

IN THE MATTER of Section 149E of the Resource Management Act
1991

AND

IN THE MATTER of a submission by Tram Lease Limited on the New
Zealand Transport Agency's proposed East West
Link project, which involves two notices of
requirement and applications for 23 resource
consents

**STATEMENT OF EVIDENCE OF JOHN MICHAEL BURGESS
ON BEHALF OF TRAM LEASE LTD**

INTRODUCTION

1. My name is John Michael Burgess and I have been a director of Traffic Planning Consultants Ltd, a company which I founded, for the past 29 years. For 13 years I was an Associate and Senior Traffic Planner with Beca Carter Hollings & Ferner Ltd, Consulting Engineers in Auckland, responsible for traffic planning work undertaken by the company, and prior to that I was a traffic engineer in local government in the UK. I have a Bachelor of Engineering degree, and I am a Chartered Engineer, a member of the Institution of Civil Engineers and a member of the Institute of Professional Engineers of New Zealand.
2. I appear on behalf of Tram Lease Limited in support of its submission to the Environmental Protection Agency on the Notice of Requirement by the New Zealand Transport Agency (**NZTA**) for its proposed East West Link project between State Highway 20 in Onehunga and State Highway 1 in Mt Wellington. In particular, my evidence addresses the impact of the proposed road link on Tram Lease's property at 19-21 Sylvia Park Road (**the Site**).
3. I confirm that, in preparing this statement of evidence, I have read the Environment Court's Code of Conduct for Expert Witnesses and agree to comply with it. I also confirm that I have not omitted to consider any material facts known to me that might alter or detract from the opinions expressed in my evidence, and that the issues I address are within my area of expertise.

4. My evidence deals with two main effects of the proposed road link on the Site, namely:
- the effects of the proposed taking of a portion of the site along its Sylvia Park Road frontage, in terms of both the continuation of the existing activities on the Site and the potential future use and development of the Site, and
 - the effects on site access from Sylvia Park Road, both now and in the future.
5. In preparing this statement, I have read the Traffic and Transport Assessment prepared by NZTA (Technical Report 1), the evidence prepared by Mr Andrew Murray on behalf of NZTA, and the evidence of Mr Michael Davies on behalf of Auckland Transport. I have studied the relevant plans of the proposed road alignment and design as it relates to Sylvia Park Road and the Site, and I have attended two meetings with NZTA to discuss the various issues relating to site access.

EFFECTS ON THE SITE AND ITS OPERATION

6. The western part of the Site is currently occupied by Stratex, which operates a factory manufacturing and supplying packaging for food producers. It has a large factory/warehouse building (some 10,240 m² in area) at the western end, beside which there is an open area that accommodates all truck manoeuvring and loading/unloading activities, container handling and storage, and staff/visitor car parking. The eastern parts of the Site are sub-leased by Stratex to Z Energy (for a truck stop) and to Central Landscaping and Garden Supplies.
7. The proposal for the East West Link in the immediate vicinity of the Site is shown on NZTA's designation plans. The proposed designation takes a slice off the entire Sylvia Park Road frontage of the Site (which I understand amounts to a total of 7254 m² within the designation), and the site area will reduce from its current 21,793 m² down to 14,539 m², or a 33% reduction in total site area. However, if the area of the existing building is excluded, the proposed designation effectively reduces the open areas of the Site from 11,553 m² of site area down to 4299 m², representing a 63% reduction. I understand that NZTA has, through its discussions with Stratex, now proposed a slight narrowing of the designation corridor along the Sylvia Park Road frontage of the Site, but at the time of preparing this evidence I am not aware of the resulting change in the area of land to be taken. In any event, based on the plans that I have seen, this does not change the conclusions of my evidence.
8. In practical terms, the proposed designation will eliminate the current activities at the eastern end of the Site, namely the Z Energy truck stop and the landscaping supplies business. The central part of the Site that is currently used by Stratex will be significantly reduced in area, eliminating on-site areas that are currently used for storage and staff car parking, and restricting opportunities for expansion of the building and/or quantities of good produced and handled on the site.

EFFECTS ON SITE ACCESS

9. The western part of the Site that is occupied by Stratex is currently served by two vehicle crossings on the Sylvia Park Road frontage, a central access that serves the main site activities as described above and accommodates most of the traffic movements to and from the Site, and a secondary access in the north western corner of the Site near the Great South Road intersection. There is a third access at the eastern end of the Site that serves the landscaping supplies business. All turning movements to and from Sylvia Park Road are currently possible at all three vehicle crossings. Two further vehicle crossings on Sylvia Park Road to the east currently provide access to and from the truck stop, but this activity and its access points will be eliminated entirely by the road widening proposal. There are currently no vehicle accesses on the Great South Road frontage, and it is not feasible to establish any now or into the future.
10. The original designation plans proposed the closure of the main, central vehicle crossing, to be replaced by separate left-in/left out crossings at the eastern end of the remaining Site, intended to serve the main activities on the main part of the Site. The secondary crossing at the western end of the Site was to remain, but only as a left in/left out crossing. NZTA's Technical Report 1 for the project was based on this scenario.
11. I now understand that, through discussions between NZTA and Stratex, the current proposal is to retain the existing main site access as a left in/left out crossing, to still provide the new eastern access as described above and to retain the existing secondary western access. My comments that follow remain relevant whichever arrangement of site access is ultimately preferred by NZTA.
12. A key issue in relation to the proposed modified access arrangements, as identified in the Tram Lease submission, will be the elimination of all right turn entry and exit movements to and from the Site, and the alternative arrangements that are proposed to replace these movements. However, the left turn in/left turn out arrangements that are proposed by NZTA do, in my opinion, also raise serious concerns regarding their operation and safety within the new traffic environment that will be established along Sylvia Park Road. I will address each of these in turn, and I will refer to **Attachment 1** which illustrates the different movements that are of concern.

Removal of right turn movements

13. The provision of a solid median island along the centre of Sylvia Park Road will eliminate all right turns to and from the Site. Technical Report 1 notes in [Section 6.17.1.2 19 Sylvia Park Road](#):

The right turn into the site will not be provided for in the future due to the high volumes of traffic and proximity to the traffic signals. Vehicles will use the proposed reconfigured Pacific Rise intersection under the viaduct to u-turn and head west back along Great South Road (should be Sylvia Park Road) to the site entrance. The extra distance these vehicles will have to travel is approximately 1km. In the future vehicles wanting to travel eastbound to access Mount Wellington Highway/SH1 will use Great South Road and Vestry Drive as the right turn out of the site will be banned. The extra distance is approximately 1km.

The Project will mean less convenient vehicle access compared to the existing arrangements particularly for those wanting to travel west.

14. Aside from the obvious inconvenience of longer and more circuitous travel paths to reach the Site, the above proposal relies on the appropriateness of the modified Pacific Rise intersection to provide for U-turns, and in this regard I note the following from the Technical Report 1, [Section 6.17.1.1\(c\)](#):

The Pacific Rise intersection will be re-configured to allow for the ramp structure and to allow these u-turns as part of the Detailed Design process, which will include a Safety Audit. It is noted that the eastern end of Sylvia Park Road will only increase (1%) in 2026 and increase 5% in 2036 with the project compared to Without the Project. The exact detail of this intersection will be confirmed during detailed design in collaboration with Auckland Transport and it is recommended that a condition is proposed to describe this process of engagement and approval.

15. Whilst I appreciate that the detailed design of the Pacific Rise intersection will come at a later date, the uncertainty at this stage of the ability to properly provide for U-turns (uncertainty that must come with the need for future safety audits) is a concern in terms of the commitment to provide adequate access for the Site. The Pacific Rise intersection is a substantial one on which numerous sites and commercial activities rely to provide their only access opportunity, and is Give Way controlled. The gap in the median is therefore essentially being provided to accommodate normal right turn movements to and from Pacific Rise, and large vehicles making a U-turn will be in direct conflict with these movements. In my opinion, the need to accommodate normal turning movements to and from Pacific Rise, together with the close proximity to the Mt Wellington Highway intersection, do make the provision for safe U-turns questionable, particularly for large heavy vehicles that require regular access to the Site. If, as I suspect, U-turns cannot safely be provided at the Pacific Rise intersection (and again particularly for large heavy vehicles), the ability for traffic approaching from the west and along Great South Road to access the Site will be even more compromised.

