectified at the cost of the Requiring Authority and at the direction of Council.
9. All dirt tracked onto the surrounding roads as a result of the development shall be cleaned on a daily basis at the expense of the Requiring Authority. In case of repeated non-compliance with this condition, Council may engage a road cleaning contractor to carry out the road cleaning. Council may engage a road cleaning contractor to carry out road cleaning if it is the Council's opinion that the dirt on roads and/or footpath is creating an adverse effect on the environment. The road cleaning contractor shall be engaged at the cost of the Requiring Authority. At no stage shall roads be washed with water.
10. Dust mitigation shall be utilised onsite for the entire duration of the earthworks and shall include but not be limited to:
  - (a) the use of wheel wash facilities;
  - (b) the watering of all haul roads;
  - (c) the mulching/grassing of stockpiled materials not in use;
  - (d) staging of works;
  - (e) watering of any trouble spots identified onsite by Council staff; and
  - (f) location of haul roads and stockpiles away from residential propertiesto the satisfaction of the Manager, Resource Consents.
11. Should the dust control measures be unsuitable at any time, the works creating the dust problem shall cease until such time as the problem is resolved all to the satisfaction of the Manager, Resource Consents.

12. All development works on the site involving earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:
 

Monday to Friday	7.30 am to 7.00 pm;
Saturday	8.00 am to 5.30 pm; and
Sunday and Public Holidays	No work
13. Prior to works commencing, a Traffic Management Plan shall be submitted to the Manager, Resource Consents for approval. The Traffic Management Plan must be prepared by a qualified and experienced Site Traffic Management Supervisor and shall be approved in writing prior to works commencing. No work shall commence on site until written approval of the Traffic Management Plan is provided by Council.
14. All excess or unsuitable excavated material shall be removed from the site before or immediately following the completion of earthworks and disposed of to the satisfaction of the Manager Resource Consents. Written evidence demonstrating that the excavated fill has been deposited in an approved location shall be submitted to the Manager Resource Consents in the form of producer statement, certification or similar.
15. All areas of exposed earth shall be top-soiled and grassed or otherwise stabilised against erosion as soon as practicable and in a progressive manner as works are complete, but no later than one week following the completion of works.
16. All sediment and erosion controls shall remain in place until the completion of the earthworks. Council approval shall be gained before any controls can be removed.
17. If the earthworks are not completed within the earthworks season (1 October till April 30th) then the necessary measures shall be implemented to ensure that the erosion and sediment controls are appropriate for the winter (1 May – 30 September). A written report on the progress of the earthworks and the erosion and sediment controls from the registered engineer supervising the work shall be submitted for the approval of the Manager: Resource Consents within one month of the cessation of work.
18. Any soil to be exported from the site(s) shall be sampled and tested prior to being exported. If testing identifies that the soil does not meet Ministry for the Environment criteria for clean fill in the report titled "*A Guide for the Management of Clean Fills*", dated January 2002 and any subsequent updates, then the soil must be disposed of at a landfill registered to dispose of contaminated soil of the levels found. Copies of the laboratory analysis results shall be provided to the Council prior to the removal of any soil off site. If the results indicate the clean fill criteria are not met, receipts/manifests shall be provided to Council detailing the volume of soil exported and its disposal address/location.
19. The exact details to the extent of the designation as it applies to individual private properties were received by Council on 21 August 2009. These are referenced as LUC 2009-1090.

#### **4.0 Potential Effects That The Public Work Will Have On The Environment, And The Ways In Which Any Adverse Effects Will Be Mitigated**

The following assessment outlines the potential environmental effects that may be generated by widening Hobsonville Road and realigning intersections. A specific assessment of the privately property subject to this Notice of Requirement is attached at Appendix J.

#### **4.1 Traffic Network, Access and Parking**

The proposed design of this area of the roading network will not be dissimilar to the existing network. Trig Road will eventually be realigned with a new access to Hobsonville Road, and several other intersections would also undergo improvement. Specifically, the following new intersections will be created:

- Between 76 and 78 Hobsonville Road (proposed intersection with newly aligned Trig Road);
- At 84 to 86 Hobsonville Road (new intersection immediately opposite Westpark Drive);
- At 96 Hobsonville Road (new intersection for intersection of Marina View Drive Extension);
- At 169 Brigham Creak Road (new intersection for intersection immediately opposite Suncrest Drive);
- At 122 Hobsonville Road (new intersection with future road extending to the north); and
- At 124 Hobsonville Road (new intersection with future road extending to the north).

Maps showing the location of those new road connections are contained in Appendix A to this Notice of Requirement.

This Notice of Requirement seeks to not only improve accessibility to, through and from the Hobsonville area, but also to improve traffic safety and function amongst the existing network by allowing for adjustments to existing intersections to improve flow. These adjustments will all be in line with ARTA's Quality Transit Network, of which Hobsonville Road has been identified as being one part.

#### **4.2 Visual and Shading Effects**

The proposal will enable future improvement to the Hobsonville Road corridor. The existing road reserve is not sufficiently wide to enable the desired multimodal link between Waitakere City, North Shore City and the Hobsonville area in between. Designating the area proposed will create certainty in terms of the future layout of the road and will ensure any future upgrades can be comprehensive rather than the existing ad hoc.

The width of the road (as identified on the plans attached at Appendix A) would be consistent with that expected for a Strategic/Regional Arterial Road and would not be too dissimilar to the existing road. Accordingly, the appearance of the road itself is unlikely to have any significant impact upon the adjoining properties.

The properties on the north and west side of Hobsonville Road are generally orientated away from the road to utilise the north and west aspects of the sites.

Furthermore, while the road reserve will be encroaching onto the existing properties it would be pedestrian footpaths that would be the nearest feature of the road. For these reasons there will be instances where the proximity of the road reserve will have little impact on the amenity of the adjacent sites.

A number of trees will be required to be removed to provide for the proposed works and an arborist report was prepared to address that removal and is contained in Appendix D to this report. The arborist reports suggest those trees are not notable species and many are not accorded specific protection under the District Plan.

It is noted that while the trees may not be accorded specific protection under the District Plan the value they have with regard the amenity of those sites should not be discounted when they are removed under a future outline plan. It is not the place of Council as requiring authority to predetermine what individual landowners may require as mitigation for any planting lost. For these reasons it is considered more appropriate for any loss of trees to be addressed in the land acquisition process and implemented when any widening or development takes place.

Council proposed street tree planting to be undertaken as a part of any development works within the road corridor would ensure that amenity is retained to an acceptable degree within the road reserve, and may also go some way towards addressing the effects of the loss of any plantings.

