

## Form 18

# Notice of Requirement for designation of land under s181 of the Resource Management Act 1991

TO: Auckland Council  
Private Bag 92300  
35 Graham Street  
Auckland 1142

FROM: Waka Kotahi New Zealand Transport Agency  
Private Bag 106602  
Auckland 1143

Waka Kotahi New Zealand Transport Agency (Transport Agency) gives notice of its requirement for a designation for a public work, being the construction, operation and maintenance of a new state highway and associated activities between Warkworth and north of Te Hana.

The Transport Agency is a network utility operator approved as a requiring authority under Section 167 of the Resource Management Act 1991 (RMA). Refer to the Gazette Notices included in **Attachment A** of this Notice:

### *The site to which the requirement applies is as follows:*

The area of the proposed designation is shown on the Designation Plans included in **Attachment B** of this Notice. The requirement applies to an area of land of approximately 1348 hectares located between Warkworth and north of Te Hana. The requirement applies to 205 land parcels (including local roads). The land directly affected by the requirement is identified in the Schedule of Directly Affected Property included in **Attachment C** of this Notice.

### *The nature of the proposed work is:*

The proposed work is the construction, operation and maintenance of a new state highway and associated activities between Warkworth and north of Te Hana (hereafter referred to as "the Project"). The nature of the proposed work is described in Section 4: *Project Description* and Section 5: *Construction Methodology* of the accompanying Assessment of Effects on the Environment (AEE) Report.

In summary, the proposed work includes:

- a) A new state highway, offline from the existing State Highway 1 (SH1).
- b) Three interchanges as follows:
  - i. Warkworth Interchange, to tie-in with Ara Tūhono Puhoi to Warkworth Project (currently in construction) near Wyllie Road, and provide connections to the northern outskirts of Warkworth;

- ii. Wellsford Interchange, located near Wayby Valley Road, to provide access to Wellsford and eastern communities including Tomarata and Mangawhai; and
  - iii. Te Hana Interchange, located near Mangawhai Road to provide access to Te Hana, Wellsford and communities including Port Albert, Tomarata and Mangawhai.
- c) Twin bore tunnels under Kraack Road in the Dome Valley area.
  - d) A series of cut and fills through the forestry area to the west of the existing SH1 (west of The Dome), and other areas of cut and fill along the remainder of the Project.
  - e) Changes to local roads, where the proposed work intersects with local roads.
  - f) Associated works including bridges, viaducts, embankments, culverts, stormwater management systems, soil disposal sites, signage, lighting as required to meet safety standards, landscaping, realignment of access points to local roads, and maintenance facilities.
  - g) Construction activities, including construction compounds, borrow sites, lay down areas and establishment of construction access and haul roads.

***The nature of the proposed conditions that would apply are:***

The proposed conditions that will apply to the work will be submitted subsequently to Auckland Council and then included in **Attachment D** of this Notice. The proposed conditions reflect the effects management approach set out in Section 10: *Management of Effects on the Environment* of the AEE Report.

***The effects that the proposed work will have on the environment, and the ways in which any adverse effects will be mitigated are:***

The AEE Report contains a description of the existing environment (Section 3), and assessment of the Project's effects on the environment (Section 9), and an outline of proposed measures to avoid, remedy or mitigate the adverse effects of the Project (Section 10).

Positive Effects

The positive effects of the Project relate to transport benefits, through improved safety, supporting safe cycling and walking, improved journey times for general traffic and freight, increased capacity, improved route security by providing an alternative route resilient to incidents, improved travel time reliability, and improved accessibility.

Through the transport benefits, there will be associated economic and environmental benefits, such as

- economic benefits to the local North Auckland area and the economies of the Auckland and Northland regions,
- stormwater treatment leading to reduced contaminant loads for two river catchments,
- retiring of some land that contributes to the sediment load of the Kaipara Harbour, through landscaping and planting for mitigation, and
- through design which will assist with more fuel-efficient travel (through better gradients and less need to brake, accelerate and/or decelerate).

As a result of moving a significant number of vehicles off the existing SH1 and on to the Project, there will be reduced noise and air emissions for existing receivers along SH1 including through Wellsford and Te Hana.

### Adverse Effects

There will be a range of potential adverse effects during the construction and operational phases of the project, which are assessed in the following sections of the AEE Report:

- Construction water (Section 9.2)
- Groundwater / Hydrology (Section 9.3)
- Ground settlement (Section 9.4)
- Terrestrial and freshwater ecology (Section 9.5)
- Marine and coastal avifauna (Section 9.6)
- Construction traffic (Section 9.7)
- Construction noise and vibration (Section 9.8);
- Construction air quality (Section 9.9)
- Heritage / archaeology (Section 9.10)
- Land contamination (Section 9.11)
- Operational water (Section 9.12)
- Landscape and visual (Section 9.13)
- Operational transport (Section 9.14)
- Operational noise (Section 9.15)
- Social impacts (Section 9.17)
- Cultural values (Section 9.18)
- Economic (Section 9.19)
- Land use and property (Section 9.20)

The AEE Report draws on information provided in the Technical Assessment Reports (contained in Volume 2 of the AEE).

### ***Alternative sites, routes, and methods have been considered to the following extent:***

The Transport Agency has undertaken a number of studies to identify a preferred solution to improve the safety, resilience and efficiency of the transport network between Auckland and Northland. Alternatives were assessed at all stages of Project development, commencing at a broad scale and systematically narrowing the geographic area from potential corridors down to the Indicative Alignment.

This process has progressively included desktop studies, field work and detailed environmental investigations, operational and cost considerations, and stakeholder and wider community engagement. Section 2: *Background and strategic context for the Project* of the AEE Report identifies the wider strategic studies and Section 7: *Consideration of Alternatives* details the process used to consider alternatives, including alternative sites, routes and methods.

***The proposed work and designation are reasonably necessary for achieving the objectives of the requiring authority because:***

The works and designation are reasonably necessary to meet the objectives of the Transport Agency. Refer to Section 2: *Background and strategic context for the Project* and Section 11: *Statutory Assessment* of the AEE Report.

The Transport Agency's objective under section 94 of the Land Transport Management Act 2003 (LTMA) is "*to undertake its functions in a way that contributes to an effective, efficient, and safe land transport system in the public interest*". The Project will assist the Transport Agency in meeting this objective.

The Transport Agency's objectives for the Project are to:

- Increase corridor capacity, improve route quality and safety, and improve freight movement between Warkworth and the Northland Region;
- Provide resilience in the wider state highway network;
- Improve travel time reliability between Warkworth, Wellsford and the Northland Region;
- Provide connections to and from Warkworth, Wellsford and Te Hana;
- Provide a connection at Warkworth that optimises the use of infrastructure from, and maintains the level of service provided by, the Pūhoi to Warkworth Project; and
- Alleviate congestion at Wellsford by providing an alternative route for north – south through traffic.

The Project is reasonably necessary for achieving these objectives because it will:

- Improve safety performance compared to the existing SH1, with the Indicative Alignment designed to motorway standards and therefore, with the intended diversion of traffic to the new road, a higher safety performance on the new road and reduced incidents on the existing SH1;
- Support safe cycling and walking by providing linkages where feasible as part of the Project scope (such as across interchanges, onto SH1 at the northern tie in, on local roads where the Project passes over on a bridge structure);
- Improve freight performance in terms of improved travel times, improved route quality and safety, resilience and travel time reliability;
- Improve route security and resilience of the state highway network north of Auckland through reducing the reliance on one main route (the current SH1); and
- Improve journey times and improved journey time reliability along the state highway network north of Auckland increasing accessibility across many parts of the Regions' road network.

The proposed designation is reasonably necessary as a planning tool, as it identifies and protects land required for the Project and will enable the Transport Agency to carry out the proposed work. The principal reasons for requiring a designation to facilitate the work to which this requirement relates are:

- It will allow the land required to be identified in the Auckland Unitary Plan: Operative in Part, giving a clear indication of the intended use of the land; and

- It will provide certainty for land owners of the intended use of the land and the work to be undertaken at some time in the future.

***The following resource consents are needed for the proposed activity and are being applied for:***

- Land use consents for: Earthworks, vegetation alteration and removal and stormwater detention and retention ponds;
- Water permits for: Works in water courses, diversion of groundwater, and stormwater diversion and discharge; and
- Discharge Permit for: Air discharges and operational stormwater discharges.

Additional approvals for the Project may be required and will be obtained prior to construction. These approvals may include resource consents determined relevant at the time of construction, such as consents for soil disturbance under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health; forestry removal under the National Environmental Standard for Plantation Forestry; water takes to support construction processes (e.g. dust management); consents or consent variations required to modify covenants relating to the removal of vegetation; and wastewater discharges from site office facilities.

***The following consultation has been undertaken with parties that are likely to be affected:***

Consultation and engagement is ongoing with parties who are directly affected by or have an interest in the Project including Mana Whenua, property owners and occupiers, Auckland Council, Auckland Transport, business and community representative groups and the wider community. Engagement activities include face to face meetings, workshops, hui, public open days, newsletters and online information.

The consultation undertaken is detailed in Section 8: *Consultation and Engagement* of the AEE Report.

### **Extended Lapse Period Sought**

Under section 184(1) of the RMA "a designation lapses on the expiry of 5 years after the date on which it is included in the district plan unless –

- (a) it is given effect to before the end of that period; or*
- (b) the territorial authority determines, on an application made within 3 months before the expiry of that period, that substantial progress or effort has been made towards giving effect to the designation and it continuing to be made and fixes a longer period for the purposes of this subsection; or*
- (c) the designation specified a different period when incorporated in the plan."*

Pursuant to Section 184(1)(c) of the RMA, the Transport Agency proposes an extended lapse period of fifteen years for implementation of the proposed designation.

**Information required to be included in this notice by the district plan, regional plan or any regulation made under the Resource Management Act 1991:**

The Transport Agency attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991.

- