

# Infrastructure Committee Supplementary Agenda

**Date:** Thursday, 14 March, 2024

**Time:** 9:00 am

**Location:** Civic Centre, Te Iwitahi, 9 Rust Avenue

**Elected Members:** Cr Simon Reid (Chairperson)  
Cr Phil Halse (Deputy Chair Person)  
His Worship the Mayor Vince Cocurullo  
Cr Gavin Benney  
Cr Nicholas Connop  
Cr Ken Couper  
Cr Jayne Golightly  
Cr Deborah Harding  
Cr Patrick Holmes  
Cr Scott McKenzie  
Cr Marie Olsen  
Cr Carol Peters  
Cr Phoenix Ruka  
Cr Paul Yovich

For any queries regarding this meeting please contact  
the Whangarei District Council on (09) 430-4200.

#### **4. Decision Reports / Whakatauripoata**

##### **4.3 *Waipu Gorge Road, Traffic Restrictions***

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## ***Infrastructure Committee – Terms of Reference***

### **Membership**

**Chairperson** Councillor Simon Reid

**Deputy Chairperson** Councillor Phil Halse

**Members** His Worship the Mayor Vince Cocurullo  
 Councillors Gavin Benney, Nicholas Connop, Ken Couper, Jayne Golightly, Deborah Harding, Patrick Holmes, Marie Olsen, Scott McKenzie, Carol Peters Phoenix Ruka and Paul Yovich

**Meetings** Monthly

**Quorum** 7

### **Purpose**

To oversee the management of council's infrastructural assets, utility services and public facilities.

### **Key responsibilities**

- Oversight of services including:
  - Transportation
  - Three Waters
    - Wastewater
    - Stormwater
    - Flood Management
    - Drinking Water
    - Laboratory services
  - Solid waste, waste minimisation and recycling services
  - Parks and reserves
  - Cemetery
- Accountable for the development and implementation of the Infrastructure Strategy, Activity Management Plans (AMP's) and Development Contributions Policy.
- Operational accountability of performance including:
  - Health and Safety

- Regular reporting on service delivery
- Compliance
- Sustainability
- Finance
  
- Trends
- Benefits (positive outcomes achieved)
- Customer feedback
- Risk
  
- Accountability for the delivery of the Capital Programme.  
 Committee will receive:
  - Capital Programme financial reporting over a three year horizon
  - Health and Safety reporting
  - Programme reporting
  - Procurement activities and strategies
  - Resourcing issues and requirements
  - Project Management Office gateway reviews and activities
  
- Procurement oversight - general procurement relating to the areas of business of this committee, within delegations.
  
- Shared Services – investigate opportunities for Shared Services for recommendation to council.
  
- Council Controlled Organisations (CCOs) – monitoring the financial and non-financial performance of CCOs whose functions would otherwise fall under the scope of this committee. Includes trading CCOs (CCTOs) and those CCOs exempted under the LGA. Responsibilities include:
  - advising on the content of annual Statement of Expectations to CCOs
  - agreement of the Statement of Intent
  - monitoring against the Statement of Intent
  - for exempted CCOs, monitoring and reporting as agreed between Council and the organisation
  - quarterly reporting on performance

**CCOs accountable to this committee:**

- Northland Regional Landfill Limited Partnership (NRLLP) – CCTO
- Whangarei Waste Limited (WWL) -exempted CCO

**Delegations**

- (i) All powers necessary to perform the committee's responsibilities, including, but not limited to:
  - a) the approval of expenditure of less than \$20 million plus GST.
  - b) approval of a submission to an external body.
  - c) establishment of working parties or steering groups.

- d) adoption of strategies and policies relating to the key responsibilities of this committee (except for those that cannot be delegated by Council under Clause 32(1)(f) of Schedule 7 of the LGA).
- e) the power to adopt the Special Consultative Procedure provided for in Section 83 to 88 of the LGA in respect of matters under its jurisdiction (this allows for setting of fees and bylaw making processes up to but not including adoption).
- f) the power to delegate any of its powers to any joint committee established for any relevant purpose under clause 32, Schedule 7 of the Local Government Act 2002.

**The Committee does not have:**

- i. The power to establish sub-committees.
- ii. The powers Council is expressly prohibited from delegating as outlined in Clause 32(1)(a)-(h) of Schedule 7 of the Local Government Act 2002; being:
  - the power to make a rate
  - the power to make a bylaw
  - the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
  - the power to adopt a long-term plan, annual plan or annual report
  - the power to appoint a chief executive the power to adopt policies required to be adopted and consulted on under the Local Government 2002 in association with the long-term plan or developed for the purpose of the local governance statement
  - the power to adopt a remuneration and employment policy.

## 4.3 Waipu Gorge Road, Traffic Restrictions

**Meeting:** Infrastructure Committee  
**Date of meeting:** 14 March 2024  
**Reporting officer:** Bernard Petersen, Maintenance & Operations Manager, NTA

### 1 Purpose / Te Kaupapa

To update the Committee on potential for road traffic restrictions on Waipu Gorge Road during the current closure of the Brynderwyn Hills on SH1, in order to address significant safety risks.

### 2 Recommendations / Whakataunga

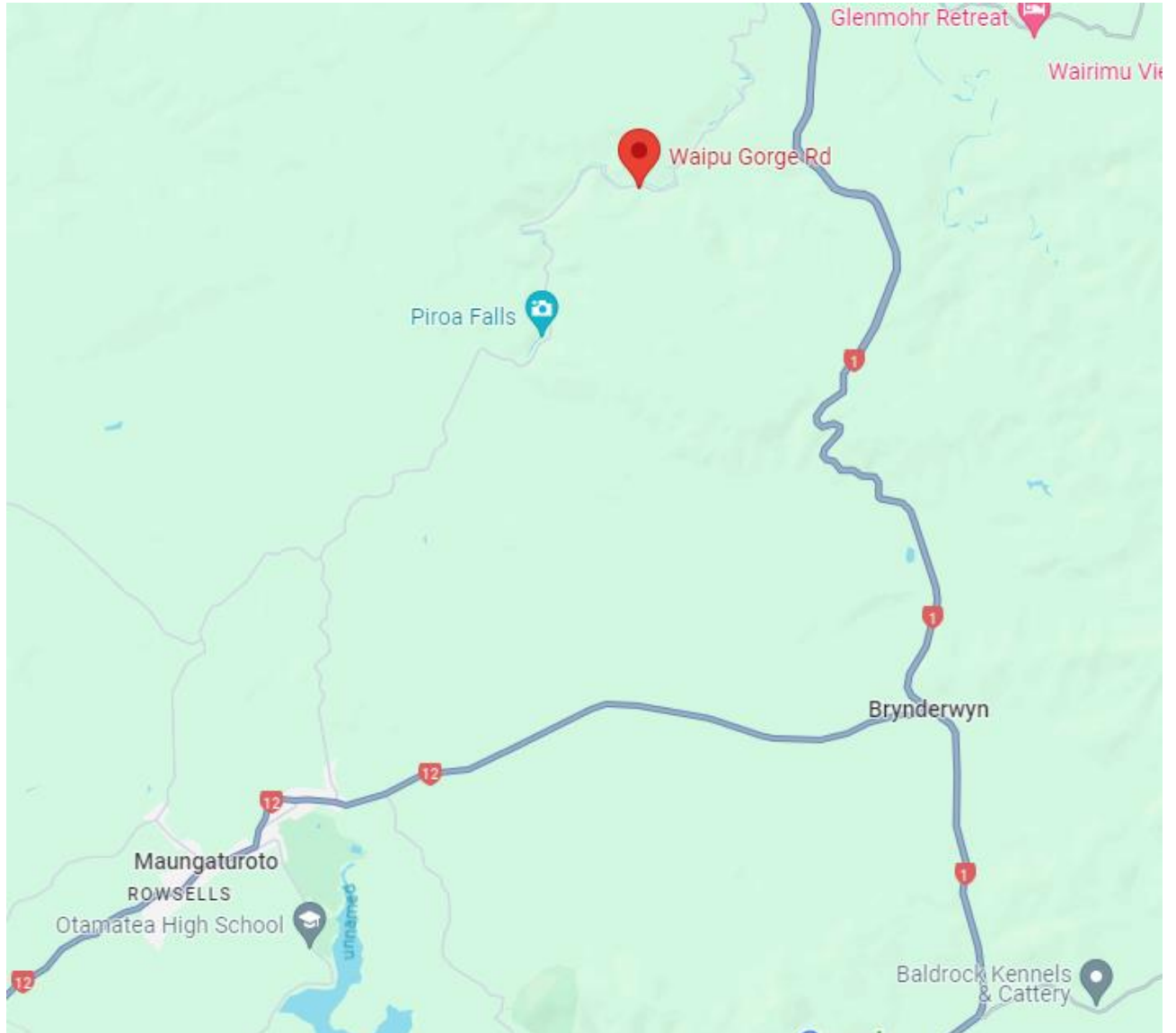
That the Committee notes that:

1. Should they be required for safety reasons further restrictions (in addition to existing Section 16a (2) “truck with trailer unit” restrictions) will be imposed on light car and passenger vehicles on Waipu Gorge Road, utilizing schedule 10, clause 11b of the Local Government Act.
2. Restrictions would be implemented under staff delegation.

### 3 Background / Horopaki

In preparation for the closure of State Highway 1, Brynderwyns Hills, it was recognised that traffic loading on local roads within the vicinity would increase. Mitigation measures were developed to address the impact on road condition, traffic safety and residents’. This took on board previous unplanned closures resulting from Emergency Events have provided us with a good understanding of the implications increased traffic loading can have on the local unsealed roads.

Waipu Gorge Road, extending from the northern side of the Brynderwyn Hills, on State Highway 1 through to Maungaturoto, within the Kaipara District to the west was identified as a high risk for Council.



The Waipu Gorge Road alignment traverses' narrow cuttings, where longitudinal sight lines are compromised by protruding rock faces and carriageway widths restricted between these rock faces and naturally eroding river embankments. For a driver unfamiliar with Waipu Gorge Road, this road can be difficult to traverse safely.

Pursuant to the Land Transport Act 1998, Section 16a (2) (Temporary restriction of heavy traffic on roads), and under approved staff delegations, on behalf of Whangarei District Council and Kaipara District Council a temporary "truck with trailer units" restriction was imposed throughout the length of Waipu Gorge Road for the duration of the State Highway 1 project, reopening for a six-day duration over Easter. This restriction is working well, with good support from the Heavy Haulage Association and it's represented members, and generally excellent compliance from Operators.

We recognized community concerns regarding increasing traffic volumes through Waipu Gorge Road, in particular dust and noise impacts along with traffic safety concerns. Mitigation included soft closures, distributing stickers through the local communities of Waipu and Maungaturoto, to allow residential and business-related (teachers, Fonterra workers etc.) to access properties and businesses within proximity on either side or within the Waipu Gorge Road restriction.

Management of the soft closure on Waipu Gorge Road has consisted of 24/7 manned Temporary Traffic Management with electronic stop lights, in addition to suitably posted signage.

## 4 Discussion / Whakawhiti kōrero

Whilst we are seeing generally good compliance with the imposed Section 16a (2) “truck with trailer unit” restrictions, we are unfortunately experiencing some very dangerous behaviours from car and passenger vehicle drivers in response to the soft closure measures. The behaviour has developed into several occasions where car and passenger vehicles have ignored stop lights, running through Temporary Traffic Management controls risking injury to on-site staff, locals taking enforcement actions into their own hands, and increasing traffic speeds being observed throughout.

The team have worked to provide a fair and reasonable approach to managing traffic volumes and in the best interest of the local community, however, the Project Group now acknowledge that these measures are no longer working, and there is an urgent need to consider alternative options. As recently as Monday afternoon (Mon, 11 March), due to the increasing risk to on-site staff, the manned check points have been deemed too unsafe to continue outside of day light hours.

It is not in the best interest of the local community to have Waipu Gorge Road under a full restriction, allowing only Waipu Gorge Road resident/ratepayers to access properties. We propose the following measures in lieu of the current soft closure:

- Implementation of temporary traffic lights to allow alternating traffic flows throughout the worst narrow sections. Subject to practicality on site, to be evaluated upon traffic count information and other factors.
- Implementation of posted (temporary) 50 km/h speed restrictions, installed in compliance with guidelines to allow Police enforcement,
- Placement of RDC Gravel Lock dust suppressant product at strategic locations to reduce the dust impact on residential dwellings, subject to external funding approval,
- Continuation of on-site manned traffic management for the enforcement of “Truck with Trailer unit” restrictions only,
- Installation of a temporary speed radar, showing vehicle speed and reinforcing “slow down,” messaging for detected overspeed.

Whilst the above measures change the current approach, the purpose of these is to provide the same outcomes for the community and provide a further opportunity to calm the growing tensions and to seek consideration and compliance, preventing any immediate need to impose restrictions on light, car and passenger vehicles, utilising the LGA Schedule 10, clause 11b “problems associated with traffic operations on a road network,” and allowing only access for resident/ratepayers of Waipu Gorge Road.

Should consideration and compliance not improve on Waipu Gorge Road, staff need to be able to act appropriately, for the safety of all involved, impacted residents of Waipu Gorge Road and of all other road users. We are therefore seeking support from Council to proceed with imposing restrictions on light, car and passenger vehicles, allowing access for resident/ratepayers only, should this be required within the duration of the State Highway 1 Brynderwyn Hills closure.



#### **4.1 Financial/budget considerations**

There are no financial or budget considerations, with the costs to implement and manage restrictions, and undertake any maintenance works resulting from increasing usage of Waipu Gorge Road being undertaken by Waka Kotahi's contractors, under the State Highway project budget.

#### **4.2 Policy and planning implications**

Nil

#### **4.3 Options**

There are two options in relation to this decision paper:

1. Council endorses staff to proceed with imposing restrictions on light, car and passenger vehicles, should this be required, acknowledging delegations already allow for staff to implement this, in addition to existing Section 16a (2) "truck with trailer unit" restrictions, and LGA Schedule 10 clause 11b "light vehicle restrictions."
2. Council does not provide endorsement to staff to proceed with imposing restrictions on light car and passenger vehicles, accepting the consequences of increased traffic volume, tensions with residents and road users, and all associated risks.

Option 1 is preferred

#### **4.4 Risks**

Failure to manage light vehicle traffic volumes on Waipu Gorge Road will result in increased 'wear and tear' on the pavement condition, may increase the likelihood of vehicular accident occurrence, and will result in increased dust output impacts on residential properties which will see discontent from impacted residents.

### **5 Significance and engagement / Te Hira me te Arawhiti**

The decisions or matters of this Agenda do not trigger the significance criteria outlined in Council's Significance and Engagement Policy, and the public will be informed via the publication of this agenda on the Council website.

#### **5.1 Engagement**

There will be increased communication on the risks for this particular Road. Key messages will be developed with Ward Councillors and distributed through established communication channels.

The Engagement Team have established relationships with local community groups and Northland Freight Group and will continue to work directly with affected stakeholders.

**RESOLUTION TO EXCLUDE THE PUBLIC**

That the public be excluded from the following parts of proceedings of this meeting.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

1.	The making available of information would be likely to unreasonably prejudice the commercial position of persons who are the subject of the information. {Section 7(2)(c)}
2.	To enable the council (the committee) to carry on without prejudice or disadvantage commercial negotiations. {(Section 7(2)(i))}.
3.	To protect the privacy of natural persons. {Section 7(2)(a)}.
4.	Publicity prior to successful prosecution of the individuals named would be contrary to the laws of natural justice and may constitute contempt of court. {Section 48(1)(b)}.
5.	To protect information which is the subject to an obligation of confidence, the publication of such information would be likely to prejudice the supply of information from the same source and it is in the public interest that such information should continue to be supplied. {Section 7(2)(c)(i)}.
6.	In order to maintain legal professional privilege. {Section 2(g)}.
7.	To enable the council to carry on without prejudice or disadvantage, negotiations {Section 7(2)(i)}.

**Resolution to allow members of the public to remain**

If the council/committee wishes members of the public to remain during discussion of confidential items the following additional recommendation will need to be passed:

**Move/Second**

"That \_\_\_\_\_ be permitted to remain at this meeting, after the public has been excluded, because of his/her/their knowledge of Item \_\_\_\_\_.

This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because \_\_\_\_\_.

*Note:*

*Every resolution to exclude the public shall be put at a time when the meeting is open to the public.*