All planting within this area of the City including that proposed for Hobsonville Road will be cognisant of Waitakere City Council's publication entitled "*Native to the West: A guide for planting and restoring the nature of Waitakere City*"<sup>5</sup> and plants will be sourced from within Waitakere City.

Re-contouring of the land will be required to provide for the alterations to the road reserve as the land immediately adjacent is not uniform and there are areas where cut and fill works will be required. All works will result in a batter of the earth back to the existing ground level.

#### **4.3 Noise Effects**

Hobsonville Road is defined as a Strategic Arterial Road within the District Plan, and is administered by NZTA. Such roads are defined in Section 1.2 of the General Noise Standards of the District Plan as High Noise Routes. Such a categorisation recognises a certain degree of traffic noise. That status would not change as a result of the Notice of Requirement as even if Hobsonville Road were downgraded from a Strategic Arterial Road it would likely revert to being a Regional Arterial Road and therefore continue to be considered a High Noise Route in the District Plan's roading hierarchy. People residing in the area would have an expectation of the continuation of current ambient noise levels.

#### **4.4 Archaeological and Heritage Assessment**

In November 2004 Council engaged archaeologist, Rod Clough, to assess the heritage and archaeology of the land areas within Plan Changes 13, 14 and 15 to the District Plan. In his report dated November 2004, he acknowledged that an archaeological item existed at 112 Hobsonville Road. This archaeological site is already catalogued as part of the Cultural Heritage Inventory as item 12363. During

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<sup>5</sup> Located either at Council or on Council's website at <http://www.waitakere.govt.nz/cnlser/pw/greennetwk/naturegde.asp>

the preparation of Plan Change 14, it was noted that this item from the Cultural Heritage Inventory was not listed in the District Plan. It was considered appropriate that it be listed to enable Plan users to be aware of this item if they wish to develop the site.

#### 4.5 Archaeological Sites – Heritage Appendix

CHI NO	LOCATION	DESCRIPTION
12363	112 Hobsonville Road somewhere in the field to the southeast of the RSA building	Possibly a gum digger's camp, but the reported feature is just as likely to be related to the Dismore House once located in this vicinity. This was a reported bottle pit which had been exposed during the planting of Limeburners Bay Vineyard. Nineteenth Century artefacts were recovered at the time, though none are now evident. Significance attributed to historical value.

The property at 112 Hobsonville Road is identified in the District Plan as containing a Heritage Item. Undertaking works on that site would be subject to the Heritage Rules under the Citywide Rules Section of the District Plan and would potentially require resource consent.

#### 4.6 Heritage Items – Heritage Appendix

CHI NO	LOCATION	DESCRIPTION	CATEGORY	INTERIOR	LEGAL DESCRIPTION
3702	Dwelling, 120 Hobsonville Road, Hobsonville	Timber weatherboard villa, built 1900s. Significance attributed to historical and architectural values.	Category iii	No	Pt Lot 3 DP 83705

The property at 120 Hobsonville Road is identified as containing a Heritage Building and any works on that site will be subject to the Heritage Rules of the District Plan.

#### 4.7 Ecological Effects

This proposal is to provide for a widening of an existing transport corridor. The increase in the width of the corridor will require tree removal. The trees along this sector of Hobsonville Road have been identified and categorised by an arborist (Appendix D). That assessment identifies all the trees along or in the near vicinity of Hobsonville Road and whether they were accorded general protection in the District Plan.

While it is inevitable that a number of trees will be required to be removed, efforts will be made to retain as many trees as practicable along the route. The attached plans (Appendix A) show the road development for Hobsonville Road. Where practicable, mitigation via relocating or replacing trees located in the area of the works will occur.

Along Hobsonville Road there are no areas accorded specific ecological protection under the District Plan, such as being identified within Managed, Protected, Riparian Margin Natural Areas nor are Ecological Linkage Opportunities identified.

This Notice of Requirement requires a large amount of earthworks. There is potential for adverse effects associated with sediment runoff to the stormwater system from any works. To ensure there would be no such adverse effects future outline plans of works will include sediment and erosion controls.

It is considered that any ecological effects upon the General Natural Area included in this Notice of Requirement are de minimus or minor. Where the effects are minor, the Conditions imposed as part of the Outline Plan Of Works will avoid or mitigate the effects. Hobsonville Road will remain relatively unchanged following completion of the works, and it will continue to function as a transportation corridor.

Mitigation in future Outline Plan of Works will be in the form of:

- planting upon the completion of the road widening;
- sediment and erosion controls; and
- storm water control.

#### **4.8 Construction Related Effects**

Construction effects include effects from dust and sedimentation; construction noise; and disruption to vehicle and pedestrian traffic and traffic safety. These effects will be short term and appropriately managed so that they are no more than minor. Dust and sedimentation will be managed using appropriate measures including wetting down of exposed surfaces, wheel washing where required and the use of filter fabric over cesspits. A Construction Noise Management Plan will be required via the Outline Plan of Works to ensure compliance with NZS 6803P:1999 (Acoustics Construction Noise standards). A Temporary Traffic Management Plan will be required via the Outline Plan of Works to ensure that vehicles and pedestrians are carefully guided around construction sites.

#### **4.9 Safety**

Any Outline Plan of Works would need to stipulate the methodology for undertaking any works. Inherent in that methodology would be the measures employed to ensure the safety of workers on the site and the public generally.

#### **4.10 Earthworks**

Given the length of Hobsonville Road, the physical widening will require earthworks over a large area and this will likely amount to a substantial volume of earth. The works will not, however, change the character of the area to a degree greater than the widening of the road. There will be areas of cut and fill, but that cut or fill will not exceed an approximate maximum height of two metres when within one metre of an adjacent property boundary.

Furthermore, in the majority of cases earthworks will be contoured as a batter up to the boundary of the existing or proposed road reserve. Currently there are no plans for the construction of retaining walls.

The areas subject earthworks in this Notice of Requirement are not identified as containing any ecologically sensitive areas or riparian margins.

Previously all road designations had a requirement to adhere to the relevant Natural Area Rules of the District Plan. This Notice of Requirement has replaced the adherence to the General Natural Area Rules with specific Conditions contained in Section 3.1 of this Notice.

Consideration of the matters contained in the General Natural Area Earthworks Assessment Criteria are included in this Notice of Requirement. The following analysis (under the headings (a)-(f)) considers all the matters raised in those Assessment Criteria.

**(a) Visual Amenity**

In addition to the visual and shading effects considered above, no earth will be exposed following the completion of the works. A paved service or grassed berm will be the finished outcome. It is noted that batters could occur on the periphery of some works. Were those batters to be replaced with retaining walls there is the potential for adverse effects on adjacent properties. In order to provide protection to those properties it is recommended that a condition of this designation require the cut and or fill to not exceed 2m height within 1m of an adjacent property boundary.

All planting within this area of the City including that undertaken as a part of future Outline Plan of Work approvals will be cognisant of Waitakere City Council's publication "*Native to the West: A guide for planting and restoring the nature of Waitakere City*"<sup>6</sup> and plants will be sourced from Waitakere City.

**(b) Vegetation Removal**

Vegetation removal has been considered above.

**(c) Natural Hazards**

The works have all been engineered to date and any construction drawings will be subject to an audit to ensure stability. This area of Hobsonville is not in close proximity to any watercourses.

**(d) Soil Contamination**

A contamination assessment was undertaken by Environmental Earth Sciences Limited in 2004. This is entitled *NOSGA soil contamination assessment Massey North and Hobsonville Centre Nodes: 304053: November 2004*.

That assessment identified areas in NorSGA that could potentially contain contaminated soils. A map of this area is contained in Appendix H, along with an extract from the above report. The map indicates that there may have been an orchard/vineyard on the properties at 112, 114, 122 and 124 Hobsonville Road.

For both types of activity the report considers the likelihood of contamination to be high but the potential consequences to be low to moderate. A condition of this designation could be that a contamination assessment is undertaken to accompany an outline plan of works.

Where works are undertaken on a site that has been identified as potentially contaminated, the works are subject to the Contamination Rules contained in the Citywide Rules Section of the District Plan. Where there is an identified infringement under those Rules a resource consent will be required.

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<sup>6</sup> Located either at Council or on Council's website at <http://www.waitakere.govt.nz/cnlser/pw/greennetwk/naturegde.asp>  
Waitakere City Council District Plan  
Notice of Requirement: WCC RW16  
Notification Version

**(e) Safety**

All works will be undertaken with appropriate health and safety protocols and any contractors are required to adhere to those protocols.

**(f) Necessity**

Earthworks are necessary to achieve the gradients and cross falls required for the carriageway and surrounds to function.

For the aforementioned reasons it is considered all matters related to the earthworks have been fully considered in this Notice of Requirement. The Conditions contained in Section 3.1 of this Notice will address any adverse effects arising from the works, and so the works need not be reconsidered via any future resource consent application(s).

**4.11 Conclusion To Potential Effects Section**

Hobsonville Road is defined as a Strategic Arterial Road in the District Plan and carries a heavy volume of largely commuter through traffic to and from North Shore City. When the extension to the North-Western Motorway is completed it is likely the administration of this road will be transferred to Waitakere City Council.

Council have identified a desire to improve the road, not only in terms of vehicular traffic but also for public transport commuters, pedestrians and cyclists. This Notice of Requirement is to ensure sufficient scope is available for future improvements to this part of the roading network, including the construction of future intersections with Hobsonville Road following the development of land located within the area of Plan Change 14.

The Quality Transit Network Plan prepared by ARTA in its *Passenger Transport Network Plan* identified Hobsonville Road as being an area outside of the Auckland CBD which is destined to accommodate the distribution of population growth.

With regard the neighbourhood character and visual amenity along Hobsonville Road, the future works will constitute a less than discernable change. A number of trees will be required to be removed, earthworks will be undertaken, the carriageway will increase in width (along certain sections of the Road) and pedestrian and cycle ways will be created. This change will however be minor when compared to the envisaged development enabled by Plan Change 14. That Plan Change will alter this area from largely rural to wholly urban with associated dominance of built form over the natural environment. This will, however, be mitigated by the amenity and character being retained by replanting, lighting, strong pedestrian and cycleway connections and bus stops.

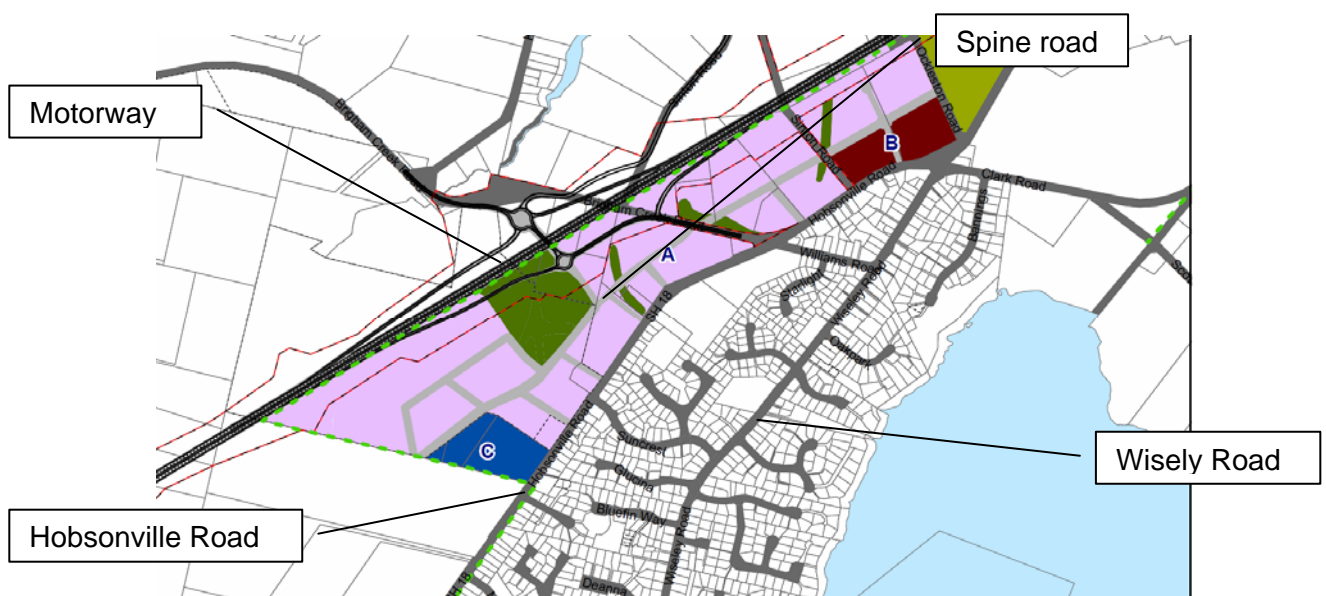
## 5.0 Alternative Routes, Route Infrastructure (Sites) And Methods

### 5.1. Alternative Routes

Four possible alternative routes (see Figure 1 below) were considered for the link between Greenhithe and the North Western Motorway at Westgate. These were:

- The realigned North Western Motorway;
- The indicative Spine Road within the Hobsonville Village Urban Concept Plan;
- Hobsonville Road; and
- Wisely/Marina View and Luckens Roads.

Hobsonville Road is the preferred alternative.



**Figure 1:** Location of the 4 alternative routes<sup>7</sup>

#### **Northwestern Motorway:**

The Motorway will provide for rapid movement with no impedance. There will be no provision for public transport drop-off and pick up, and there cannot easily be cycle and pedestrian integration.

#### **The Indicative Spine Road:**

This future road would also provide a relatively direct route between the Greenhithe Bridge and Massey North, and will support industrial and commercial freight via a Collector Road status. That future road is, however, currently only indicatively located and could be subject to movement along its alignment depending on property owners development aspirations. The alignment of the future road is only known to the extent of Proposed Plan Change 14. In addition, when this area of the City is developed it will be a wholly commercial and industrial area and that road will be some distance from the residential properties to the east and south.

<sup>7</sup> Waitakere City Proposed Plan Change14  
Waitakere City Council District Plan  
Notice of Requirement: WCC RW16  
Notification Version

## **Hobsonville Road**

Hobsonville Road provides a direct link between the Greenhithe Bridge and Massey North, and already exists. In addition, Hobsonville Road has been identified by ARTA as meeting the Quality Transit Network objectives and is identified by NZTA as a heavy haulage road. Hobsonville Road is well located between the residential properties to the south and east and the proposed commercial land to the north and west and will therefore provide a good link for both workers and residents.

On this basis, Hobsonville Road is the preferred alternative.

## **Wisely Road/Marina View/Luckens Road**

This route is the most indirect of the alternative routes considered, and is predominantly located through a residential area and some distance from the proposed commercial land associated with Proposed Plan Change 14. This would not provide the connectivity that the Council is seeking to achieve under this Notice of Requirement.

### **5.2. Development of Hobsonville Road**

The strategic direction of Council has been to utilise the existing infrastructure of Hobsonville Road, while incorporating different designs to enable that Road to serve a more strategic function both within the City and as a link to adjacent cities.

The west (and in some areas north) side of the road is the only practical area for works. This is because its current land use is mostly existing farm lots with generally large front yard setbacks. The current land use on the south and east side of Hobsonville Road is wholly urban in nature (mostly residential), and the works would affect a larger number of properties.

Furthermore, the north and west side of Hobsonville Road is the location for the urban development enabled by Proposed Plan Change 14. The Council considers that it is logical that the redevelopment of Hobsonville Road be linked with that proposed urban development, to ensure adequate connectivity and integration across all transport networks.

### **5.3. Alternative Route Infrastructure (Sites)**

Current options for the development of the widened Hobsonville Road may be subject to change within the proposed Notice of Requirement. The final detailed design of the works will be utilised to inform the Outline Plan of Works that will be processed by the Council. The following is a discussion on the rationale for bus stop and link road selection.

#### **Bus Stops**

This Notice of Requirement includes areas of land where the approximate location of bus stops can occur. Those bus stops were located in accordance with ARTA's Bus Stop Infrastructure Guidelines (May 2009) and are accordingly located on the far side of intersections (i.e. not before intersections).

#### **Intersections**

Several new road intersections are proposed for the west side of Hobsonville Road. The location of those intersections was a twofold process. Firstly, where a road

was proposed, it was located directly opposite an existing road intersection to the east to create a full cross intersection. Secondly, intersections within the land area of Proposed Plan Change 14 were discussed with the private land owners.

### **5.3 Alternative Methods**

Alternative methods of meeting the objectives of the Waitakere City Council are as follows.

1. Doing nothing or continuing with the status quo

This was considered, but was discounted, given that the Waitakere City Council LTCCP 2009 - 2019 had already identified the need for works to be undertaken to improve Hobsonville Road.

Improving the functionality of Hobsonville Road (in terms of both car and non-car modes of movement) is required.

Doing nothing would have the potential to seriously inhibit remedial works to the Road, should the envisaged development (under Proposed Plan Change 14) take place in the Hobsonville area. This is especially important given that the immediately adjacent land will be re-developed up to the existing road boundary. Furthermore, it is likely pedestrian and cycle ways will be required and it is desirable for them to be buffered from the carriageway necessitating additional road reserve.

2. Obtaining resource consents.

Under the District Plan such a proposal is likely to be a Discretionary Activity, requiring Land Use Consent from Waitakere City Council. Some of the resource consents apply to privately owned land, where Council may not be granted access to complete the works.

3. Seeking a Plan Change to the District Plan to introduce provisions for the Transport Environment that would provide for the proposed works as a permitted or a controlled activity.

Both Methods 2 and 3 above would potentially provide for the widening of the road and intersections. However individual resource consents do not provide the same opportunity as the designation process to identify and secure a site or a portion of a site prior to the final design of the road and intersection.

A Plan Change may identify the sites where road widening may occur via a resource consent. It does not, however, necessarily provide for the access to and utilisation of the site for the works in the same way as a Notice of Requirement for a designation.

## 6.0 The Public Work And Designation Are Reasonably Necessary For Achieving The Objectives Of The Requiring Authority

The Waitakere City Council's objectives in promulgating the Notice of Requirement is to improve the connectivity of the Hobsonville area with both Massey North to the west and Greenhithe to the north, and for Hobsonville Road to fulfil a function in ARTA's *Quality Transit Network*.

The designation is required to:

- Identify and protect the land for the widening of Hobsonville Road and the reconfiguration of the existing layout;
- Provide opportunities in the future for public transport;
- Improve the functionality of existing road intersections along Hobsonville Road;
- Provide for safe pedestrian access along Hobsonville Road;
- Improve cyclist safety and access along Hobsonville Road;
- Improve the safety and efficiency of Hobsonville Road;
- Provide for the comprehensive, long term management of Hobsonville Road.

Waitakere City Council has identified the need to widen the existing Hobsonville Road corridor in certain places over and above that currently designated under TSNZ2 and TSNZRW1. That widening will provide certainty for Council about any future improvements to the Road, for example carriageway modifications and connectivity for both vehicular and non vehicular movement to and from the Hobsonville area.

Waitakere City Council is committed to increasing the number of cycle users within the City and has developed a Walking and Cycling Strategy<sup>8</sup>. The widening of the Road reserve will further enhance that programme along Hobsonville Road.

Dedicated pedestrian and cycle ways are proposed along both sides and the entire length of Hobsonville Road from Westgate to the existing Hobsonville Airbase. The final design has not been determined, but it is expected that the works will improve the safety of both pedestrians and cyclists in the areawhen compared to the existing environment. This connection would also provide a link to the pedestrian and cycle way across the Upper Harbour Highway (Greenhithe) Bridge.

The designation will achieve the objectives. These include:

- (a) Allowing the Council to undertake the works in accordance with the designation notwithstanding anything to the contrary in the District Plan;
- (b) Clearly and accurately identifying the use of the land in the District Plan;
- (c) Enabling the works to be undertaken in a comprehensive and integrated manner; and
- (d) Protecting the designated area from future development which may preclude the construction of the works.

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<sup>8</sup> Waitakere City Council Walking and Cycle Strategy

## **7.0 Resource Consents That Are Needed**

### **7.1 Resource Consents Required**

Any resource consent requirements will depend on the final site layout and earthworks required. Any required resource consents would be applied for once the engineering plans for the development are complete, and prior to the start of physical works.

Under section 176A of the Act, the Waitakere City Council is required to submit an Outline Plan of the Work to be constructed on the designated land, prior to the commencement of construction. This will allow Waitakere City Council the opportunity to consider and request changes via conditions to the Outline Plan of Works, and identify any resource consents that may be required.

The New Zealand Transport Agency is the current requiring authority for Hobsonville Road. Any works undertaken within that existing designation will also require approval of the New Zealand Transport Agency, and would be processed as a resource consent application. Works outside that existing designation but within the Council's Notice of Requirement will be assessed under an Outline Plan of Works.

Section 176A(2) allows for Waitakere City Council to waive the requirement for an Outline Plan of Works. However, owing to the current impracticality of submitting a detailed design as part of this Notice of Requirement it is expected that Council will not exercise its ability to waive the requirement for an Outline Plan of Works.

### **7.2 Outline Plan of Works**

The Outline Plan of Works will be submitted in accordance with section 176A(3) of the Act and will indicate the following:

- The width of the carriageway and pedestrian footpaths and cycle ways;
- The layout of the proposed lanes, turning lanes and intersections;
- The final design of median strips (if they are required) being either planted controls and/or a physical barrier between the lanes;
- Area and volume of proposed earthworks and an earthwork management plan;
- Alternative traffic routes or temporary modifications to existing route during the construction period;
- The landscaping proposed; and
- Any other matters proposed to avoid, remedy or mitigate adverse effects on the environment.

### **7.3 Auckland Regional Council Air Land and Water Plan**

Under the Auckland Regional Council Air Land and Water Plan Rule 5.5.1 the discharge of stormwater from additional impermeable area of Hobsonville Road would be a permitted activity if the surface area does not exceed 1000m<sup>2</sup> and the following conditions are met:

(b) *It does not cause scouring at the point of discharge;*

...

- (g) *It does not cause flood levels in a 100 year **ARI** storm to rise within 0.5 metres of a **habitable floor level** (authorised by a Territorial Local Authority) in any dwelling unless the relevant District Plan or “**Local Authority Infrastructure Design Standards**” establishes an alternative freeboard requirement (above the 100 year **ARI** storm) in which case the District Plan or **Local Authority Infrastructure***

**Design Standards** freeboard requirement shall prevail.

- (h) *Where the discharge arises from a subdivision or development that is located outside **Urban Areas**, the average ratio of total **impervious area** to lot area for the subdivision or development shall be less than 6%; unless, the land is zoned for future urban growth in the relevant District Plan and the development is in accordance with a **Structure Plan** (incorporated into the District Plan) and an **Integrated Catchment Management Plan**; or unless the land is designated for a local road;*

...

- (i) *Primary sediment treatment shall be provided by methods such as **cesspits** or vegetated buffer strips.*

It is likely the works within the Council's Notice of Requirement will be a permitted activity given that they will be staged, and so none of the thresholds that trigger a resource consent will be exceeded. Should the preferred method change then Regional Council consent will be sought should the work necessitate it.

## **8.0 Consultation**

The area subject to this notice of requirement has the following ownership:

- New Zealand Transport Agency being the requiring authority for State Highway 18 (Hobsonville Road)
- Ministry of Education being the requiring authority for Hobsonville Primary School at 102-104 Hobsonville Road
- 51 private property owners (see Land Requirement Report in Appendix A for full details).

Prior to lodgement of this Notice each landowner or Requiring Authority was advised by letter (Appendix E) introducing the project and informing them that the Council is seeking to designate a portion of their site.

This was followed up by two Council hosted Open Days during August 2009, where land owners and other interested parties could see the nature and extent of the Notice of Requirement and ask questions of relevant staff.

## **9.0 Information Required By The District Plan, Regional Plan Or Any Regulations Made Under The Resource Management Act 1991**

The subject site is located within Waitakere City and the Auckland Region. It is therefore subject to the Operative Waitakere City District Plan, Proposed Plan Changes 13-15 of that Plan, the Auckland Regional Policy Statement, the Auckland Regional Plan: Sediment Control and the Proposed Auckland Regional Plan: Air, Land and Water.

The Notice of Requirement has been assessed for environmental effects in Section 5, and against the following statutory documents:

- Waitakere City District Plan including Proposed Plan Changes 14;
- Auckland Regional Policy Statement;
- Auckland Regional Plan: Sediment Control; and
- Proposed Auckland Regional Plan: Air, Land and Water.

The following is an assessment of the Notice of Requirement in terms of the relevant provisions of the identified planning documents relating to the Hobsonville area.

### **9.1 Waitakere City District Plan**

Hobsonville Road is identified as Transport Environment. The land directly affected by the road widening is a mixture of Living, Special Area, Countryside and Open Space Human Environments and the General Natural Area.

The land subject to the designation includes land administered under the Operative District Plan and land where some weight is accorded to Proposed Plan Change 14.

Under the Operative District Plan the land subject to the designation ranges from Living Human Environment to Countryside Environment. The land on the west side of Hobsonville Road is earmarked for urban development (Plan Change 14) and when operative that land will be developed accordingly.

In addition to the Human Environments and Special Areas, there is an existing United Networks Limited Designation (PNZ4) located at the corner of Hobsonville Road and Trig Road which will be subject to the designation. There is also a Ministry of Education designation (ME20) for the Hobsonville Primary School. That School site (ME 20) is not subject to the Council's Notice of Requirement.

