Before the Board of Inquiry Waterview Connection Project

in the matter of: the Resource Management Act 1991

and

in the matter of: a Board of Inquiry appointed under s 149J of the

Resource Management Act 1991 to decide notices of requirement and resource consent applications by the NZ Transport Agency for the Waterview Connection

Project

Expert Caucusing Joint Report to the Board of Inquiry - Topic Open Space

Dated: 4 February 2011

Due: 7 February 2011

EXPERT CAUCUSING JOINT REPORT TO THE BOARD OF INQUIRY

INTRODUCTION

- This joint signed report is written in response to the Board of Inquiry's Minute and Directions dated 23 December 2010. The Directions require the experts, following caucusing, to provide a report by 10am on 7 February 2011 that includes:
 - 1. Areas that have been resolved and how (e.g. by agreement about conditions)
 - 2. Areas that are not resolved, and succinctly why.
- 2 This report relates to the caucusing topic of **Open Space**.
- A caucusing meeting was held on **27 January 2011 and 02 February 2011.**
- 4 Attendees at the meeting were:
 - 1. Amelia Linzey (Planner for the NZTA)
 - 2. Lynne Hancock (Urban Design, for the NZTA)
 - 3. David Little (Open Space, for the NZTA)
 - 4. Ian Clark (Transport, for Auckland Transport)
 - 5. Michael Gallagher (Open Space, for the Auckland Council)
 - 6. Andrew Beer (Open Space, for the Auckland Council)
 - 7. Tania Richmond (Planner for Auckland Council and Auckland Transport)
 - 8. Pamela Butler (Planner for KiwiRail)
 - 9. Bill McKay (Urban Design, for Living Communities and Northwestern Community Association)
 - 10. Duncan McKenzie (Planning, for Living Communities)
 - 11. Barbara Cuthbert (Planning, for Cycle Action)
 - 12. Siiri Wilkening (Noise, for NZTA)
 - 13. Andre Walter (Design Manager, NZTA)1

Andre Walter attended this session in a non-expert capacity to advise on design constraints and technical considerations on behalf of the NZTA. He is not signing this statement.

- It is noted that given the various expertise of the attendees, each issue was discussed and either agreement or disagreement by relevant parties noted. In cases where no agreement or disagreement is noted by an expert attendee this reflects that they have no opinion on that issue or the issue was considered outside the scope of their expertise and/or evidence.
- A non-expert open space caucusing was held 24 January 2011.Notes from the non-expert open space caucusing were made available to all attendees at the commencement of the expert session. Issues from the non-expert open space have been considered by the experts in their caucusing within the tighter confines of the specific expert disciplines.
- 7 It was acknowledged by the experts that this discussion has focused on open space mitigation only and there remains the need to consider the overall mitigation requirements for the project in a comprehensive and integrated manner.

RAIL

Issue 1: Inclusion of rail designation in quantum of existing open space

8 Duncan McKenzie introduced the topic of existing open space quantum particularly in relation to the land designated for rail at Alan Wood Reserve (ie. not just in the immediate corridor).

Unresolved

- 9 Duncan McKenzie disagrees with Amelia Linzey, David Little, Pam Butler, Andrew Beer and Michael Gallagher who exclude this land. Mr McKenzie prefers to include it in calculating existing open space, thereby determining that there is a shortfall in the Project's open space quantum. He would consider excluding that land 'directly' used for rail, ie. the corridor itself.
- David Little excludes the rail land because it is not zoned open space and its future is not guaranteed as such. Duncan McKenzie disagrees with David Little because of its existing use.
- David Little disagrees with Duncan McKenzie on the basis that using the 'lease' argument is a dangerous precedent: guaranteed future as open space is far from certain and should not be included in calculations.
- Andrew Beer notes that Council's policy on open space provision considers factors of quality, function and accessibility and that Council has sought mitigation including for the loss of the function of the leased (railway) open space.