16. In terms of right turn movements out of the Site, the Technical Report 1 in [Section 6.17.1.2](#) notes the following:

In the future vehicles wanting to travel eastbound to access Mount Wellington Highway/SH1 will use Great South Road and Vestry Drive as the right turn out of the site will be banned. The extra distance is approximately 1 km. The Project will mean less convenient vehicle access compared to the existing arrangements particularly for those wanting to travel west.

17. This clearly requires vehicles that would otherwise be turning right out of the Site to circulate through the local road network to reach Mt Wellington Highway, having to pass through three additional intersections on Great South Road and Mt Wellington Highway.

18. However, in [Section 19.28](#) of his evidence, Mr Murray states in relation to the Site:

To clarify the local access I have prepared two Figures which are included in Annexure 8 which shows the changes in local access to these properties. In summary:

- (a) *19-21 Sylvia Park Road - proposed changes only affect the right out and right in turning movements and vehicles will need to travel an additional 360m and 760m respectively along Sylvia Park Road...*

19. The above refers to an additional 760m of travel for vehicles entering the Site from the west via the proposed U-turn facility at the Pacific Rise intersection (which I have already discussed), and the additional 360m relating to vehicles leaving the Site to travel to the east towards Mt Wellington Highway appears to be referring to the use of a U-turn facility that is to be provided at the entrance to the property at 20 Sylvia Park Road. This presumably is now proposed as an alternative to vehicles having to circulate around via Vestey Drive as was identified in the Technical Report 1, resulting in a shorter and more direct route.
20. This proposed gap in the median island to provide for access to 20 Sylvia Park Road and for the U-turn manoeuvres is located about 100 metres from the Great South Road intersection, and at the start of the right turn lanes that are formed on the westbound approach to the intersection. Any vehicles turning left out of the Site and wishing to make that U-turn movement will have to weave across into the outer lane within a distance of about 60 metres in order to turn into the median gap, at a point where westbound vehicles on Sylvia Park Road and the East West Link off-ramp have just commenced their weaving in order to enter their appropriate lanes at the intersection (this is movement **A** on Attachment 1). Any queuing back from the Great South Road traffic signals will simply exacerbate any potential conflict created by vehicles exiting from the Site, particularly when they involve the movement of large heavy vehicles. Clearly the provision and design of this median gap will also be subject to the uncertainties relating to the required safety audit procedures.
21. My concerns regarding the provision for U-turns at this location are clearly shared by Mr Davies (for AT) who, in paragraphs 15 and 16 of his evidence, considers these U-turns to be inappropriate, and recommends that they should be eliminated from this location and provided for at the intersection with Great South Road. I agree with his recommendations for removal, but note that the acceptability for providing for U-turns at the intersection at this stage remains uncertain and must again be subject to later safety audits.
22. Any concern about the ability to safely provide for these U-turn manoeuvres at both locations affects not only the Tram Lease site but also the property at 8 Sylvia Park Road which is located on the northern side of the road just to the west of Pacific Rise. I have read the submission by Sylvia Park Investments Ltd in relation to that site, which has access only to Sylvia Park Road, and the elimination of all right turn movements into and out of the site can realistically only be "replaced" by the U-turn movements that have been proposed. As I noted earlier, the Pacific Rise intersection is a substantial one that provides the only access opportunity for numerous sites and commercial activities, and the introduction of large vehicles making U-turns can only add to the complexity of turning movements at this location.
23. Consequently, the only way to be able to properly assess the effects of the East West link on both of these properties in terms of access restrictions is for NZTA to provide a design that has sufficient

detail to confirm or otherwise what provisions can be made to maintain an acceptable level of access through the provision for safe and acceptable U-turns.

24. Following our meetings to discuss these issues, NZTA prepared a plan showing tracking curves for a large semi-trailer truck undertaking the U-turn manoeuvres at both locations. Whilst these plans do show the physical ability for these manoeuvres to occur, the tracking paths would in my opinion have the potential to create significant conflict with other vehicles using the gaps in the median island to access either Pacific Rise or 20 Sylvia Park Road, and would not overcome the concerns that I have identified in the above paragraphs. I remain doubtful whether the provision for these U-turns by heavy vehicles will be acceptable from an operational and safety point of view within the traffic environment that is being created to accommodate the East West Link.

