

## Memo

To:	Reporting Planner, Rebecca Sutton		
Cc:	Paul O'Shaughnessy,		
Date:	28 April 2021	File Ref:	RMS19006
Subject:	RMS 19006 WILLOWBANK DEVELOPMENT		

### **Specialist Report NCC Transportation**

This specialist report provides an assessment of the Roding infrastructure that is proposed to support the application at 16 and 38 Willowbank Ave, Te Awa. I have reviewed the application, section 92 information and appendices provided by the Applicant.

The application is a staged subdivision consent; stage 1 is a straightforward fee-simple subdivision, with stages 2-8 being designed within a gated community. The Roding and services are designed to NCC's Code of Practice Standards, with the three waters infrastructure proposed to be vested to Council, and the Roding remaining in private ownership managed by a resident's society. Easements in gross will be registered on the title to provide access to Council for the three waters infrastructure.

### **Roding Statement**

The key matter regarding this application is the retention of ownership of the roading network within Stages 2 – 8 of the development and, as a result maintenance access to the three waters infrastructure, both of which are essential for Council. Installation of a gate(s) to control entry and exit to the proposed Development is obstructive to achieving the infrastructure levels of service expected by the Community.

As part of processing the application the ownership model being recommended by Council was to have the road vested with Council. This will resolve the Infrastructure Teams concerns regarding having a large amount of 3 waters infrastructure serving 164 households, located under private roading infrastructure.

The applicant has chosen not to amend their proposal to align with council's position and they wish for council to process the application as per the plans submitted (i.e. public 3 waters infrastructure under a private roading infrastructure).

I have real concerns around the ability for a large body corporate to manage this infrastructure successfully in perpetuity.

## **Privately Owned Roading Issues**

The following issues relate to specific areas of non-compliance with Napier City Council's Engineering Code of Practice and concerns related to the roading network, including the issue of not vesting the roads within the proposed development.

### **1. Private Road Development Levels**

Napier City Council's Code of Practice for Subdivision and Land Development (NCC's CoP) Table F-4 allows for a maximum of 8 "Urban Residential DUs" accessed from a Non-Public Road. The proposed private road network will service 162 dwellings/ residential lots and require ongoing maintenance and re-construction if excavation is necessary to access underground services. Napier City Council will have no control over the quality of this work which if not completed correctly will potentially lead to rapid deterioration of the asset.

### **2. Wastewater Pump Station Location.**

Proposed positioning of the wastewater pump station at the intersection of the development and Eriksen Road is problematic. While the requirement for the wastewater pump station to be in a separate Lot is technically met, it does not meet the other requirements in NCC's CoP, by providing a safe work site for operators or public, buffer zone, parking and manoeuvring for operator vehicles and is likely to impinge on the sight lines required at the intersection. No design has been submitted to confirm sight lines. The wastewater operators will need to access the pump for operation and maintenance tasks with small trucks and/or utes.

Page H-83 and H-84 of NCC's CoP

H1.7.2.1. "(f) Provide safe working conditions for operation and maintenance personnel."

"H1.7.3. Site

Pumping stations shall be located on a separate lot in the subdivision. The lot shall be of adequate size to facilitate the parking and manoeuvring of trucks, tankers, cranes, and other vehicles used for maintenance. A sealed accessway of not less than 3 metres width shall be provided to the nearest

public road. The whole section on which the pumping station is located shall be fenced and provided with a locked gate and be of sufficient size to accommodate a replacement pump-station, if required to be constructed in the future. The selection of the site shall take into consideration the provision of sufficient buffer from houses, built-up areas and future development. The site shall be suitably landscaped in consultation with the Council.”

The proposed pump station location is highly likely to reduce the safety of:

- Motorists, especially those turning into or out of the proposed intersection
- Operations and maintenance staff
- General public using the road reserve or what they presume to be road reserve.

No safety and design risk assessment has been provided demonstrating the design where reasonably practicable is without risks to the health and safety of persons.

Section 39 of The Health and Safety at Work Act 2015 states:

“39 Duty of PCBU who designs plant, substances, or structures

(1) This section applies to a PCBU (a designer) who conducts a business or undertaking that designs—

- (a) plant that is to be used, or could reasonably be expected to be used, as or at a workplace; or
- (b) a substance that is to be used, or could reasonably be expected to be used, at a workplace; or
- (c) a structure that is to be used, or could reasonably be expected to be used, as or at a workplace.

(2) The designer must, so far as is reasonably practicable, ensure that the plant, substance, or structure is designed to be without risks to the health and safety of persons—

- (a) who, at a workplace, use the plant, substance, or structure for a purpose for which it was designed; or
- (b) who handle the substance at a workplace; or
- (c) who store the plant or substance at a workplace; or
- (d) who construct the structure at a workplace; or
- (e) who carry out any reasonably foreseeable activity (such as inspection, cleaning, maintenance, or repair) at a workplace in relation to—
  - (i) the manufacture, assembly, or use of the plant for a purpose for which it was designed, or the proper storage, decommissioning, dismantling, or

disposal of the plant; or

(ii) the manufacture or use of the substance for a purpose for which it was designed, or the proper handling, storage, or disposal of the substance; or

(iii) the manufacture, assembly, or use of the structure for a purpose for which it was designed, or the proper demolition or disposal of the structure; or

(f) who are at or in the vicinity of a workplace and who are exposed to the plant, substance, or structure at the workplace or whose health or safety may be affected by a use or an activity referred to in any of paragraphs (a) to (e).”

### **3. Domestic Waste Collection**

Napier City Council’s Contractors will not operate on privately owned roads due to potential liability issues and insurance claims. This means that the private road owners will need to provide suitable facilities within the public road network that can be operated in a safe manner. No Waste Collection infrastructure has been provided or details of alternative arrangements to facilitate this service for the residents. 162 wheelie bins on the berm outside the Development cannot be considered an acceptable solution for residents, neighbouring property owners or road users.

### **4. Mail Deliveries**

Similar to the domestic waste collection, mail deliveries to individual addresses will not be carried out on private roads. This means that the private road owners will need to provide suitable facilities within the public road network that can be operated in a safe manner. No mail delivery infrastructure has been provided or details of alternative arrangements to facilitate this service for the residents. 162 mailboxes on the berm outside the Development cannot be considered an acceptable solution for residents, neighbouring property owners or road users.

### **5. Above Ground Structures**

Gary has dealt with this thoroughly in his evidence under Water item 18. Included here for completeness of roading issues.

The positioning of the above ground features:-

- i) Water backflow/flowmeter and
- ii) Electrical transformers are not shown on the plans.

Neither shall be placed over or affect the typical service corridor in NCC’s CoP (water, gas, power, communications, streetlights). An alternative

arrangement to avoid this situation is to position these features outside the typical road reserve corridor, within the footprint of a lot, but vested as road reserve or included in the private road ownership.

#### **6. Access for Emergency Services**

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

#### **7. RV & Boat parking area**

Parking and manoeuvring space alongside the "Secondary Entrance" looks very limited for the intended purpose. No evidence has been provided to ensure this is workable. Visibility for road users entering the proposed Development from Eriksen Road and those using the spaces must be considered.

#### **Recommended Conditions**

I am unable to provide meaningful conditions for stages 2-8 due to not being able to accept the ownership structure and access arrangements proposed at this stage.

A handwritten signature in blue ink, appearing to read 'Dave Curson', with a large, sweeping flourish underneath.

Dave Curson

TRANSPORTATION DEVELOPMENT ENGINEER