- 13 Amelia Linzey comments that the rail land is owned by KiwiRail (other areas are owned by NZTA) and is zoned for transport purposes. Irrespective of security of designation it is recognised for a transport function.
- 14 Pam Butler disagrees with Duncan McKenzie that the designation is vulnerable and comments that Kiwirail is requesting an extension of designation on Kiwirail owned land with relocation of corridor. She identifies an opportunity to keep the rail option open and is clear that the rail land should not therefore be part of the quantum of existing open space.
- Amelia Linzey supports David Little's view by adding that, conversely, Council doesn't want to count the rail land in question as part of a mitigation solution so why count it in these calculations?
- 16 Pam Butler and Amelia Linzey consider that there is no available information to confirm how much space rail will need in the future without the Waterview Connection project, so it is difficult to understand what to include or exclude.

Issue 2: Use of future rail corridor land

- 17 It was acknowledged that the non-expert session recorded divergent views including use for community gardens, walkway access and part of the expanded park network.
- David Little and Andrew Beer think that a public use of the land is a poor option and should be excluded for public safety and residential property security reasons
- Pam Butler notes that Kiwirail's position is of complete flexibility regarding temporary uses of that area including more varied planting, nursery for trees to be transplanted elsewhere in the Project, but significant plantings might be a problem later when the railway is constructed. Pam re-stated that this area is earmarked for a future railway corridor and any condition affecting its use needs to be of limited scope; i.e. not impacting on the viability of the NZTA project in the long term nor the future designation/construction of the railway corridor.
- 20 Ms Butler also notes that the decision about the use of the corridor will be largely that of NZTA not Kiwirail, as NZTA will require a lease or similar over this area to give effect to any condition requiring Interim planting.

Resolved

All experts agreed that the rail corridor itself behind Hendon Avenue is not suitable for public access and should be inaccessible and excluded from the open space calculations because:

- It is an isolated strip of land;
- It is not overlooked;
- There are concerns relating to people using the space and also resident / property security; and
- It is desirable to not preclude future use of the land for rall.
- 22 All experts agreed that while the land will still have a 'landscape' use, the revised UDL Plans should signal greater diversity in planting (than flax) within the rail corridor, and that this area / topic should be delivered through the condition [OS2].

CONNECTIVITY

23 We acknowledge that the non-expert session discussed open space connectivity in terms of community cohesion and accessibility (i.e. transport) and indicated that connections were very important to them both during construction and in the long term

Issue 1: Full north - south cycleway, SH20 to SH16,

Resolved

- All experts agree that the completed cycleway would be beneficial in providing the missing link between SH20 and SH16 and provide access to a number of open spaces.
- All experts agreed that the cycleway required three parties working together (Auckland Council, Auckland Transport and the NZTA) and is beyond this expert caucus to progress.
- All experts agreed that there would be open space benefits if the cycleway can be constructed as early as possible through Sectors 7-9 subject to considerations of user safety and construction sequencing.

<u>Unresolved</u>

Amelia Linzey and David Little consider that the full link is not necessary to mitigate the open space effects of the Project because there is no existing full link affected by the project.

Issue 2: Shared paths

28 It was noted that Auckland Council pedestrian path width standard is 1.8m minimum and that the AUSTROADS preferred width for cycleways is 3m minimum.

Resolved

- All experts agreed that these standards will apply to pedestrian and shared paths respectively, and David Little confirmed that the changes will be shown on the revised UDL Plans (attached to Lynne Hancock's rebuttal evidence).
- 30 Discussion followed on the specific areas where Barbara Cuthbert sought widening of pedestrian paths to shared paths, to cater for both cycling and walking modes. All agreed to the following, to be shown on the revised UDL Plans and the Integrated Transport Plans²:
 - 3m width shared path from Great North Road interchange towards Eric Armishaw Reserve, to the extent of the designation. Shared path or pedestrian connections to local streets (Montrose, Alberta, Berridge) to be investigated during detailed design depending on grade³, CPTED assessment and consultation.
 - A minimum 3m shared path on the western side of Great North Road, on land from the existing GNR overbridge as far as Herdman Street.
 - An OPW is an appropriate process to handle the path width between Herdman and Oakley Streets (as part of Northern Vent Building OPW)
 - Retention of the pedestrian paths and bridge within the Oakley Creek Heritage Area as pedestrian paths⁵, because:
 - cycle paths would be impractical and inappropriate in this area; and
 - o this area should not be counted within open space provision; and so long as
 - kayak access is possible under the proposed pedestrian bridge at mean high water springs.
 - Pedestrian path upgrades for Waterview Glades and Oakley Creek coastal inlet, as the grades are too steep for bicycles⁶

Because the Integrated Transport Plans were lodged prior to conclusion of caucusing and completion of rebuttal evidence, there may be minor differences between them and the revised UDL Plans in relation to the location of shared paths. The UDL Plans take precedence. They form Annexures A and B of Lynne Hancock's rebuttal evidence.

Integrated Transport Plans sheet 109, revised UDL Plan No. F16:211

Integrated Transport Plans sheet 109, revised UDL Plan No. F16:212

Integrated Transport Plans sheet 109, revised UDL Plan No. F16:224

Integrated Transport Plans sheet 113, revised UDL Plan No. F16:212

- 3m width shared path behind the southern portal building to be constructed to the extent of the designation⁷
- Retention of the pedestrian link between Methuen Road and Alan Wood Reserve (the zig zag) after review by David Little concluded gradient and minimum turning radii preclude cycle access on this path⁸ (refer to paragraph 45)
- Widened link to 3m from Barrymore Street to the Hendon bridge and shared path⁹
- At Valonia Street, pedestrian paths remaining at the width they are shown in the existing Plans¹⁰
- In principle, all agree it would be beneficial to introduce a separate pedestrian path alongside the cycleway alongside the car park to minimise pedestrian cycle conflicts at busy times; and that this intent is to be reflected in an Open Space Restoration Plan condition.

CROSS CONNECTIONS

Issue 1: Eric Armishaw bridge

Duncan McKenzie, Bill McKay consider this desirable for mitigation of social effects, construction disruption, new severance effects (particularly Great North Road Interchange) of this Project, and historical severance, by providing good connection to high quality open space (passive and active).

<u>Unresolved</u>

32 David Little and Amelia Linzey consider that this bridge is over and above required mitigation for open space. Ian Clark and Barbara Cuthbert agree that the enhancement of links through Great North Road interchange (eg. a shared path to Eric Armishaw Reserve) is preferable to the Waterview – Eric Armishaw bridge.

Issue 2: Oakley / Unitec bridge

Duncan McKenzie, Bill McKay consider this desirable for mitigation of social effects, construction disruption, and new severance effects including CPTED effects of degraded walk along GNR from Waterview to Point Chevalier shops.

⁷ Integrated Transport Plans sheet 117, revised UDL Plan No. F16:219

Integrated Transport Plans sheet 117, revised UDL Plan No. F16:220

Integrated Transport Plans sheet 118, revised UDL Plan No. F16:222

¹⁰ Integrated Transport Plans sheet 118, revised UDL Plan No. F16:223

Unresolved

David Little and Amelia Linzey consider that this bridge is over and above required mitigation for open space.

Issue 3: Phyllis Reserve bridge

Duncan McKehzie, Barbara Cuthbert, Bill McKay, Andrew Beer, Michael Gallagher, Amelia Linzey, David Little, Ian Clark and Lynne Hancock agree that this bridge would enhance access (significantly improving safety) to Phyllis Reserve and would contribute to a north-south cycleway.

Unresolved

- David Little, while agreeing this is a good connection, notes that in terms of mitigation of effects this is a long way from the effect being generated (unless the Waterview sportsfield were relocated). David Little, Bill McKay and Duncan McKenzie agree that an Oakley bridge would probably provide more benefit for the community than this one (as Oakley could also provide access to Phyllis Reserve).
- 37 Amelia Linzey notes this would be an enhanced not a new connection. She and David Little see this as over and above mitigation. They disagree with Duncan McKenzie and Bill McKay who do see it as mitigation.

Issue 4: Soljak bridge

- 38 Duncan McKenzie, Barbara Cuthbert, Bill McKay, Andrew Beer, Michael Gallagher, Amelia Linzey, David Little, Ian Clark and Lynne Hancock agree that this bridge would enhance access to Council's passive open spaces and Phyllis Reserve; and help facilitate a continuous north-south cycleway.
- 39 David Little and Duncan McKenzie comment that this bridge, if part of the Project, would help allay concerns about passive open space at Alan Wood Reserve. Andrew Beer agrees to the extent that it would contribute to addressing some of those concerns.
- 40 Ian Clark, Barbara Cuthbert, Duncan McKenzie, Bill McKay and Lynne Hancock agree that this connection would go a long way to support project objectives (respectively transport and urban design).

Unresolved

- 41 David Little, Michael Gallagher, Duncan McKenzie, Bill McKay,
 Barbara Cuthbert, Andrew Beer agree that it would have positive
 mitigation effects for the unaddressed quality impacts at Alan Wood
 Reserve particularly if associated with upgrading of Harbutt Reserve
 and the linkage from Soljak Bridge to Harbutt Reserve.
- 42 Amelia Linzey and Duncan McKenzie consider that this work would require additional consents and agreement (Kiwirail) and would have other potential effects not considered in the project as proposed.

Issue 5: Olympus bridge

Resolved

43 All agree that to some degree a pedestrian / cycle connection is provided between Murray Halberg Reserve and Brydon Place; and that this is a valuable connection in an area currently disconnected. We also agree that the route as proposed is beneficial but would be improved by a more direct connection.

<u>Unresolved</u>

There was no agreement on the degree to which the proposed connection in the Project adequately links communities and open space.

Issue 6: 172 Methuen Road accessway to Alan Wood Reserve

45 Barbara Cuthbert, Michael Gallagher, Andrew Beer, Bill McKay, Ian Clark and Duncan McKenzie seek a new shared path and bridge over (realigned) Oakley Creek connecting the existing accessway and the proposed cycleway through Alan Wood Reserve.

Resolved

Although David Little has CPTED concerns, the experts agree that in the Open Space Restoration Plan there should be a condition that subject to CPTED review this connection should be made.

Issue 7: Hendon bridge

47 Bill McKay cited the evidence of Professor Errol Haarhoff who sees an opportunity to extend Hendon bridge to Methuen Road to provide for more access for the community to open space.

Resolved

48 Mr McKay notes, and all agree, that if this could be achieved by the 172 Methuen Road connection above, it would provide for this outcome.

ACTIVE OPEN SPACE

Issue 1: Sportsfield provision as mitigation - Waterview

49 It was acknowledged that there were divergent community views about the need for sportsfields versus open space that could support other kinds of activity. In discussion it was noted that some submitters and participants in the non-expert session don't see a sportsfield at Waterview as necessary, and are looking for other kinds of facilities and more informal activities.

Unresolved

- 50 Amelia Linzey and David Little consider that the proposal as lodged by the NZTA adequately mitigates the open space by sportsfield provision at Waterview Reserve (as it retains the dual formal and informal active recreation area at Waterview Reserve, maintains the facilities that are lost at Waterview Reserve and establishes a new passive open space area (Saxon) and seeks to provide a passive recreation connection (Howlett Reserve to Waterview Esplanade).
- Andrew Beer and Michael Gallagher, Bill McKay disagree. This is because there is inadequate documentation provided with the application to show how a sportsfield will be provided at Waterview during construction, and because there appears to be inadequate room to locate the basketball court, volleyball court and sportsfield within the area identified for these facilities.
- David Little confirms that there is space at Waterview Reserve to fit in a sports field outside the construction yard in the location shown on UDL Plan F16:212. Andrew Beer and Michael Gallagher agree that if a 10m buffer can be maintained around the sportsfield, volleyball and basketball courts and other facilities identified within this area on the Plan F16:212 can be developed, then this addresses the concern about provision of a sportsfield at Waterview during construction.

Resolved

- All agree that because sportsfields are a regional resource, we could mitigate the loss of one location with provision in another area.
- All accept that co-locating fields at Phyllis Reserve and Valonia is desirable from a Council operation perspective.
- All agree that an outcome that includes: a mixture of passive and informal active open space, relocated community facilities (toilet block, volleyball court, basketball court and children's playground), increased vegetation at Waterview Reserve, and the enlargement and development of Saxon Reserve, and the relocation of the sportsfield, changing room facilities and car parking to Phyllis Reserve, would achieve mitigation of direct open space impacts associated with Waterview Reserve.
- Tania Richmond, Duncan McKenzie and Amelia Linzey note that NZTA has no consents lodged for Phyllis Reserve and it involves work beyond the Project designation and on land that is not owned by the NZTA. This highlights the need for a memorandum of understanding outside this process for work beyond the project designation and / or on Council reserves.

Issue 2: Layout and suitability of Valonia St site for sportsfields

57 Some concerns in relation to flooding were expressed in discussion. David Little noted that Council is proposing to undertake works that will alter the flooding patterns in future. It was acknowledged by all that floodplain issues are being addressed by other experts.