Policy 3.6 of the operative District Plan, entitled "The Valued Environment: The City's Landscapes" identifies landscape areas and seeks to protect the unique combination of natural and physical elements which combine together to maintain and create distinct and identifiable landscapes. The subject area of this Notice of Requirement does not fall within the scope nor is it identified as being an area of outstanding merit or highly desirable. For these reasons the quality of the soils are considered to have been previously assessed and not recognised as important enough to be adversely affected by urban development.

### **9.2 Objectives and Policies of the District Plan**

The purpose of this Notice of Requirement is to improve the functionality of Hobsonville Road in terms of the existing carriageway and to enable a safe and efficient pedestrian link between the Massey North Area and Hobsonville Peninsula.

The Notice of Requirement will be consistent with the Objectives and Policies of the District Plan (contained in Appendix G), particularly those directly related to transport infrastructure. These are identified below.

### **9.2.1 Objective 10.**

*To maintain and enhance those natural and physical characteristics (amenity values) that contribute to the wellbeing of residents and workers, including maintaining:*

- *a safe environment;*
- *an accessible environment, which includes enhancing public access to and along the coast and waterways and between areas of public land.*

### **9.2.2 Policy 10.8.**

Land use development and subdivision must recognise the need for a transportation strategy which provides for the safe and efficient movement of people through private and public transport in a way that avoids, remedies or mitigates potential adverse effects on the environment and which does not compromise the needs of future generations, through ensuring the:

- safe movement of pedestrians, cyclists and vehicles around the City;
- recognising and providing for the interdependence between transportation and other activities;
- supporting the creation of an efficient public transport network which provides an integrated system with appropriate levels of convenience and services;
- protection of the transport corridor for public transport purposes, conveyance of goods and communications;
- ensuring that the impact of activities on the capacity and safety of the road system is adequately catered for;
- maintaining amenity values that contribute to the well-being of residents and workers;
- integrating roads with safe and efficient pedestrian cycle routes;
- minimising impacts of noise and traffic movement on the amenity of surrounding sites;
- contributing where required to an upgrading of the transport system, proportionate to the pressures on that system created by the development proposed.

### **9.2.3 Policy 10.14.**

Activities should be of a scale and located and managed in a way that:

- any traffic generated by the activity, including heavy traffic, does not detract from the capacity of the road to cater safely for motor vehicles, pedestrians and cyclists, and the wellbeing of residents occupying surrounding sites;
- the safe and efficient functioning of the road network is not adversely affected.

## **9.3 Relevant District Plan Rules**

### **9.3.1 Citywide Rules**

- Undertaking works on a site subject to natural hazards is considered a limited discretionary activity under Rule 1.1.

- On sites identified as potentially contaminated remediating that site is considered a controlled activity under Rule 2.1. Undertaking works but not remediating is considered a discretionary activity under Rule 2.2.
- On sites identified as containing heritage items the status of an infringement ranges between permitted and non complying depending upon the item and the nature of the works.

### **9.3.2 General Natural Area**

- Vegetation alteration is considered a limited discretionary activity under Rule 2.3.
- Earthworks would be considered either a limited discretionary activity or a discretionary activity depending upon the volume being either under or over 300m<sup>3</sup>.
- Impermeable surfaces do not have a threshold with regard roads under Rule 4.1.

### **9.3.3 Living Environment**

- Density in the Living Environment is one dwelling per 450m<sup>2</sup> under Rule 2.1. The potential land-take will reduce the size of some properties to below that threshold.
- Buildings are required to be setback three metres from the front boundary. The potential land-take will likely induce an infringement of Rule 6.1 for several properties along Hobsonville Road.
- Building coverage cannot exceed 35 percent of the site and the potential land-take will not generate an infringement of Rule 7.1.
- Minimum outdoor living provisions provided under Rule 9.1 will not be infringed via the potential land-take.
- Car parking and driveway provisions under Rule 12.1 will not be infringed via the potential land-take.
- Where a sign is proposed it would be considered a Limited Discretionary Activity under Rule 15.2, provided it did not exceed 1.5m<sup>2</sup> in area. Exceeding that threshold would be considered a Non Complying activity. Signage will be managed via the Transport Environment Rules.
- Roads are considered infrastructure and would be considered a Discretionary Activity under Rule 17.4.

### **9.3.4 Countryside Environment**

- Buildings are required to be setback 10 metres (or three metres where the site is less than 0.4 hectares in area) from the front boundary. The potential land-take will likely induce an infringement of Rule 3.1 for several properties along Hobsonville Road
- Outdoor storage requirements will not be impacted upon due to the potential land-take therefore there will be no infringement of Rule 5.1.
- Building coverage cannot exceed 300m<sup>2</sup> or 1 percent of the net site area. The potential land-take will not induce and infringement of Rule 6.1.
- Where a sign is proposed it would be considered a Limited Discretionary Activity under Rule 11.2 provided it did not exceed 0.5m<sup>2</sup> in area. Exceeding that threshold would be considered a Discretionary Activity. Signage will be managed via the Transport Environment Rules.
- Roads are considered infrastructure and would be considered a Discretionary Activity under Rule 13.4.

### **9.3.5 Transport Environment**

- Roads are considered a permitted activity under Rule 5.1.
- Road signs are a permitted activity in the Transport Environment under Rule 4.1. Street lights are a permitted activity in the Transport Environment under Rule 6.1.

### **9.4 Further Information**

The Designation Guidelines section from the District Plan lists further information to that required under s168A of the Act to be submitted with this Notice of Requirement. It is considered that this report includes that information.

The Notice of Requirement aligns with the relevant provisions of the District Plan

### **9.5 National Legislation and Policy**

#### **9.5.1 The Resource Management Act 1991**

The Resource Management Act 1991 provides the decision-making framework within which to assess options and determine the environmental effects and mitigation measures and also define the statutory processes that will influence the project outcomes.

The Notice of Requirement is consistent with the purpose and principles of the Act. It meets the requirements of section 168A of the Act.

#### **9.5.2 The Land Transport Management Act 2003**

The Land Transport Management Act 2003 provides the statutory framework for land transport funding and management. It reinforces the obligation to improve social and environmental responsibility in land transport management.

The Notice of Requirement assists in the achievement of this Act.

#### **9.5.3 The New Zealand Transport Strategy 2008**

The New Zealand Transport Strategy 2008 has been released by the Ministry of Transport and is the government's vision for the future of transport in New Zealand. It contains five Objectives:

- ensuring environmental sustainability;
- assisting economic development;
- assisting safety and personal security;
- improving access and mobility; and
- protecting and promoting public health.

The proposal is consistent with the above Objectives and will improve all modes of transport to, through and from the Hobsonville area.

### **9.6 Auckland Regional Policy Statement**

The Notice of Requirement is considered to be consistent with the Strategic Direction and Regional Development policies within the Auckland Regional Policy Statement.

In particular it is considered that the Notice of Requirement is consistent with:

#### Policy 2.5.2.6:

Provision is to be made to enable the safe and efficient operation of existing regional infrastructure which is necessary for the social, and economic wellbeing of the region's people, and for the development of regional infrastructure (including transport and energy facilities and services) in a manner which is consistent with this strategic direction and which avoids, remedies or mitigates any adverse effects of those activities on the environment.

#### Policy 2.6.1.2

Urban development shall be contained within the defined limits (including the metropolitan urban limits and the limits of rural and coastal settlements – referred to in Strategic Policy 2.5.2- 3) shown in the Auckland Regional Policy Statement from time to time, and its form shall be planned and undertaken through an integrated process on a regional basis and in ways that are consistent with the Strategic Direction and:

...

- (iv) enable the operation of existing regional infrastructure and the provision of necessary new or upgraded regional infrastructure which is operated and developed in a manner which ensures that any adverse effects of those activities on the environment are avoided, remedied or mitigated;
- (v) facilitate efficient provision of services (including utility services, transportation facilities or services, and community facilities and services, such as schools, libraries, public open spaces) through the utilisation or upgrading of existing facilities, or the provision of new ones;
- (vii) Avoids, remedies or mitigates adverse effects on the environment.

#### Objective 4.3

1. To avoid, remedy, or mitigate the adverse effects of transport on the environment and, in particular:
  - (i) to avoid, remedy, or mitigate the adverse effects of transport on air quality and water quality;
  - (ii) to reduce the need for the transport system to use non-renewable fuels;
  - (iii) to avoid, remedy, or mitigate the adverse effects of the transport system on local amenities and infrastructure.
2. To develop a transport network which enables all sections of the community to gain access to community resources.
3. To develop a transport network which provides an acceptable level of accessibility between important activity areas.
4. To develop a transport network which is as safe as is practicable.

#### Policy 4.4.1.1

Land use and transport planning will be integrated in a way which reduces the need for vehicle travel.

#### Policy 4.4.1.2

Development of the transport system will be guided in a way which:

- (i) promotes the use of forms of transport which have fewer adverse effects on the environment;
- (ii) reduces the environmental effects of transport at source;
- (iii) reduces the need to use non-renewable fuels;
- (iv) avoids, remedies, or mitigates the adverse effects of transport on water quality;
- (v) avoids, remedies, or mitigates the adverse effects of transport in the modification of landscape and the destruction of natural habitats;
- (vi) avoids, remedies, or mitigates the adverse effects of transport on local amenities.

#### Policy 4.4.7

1. Transport links which promote the efficient movement of people, goods and services throughout the Region will be identified in the Auckland Regional Land Transport Strategy and will be required to be protected in district plans.
2. The efficiency of congested transport corridors will be increased by encouraging increases in person carrying capacity (i.e., by supporting public transport, car pooling and high occupancy vehicles) and freight carrying capacity (i.e., by supporting consolidation of loads and rail freight) rather than vehicle capacity.
3. Central government will be requested to ensure that funding is available to enable the development of a safe, effective, affordable transport system.

Of most relevance to this project are the objective and policies specific to transport in Chapter 4 of the Auckland Regional Policy Statement. Of particular significance to this project is Objective 4.3, which focuses on the safety, efficiency and the minimisation of adverse effects on the environment of Auckland's transport network.

Objective 4.3 outlines the need to develop a transport network which

*“provides an acceptable level of accessibility between important activity areas”*

and which

*“is as safe as is practicable”.*

The proposed improvements to Hobsonville Road arising from this Notice of Requirement and the identified intersections are consistent with Objective 4.3. The works involve the improvement of an existing transport network, which shall result in an enhanced level of accessibility between important industrial activity areas.

### **9.7 Auckland Regional Land Transport Strategy 2005**

The Auckland Regional Land Transport Strategy 2005 is the current operative document that provides a strategy for transport in the Auckland Region over the next twenty years. The Strategy includes specific reference to the relevant national legislation and other regional planning documents. It records the need to provide accessible, efficient and safe transport facilities in a manner that does not compromise the environment and identifies a number of objectives and goals.

In regard to the current Notice of Requirement, improvements will be consistent with the objectives and policies of the Regional Land Transport Strategy. Specifically:

- Objective 3: Improving Access and Mobility,
- Objective 4: Protecting and Promoting Public Health;
- Objective 5: Ensuring Environmental Sustainability; and
- Objective 6: Supporting the Auckland Regional Growth Strategy.

The works are considered consistent with these Objectives, as the proposed extension of the road reserve will primarily enable a pedestrian/cycleway to be constructed. The works will also enable an improvement to the functionality of the existing Hobsonville Road through slight realignment and intersection upgrades. All these modifications will allow for an increase in the efficiency of the existing transport system.

### **9.8 Auckland Regional Transport Authority Passenger Transport Network Plan**

The Quality Transit Network Plan information from the ARTA Passenger Transport Network Plan identifies in its 10 year trends and challenges Hobsonville as being an area outside of the Auckland Central Business District which is destined to accommodate the distribution of population growth. Figure 1.2 of the Passenger Transport Network Plan (contained in Appendix I) shows Hobsonville Road as having been identified in the ARTA Passenger Transport Network Plan as part of the Quality Transit Network linking key destinations in the region.

The works are considered consistent with this Plan, as the proposed extension of the road reserve will enable the construction of infrastructure that supports passenger transport. The works will also enable an improvement to the functionality of the existing Hobsonville Road through slight realignment and intersection upgrades.

## 10.0 Recommended Conditions for this Designation

The Waitakere City Council proposes the following Conditions be applied to this Notice of Requirement:

1. In accordance with section 184(1)(c) this designation shall lapse on the expiry of **10 years** after the date on which the designation is included in the District Plan unless:
  - (d) It is given effect to before the end of that period; or
  - (e) The Council determines that substantial progress or effort has been made towards giving effect to the designation and is continuing to be made; or
  - (f) The designation lapses earlier by virtue of the District Plan ceasing to be operative.
2. No cut or fill earthworks exceeding a height of two metres shall be located within one metre of a property abutting the designation.
3. Prior to works commencing, organise a Pre-Start meeting onsite with Council staff to discuss the following:
  - (e) The location and design of the sediment and erosion controls;
  - (f) Provide the name, phone number and signed confirmation that a road sweeping contractor has been engaged to sweep the roads on an as-needed basis to ensure storm water quality is not affected;
  - (g) Designated site entry and stabilisation requirements; and
  - (h) Stockpile locations.