Left turns into the main central access

25. As I have indicated earlier, there appears to be no certainty at this stage of what access arrangements for the Site are actually being proposed by NZTA, including whether or not the existing main access is to be retained. Whilst retention of the existing main access to the site would, in my opinion, be important to any continuation of activities (existing and possible future) on the Site, I do have concerns about its operation and safety within the new traffic environment.
26. In particular, the access is located right at the point where vehicles leaving the East West Link to join Sylvia Park Road will be converging on vehicles travelling westbound along Sylvia Park Road, and there will be some degree of weaving from that point as the merging westbound vehicles seek to get into the correct lanes at the Great South Road intersection. The NZTA plans show a vehicle crossing that is able to accommodate large semi-trailer trucks making left turn movements to and from the kerbside lane, but such heavy vehicles slowing/stopping before making the left turn entry movement could create significant conflict with following traffic in the single westbound lane. I also note that the East West Link includes a substantial cycle lane along the southern side of the road past the Site, and its presence will only increase the likelihood of trucks having to stop in the kerbside lane before completing the entry movement.
27. Furthermore, any vehicles (including heavy vehicles) that are approaching the Site along the East West Link directly from the Southern Motorway will be doing so in what becomes the outer westbound lane past the Site, and they will then need to slow and cross the kerbside lane at the point where traffic is converging (this is movement **B** on Attachment 1). These vehicle movements will create a dangerous situation at a critical point where the off-ramp joins Sylvia Park Road, potentially affecting the traffic flow on both Sylvia Park Road and the off-ramp. In my opinion this is not a satisfactory solution for maintaining safe and efficient access to the Site.

Left turns into the eastern access

28. The NZTA plans also show an eastern vehicle crossing that will accommodate large rigid trucks (but not large semi-trailers or truck and trailers) making left turn entry movements into the Site. This vehicle crossing is located at a point where traffic leaving the East West Link and westbound traffic on Sylvia Park Road are still separated by the hatched median, but where vehicles (including trucks) that are on the off-ramp from the East West Link and wishing to enter the Site would be able to slow down and cross the hatched markings to join the kerbside lane, again creating what in my opinion would be a very dangerous situation (this is movement **C** on Attachment 1). In our discussions with NZTA, the prospect of introducing a solid median island in place of the proposed hatched markings to prevent this dangerous manoeuvre was discussed, but this would simply force vehicles that are approaching along the off-ramp to proceed on to the main access with its own issues as I have discussed above. Of course if NZTA's final proposed access arrangements do involve closure of the existing main entrance and placing reliance on a new eastern access, the overall standard of access to the site would be even more seriously compromised.

CONCLUSIONS

29. Overall, I consider that NZTA's current proposals for the East West Link will have significant impact on the Site in terms of the amount of the property that is to be taken for the designation, and in terms of the ability to continue to access the site.
30. To summarise, the particular concerns that I have in terms of road safety relate to
- left turns into the site at both major entrances, given the need for vehicles leaving the East West Link off-ramp to cross the westbound lane of Sylvia Park Road before entering the site;
 - left turns out of the site from the central exit, given that the central exit is located where the westbound streams of traffic from the East West Link off-ramp and Sylvia Park Road meet, and vehicles wishing to make the U-turn manoeuvre will need to cross into the outer lane over a very short distance; and
 - the uncertainty as to whether the U-turn manoeuvres a short distance east of the Sylvia Park Road/Great South Road intersection and at the Pacific Rise/Sylvia Park Road intersection can be carried out safely and will pass a traffic safety audit.
31. I acknowledge that, in the context of establishing the proposed East West Link, the elimination of right turn movements at the Site is probably unavoidable, and the provision for U-turns at appropriate locations is a way of potentially compensating for the loss of those right turn movements. In that case, provision of simple left turn entry and exit movements is the conventional approach, which I would normally support. However, in this particular situation, the close proximity of the off-ramp from the East West Link does in my opinion create a traffic environment that is very

different from the existing environment along Sylvia Park Road, and one in which the movement of large trucks to and from the Site (even through left turn movements) would create significant safety issues for this length of road.

A handwritten signature in black ink, appearing to read 'John Burgess', is positioned above the printed name.

John Burgess
22 May 2017