Unresolved

- Andrew Beer and Michael Gallagher have an unresolved concern that the proposed Valonia fields are more prone to flooding than the existing sports fields within Alan Wood Reserve. Andrew Beer, Michael Gallagher and Amelia Linzey agree that further information needs to be available to confirm flooding / drainage issues are adequately addressed to Council's satisfaction.
- 59 Amelia Linzey, David Little, Andrew Beer, and Michael Gallagher agree that two full sized sportsfields at Valonia are appropriate partial mitigation for loss of fields. However, Michael Gallagher and Andrew Beer disagree with David Little on their layout.
- Mr Gallagher considers that the alignment of fields is not particularly versatile (Council prefers side by side fields with a cricket wicket in the centre; Mr Little responds that this configuration does not exist at Alan Wood at the moment and to achieve at Valonia would require acquisition of 8 extra properties.

Andrew Beer and Michael Gallagher raise concern about the proximity of fencing to the fields and the impact on the practicality of using those fields. The proximity of fields to neighbouring residences and off-site effects of noise and lighting on neighbouring residential properties is also an issue for Andrew Beer and Michael Gallagher. David Little considers that this matter can be dealt with at detail design stage including minor alteration of stream meander and potential piping of the drainage swale. Andrew Beer, Michael Gallagher and Tania Richmond reserve their position pending review of the rebuttal evidence.

Issue 3: Temporary field provision

- Amelia Linzey confirmed conditions are proposed to put in replacement fields at Valonia Street early.
- Michael Gallagher considers sports clubs might accept losing the Waterview field for up to one year if they were going to achieve a better long term outcome such as the Phyllis Reserve.

Resolved

- Amelia confirms that NZTA is proposing a condition either to put in a permanent sportsfield or to make a financial contribution to Council to develop it elsewhere.
- All agree that building permanent rather than temporary fields is a more efficient use of resources.

PASSIVE OPEN SPACE

It was noted that high value was placed on passive recreational values of open space at the non-expert caucusing session.

Issue 1: Howlett Reserve

67 We acknowledge there were divergent views in the community (non-expert) session – some members of the community didn't see value in this particular acquisition.

Resolved

The experts agree with David Little that this link is a good thing to support a long term continuous waterfront walkway and that acquiring one property would open up the esplanade connection.

Issue 2: Saxon Reserve

Resolved

69 All agree that expansion and enhancement of Saxon Reserve (playground, picnic facilities) contributes to passive open space mitigation. We note that there was no dissent in the non-expert session about Saxon Reserve as mitigation.

Issue 3: Waterview Glades

Resolved

- 70 All experts acknowledge that detailed design of the project restoration in this area would need a further approval process (Community Liaison Group, then Auckland Council for acceptance)
- 71 Amelia accepted that it is critical to get walkway and planting outside construction yard in early. It was agreed that a revised Open Space Restoration Plan condition will be drafted to achieve this.

Issue 4: Remnant open space on Hendon Avenue

- 72 David Little discussed two properties on Hendon Avenue that are included in the Project as passive open space. Tania Richmond and Andrew Beer noted that acquisition of spaces of this size is not consistent with the Council's approach on acquisition of open space.
- 73 The likely usefulness of these spaces remains a point of disagreement between David Little, Lynne Hancock (for) and Andrew Beer, Michael Gallagher (against). However, Amelia Linzey and David Little accept that Council's open space policy position is to exclude them.
- Andrew Beer notes that NZTA will therefore be acquiring this land as part of the Project and the future use of this land will be a decision for them as landowner.

Resolved

Amelia Linzey and David Little agree (with Andrew Beer and Michael Gallagher) to exclude these areas from the Project's open space restoration area calculations.

PASSIVE OPEN SPACE WITHIN ALAN WOOD RESERVE

There was considerable discussion of the following issues, all of which remain <u>unresolved</u> between the experts.

Issue 1: Recreation facilities during construction period.

- David Little, Duncan McKenzie, Bill McKay and Andrew Beer agree that there will be unmitigated impacts on passive open space in Alan Wood Reserve during construction.
- 77 Duncan McKenzie, Amelia Linzey, David Little, Bill McKay agree that early works (eg. Hendon bridge, stream realignment, provision of connection on south side of motorway) will provide some mitigation to this impact.

Issue 2: Permanent impacts on passive recreation

- David Little acknowledges and Andrew Beer, Bill McKay and Duncan McKenzie agree that the quality of passive open space is not fully mitigated.
- 79 Andrew Beer questions the value of passive open space adjacent to the motorway because of increased noise. Siiri Wilkening acknowledges (as all do) that the reserve will be noisier than at the moment, but considers that it will get good benefit from barriers proposed to protect adjacent residential properties and that large areas of park will be suitable for recreation.
- An unresolved concern for Andrew Beer and Bill McKay is that open space remaining in Alan Wood Reserve does not provide an acceptable (high quality) passive recreation function.

Issue 3: Relocation of stormwater pond

81 Bill McKay tabled a sketch plan moving the western pond north to create larger area of open space between cycleway and Oakley Creek. While Andrew Beer commented that the space is still isolated and therefore not ideal from Council's point of view, David Little and Duncan McKenzie agree with Mr McKay that the relocation would be positive for passive open space amenity.

Issue 4: Valonia St site

- While Andrew Beer, Bill McKay and David Little agree that NZTA's design for the 25 Valonia St site does not provide an explicit passive recreation function, Andrew Beer thinks it should do so for the New Windsor / Owairaka communities.
- Andrew Beer and Bill McKay consider that the Council design for this site is more multi-functional and would partially mitigate the effects of the project on passive open space for these communities. David Little disagrees and considers council's proposal as having a similar quantum and function of passive open space.

Issue 5: Southern portal location

- Duncan McKenzie tabled a sketch plan at the second expert caucusing session from Bill McKay that included moving the portal 80m to the south east and relocating the control building on Hendon Avenue.
- In discussing this plan, all agree that moving the main vent building / portal would provide some benefits for open space, connectivity and noise (until such time as rail is built). However, there is divergence of views on the extent of these benefits and the extent to which the move would mitigate unresolved quality open space issues. Andrew Beer identifies that Auckland Council's solution (development of Valonia Reserve and upgrading of nearby open spaces) put forward in his evidence is preferable to this.
- Duncan Mckenzie, Bill McKay, Andrew Beer, Michael Gallagher, David Little, Lynne Hancock and Amelia Linzey agree that relocation of the control building and associated parking to Hendon Avenue would make a small amount of additional open space available but depending on its final location could reduce opportunities for passive surveillance.

NORTHERN VENT STACK LOCATION - OPEN SPACE IMPACTS

- Amelia confirmed that the proposal is for Outline Plan of Works (OPW) for northern and southern vent building and stacks. This is not proposed to have scope to move the stacks but will address uncertainties around design and provide for community consultation.
- There was discussion about three options for locating the northern stack (tabled by Bill McKay as sketch plans¹¹. Engineering drawings

Option 1 – on the western edge of Oakley Reserve near the bus stop on Great North Road; Option 2 – within BP owned land on the

of these vent stack locations will be included in NZTA rebuttal documentation of Mr Andre Walter).

<u>Unresolved</u>

- 89 Bill McKay considers that Options 1 and 2 do not have any perceived or real impact on open space (his preferred option is Option 2).
- David Little considers that Options 2 and 3 do not have open space impacts other than visual, while Option 1 has minor negative open space impacts (because of the space taken).

WESTERN SPRINGS GARDENS

Issue 1: Impact of project on car park

Resolved

91 Amelia Linzey confirms that NZTA is not altering the SH16 designation boundary; David Little understands no trees will be removed for the works. Amelia Linzey and Andrew Beer agree that this issue is resolved so long as there is no permanent loss of car parking.

Date: 4 February 2011

Amelia Linzey (Planning)

Lynne Hancock (Urban Design)

western edge of Oakley Reserve ; Option 3 on the north side of Herdman Street

You Class

Ian Clark (Transport, Auckland Transport)

m.c. Silleyfor

Michael Gallagher (Open Space)

Andrew Beer (Open Space)

Tania Richmond (Planner)

Pamela Butler (Planner)

Bill McKay (Urban Design)

Duncan McKenzie (Planning)

Barbara Cuthbert (Planning)

Siiri Wilkening (Noise)

David Little (Open Space)