The Requiring Authority's representative and all site works contractors are to be present. The Outline Plan of Works Holder's representative shall minute the meeting and circulate those minutes to all in attendance.

4. Before commencement of any works and until completion of exposed site works, adequate sediment and erosion control measures in accordance with an approved sediment control plan and in accordance with Auckland Regional Council Technical Publication No. 90 "Erosion and Sediment Control Guideline for Earthworks" (latest edition) shall be constructed and maintained by the Outline Plan of Works Holder. Work shall not commence until approval has been gained in writing from the Manager Resource Consents. The control measures must be maintained until the site has been adequately stabilised against erosion and sediment-laden run off.
5. All "clean water" runoff from stabilised surfaces including catchment areas above the site shall be diverted away from earthwork areas via a stabilised system, so as to prevent surface erosion and sediment laden runoff.
6. All earthworks, stockpiles of earth and the storage of other construction materials/vehicles/works shall be excluded from the drip-line of all vegetation to be retained on site and from the riparian margins of streams. A protective fence shall be erected around the affected area prior to the commencement of any work on the site and shall remain in place until the completion of all works on site.
7. In the event of archaeological features being uncovered (e.g. shell middens, hangi or ovens, pit depressions, defensive ditches, artefactual material or human bones) work shall cease in the vicinity of the discovery and the area

shall be secured. The Manager Resource Consents, the New Zealand Historic Places Trust Auckland Regional Council Archaeologist and the appropriate Iwi authorities shall be contacted so that appropriate action can be taken. This includes such persons being given a reasonable time as determined by the Council to record and recover archaeological features discovered before work may recommence.

8. Footpaths, berms and kerbs shall be protected from damage by crossing or parking vehicles to the satisfaction of the Manager Resource Consents. Any damage which is attributed to the earthworks operation shall be rectified at the cost of the Requiring Authority and at the direction of Council.
9. All dirt tracked onto the surrounding roads as a result of the development shall be cleaned on a daily basis at the expense of the Requiring Authority. In case of repeated non-compliance with this condition, Council may engage a road cleaning contractor to carry out the road cleaning. Council may engage a road cleaning contractor to carry out road cleaning if it is the Council's opinion that the dirt on roads and/or footpath is creating an adverse effect on the environment. The road cleaning contractor shall be engaged at the cost of the Requiring Authority. At no stage shall roads be washed with water.
10. Dust mitigation shall be utilised onsite for the entire duration of the earthworks and shall include but not be limited to:
  - (g) the use of wheel wash facilities;
  - (h) the watering of all haul roads;
  - (i) the mulching/grassing of stockpiled materials not in use;
  - (j) staging of works;
  - (k) watering of any dust generating sites identified onsite by Council staff; and
  - (l) location of haul roads and stockpiles away from residential propertiesto the satisfaction of the Manager, Resource Consents.
11. Should the dust control measures be unsuitable at any time, the works creating the dust problem shall cease until such time as the problem is resolved all to the satisfaction of the Manager, Resource Consents.
12. All development works on the site involving earthworks and the use of associated heavy machinery shall be undertaken between the following hours only:

Monday to Friday	7.30 am to 7.00 pm;
Saturday	8.00 am to 5.30 pm; and
Sunday and Public Holidays	No work
13. Prior to works commencing, a Traffic Management Plan shall be submitted to the Manager, Resource Consents for approval. The Traffic Management Plan must be prepared by a qualified and experienced Site Traffic Management Supervisor and shall be approved in writing prior to works commencing. No work shall commence on site until written approval of the Traffic Management Plan is provided by Council.
14. All excess or unsuitable excavated material shall be removed from the site before or immediately following the completion of earthworks and disposed of to the satisfaction of the Manager Resource Consents. Written evidence demonstrating that the excavated fill has been deposited in an approved

location shall be submitted to the Manager Resource Consents in the form of producer statement, certification or similar.

15. All areas of exposed earth shall be top-soiled and grassed or otherwise stabilised against erosion as soon as practicable and in a progressive manner as works are complete, but no later than one week following the completion of works.
16. All sediment and erosion controls shall remain in place until the completion of the earthworks. Council approval shall be gained before any controls can be removed.
20. If the earthworks are not completed within the earthworks season (1 October till April 30th) then the necessary measures shall be implemented to ensure that the erosion and sediment controls are appropriate for the winter (1 May – 30 September). A written report on the progress of the earthworks and the erosion and sediment controls from the registered engineer supervising the work shall be submitted for the approval of the Manager: Resource Consents within one month of the cessation of work.
21. Any soil to be exported from the site(s) shall be sampled and tested prior to being exported. If testing identifies that the soil does not meet Ministry for the Environment criteria for clean fill in the report titled "*A Guide for the Management of Clean Fills*", dated January 2002 and any subsequent updates, then the soil must be disposed of at a landfill registered to dispose of contaminated soil of the levels found. Copies of the laboratory analysis results shall be provided to the Council prior to the removal of any soil off site. If the results indicate the clean fill criteria are not met, receipts/manifests shall be provided to Council detailing the volume of soil exported and its disposal address/location.
22. The exact details to the extent of the designation as it applies to individual private properties were received by Council on 21 August 2009. These are referenced as LUC 2009-1090.

## 11.0 Conclusion

This Notice of Requirement provides the statutory basis for Waitakere City Council to improve the efficiency of its roading network as outlined in the Council's Long Term Council Community Plan 2009 – 2019. This is also referred to as part of a wider Auckland context in the Auckland Regional Policy Statement, the Auckland Regional Land Transport Strategy 2005 and the Auckland Regional Land Transport Strategy 2005.

Hobsonville Road is an established Strategic Arterial Road in the Waitakere City District Plan and this Notice of Requirement will widen portions of the Road to improve efficiency without the need to construct additional roads in this part of the City.

The Notice of Requirement meets the requirements of the Resource Management Act 1991 and all other relevant planning documents. Any environmental effects arising from public works taken in accordance with the Notice of Requirement will be minor, and will be able to be adequately mitigated by conditions placed upon the Outline Plan of Works approvals.

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Vijaya Vaidyanath

Chief Executive

Dated at Waitakere City this \_\_\_\_\_ Day of 2009

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Henderson

Waitakere City

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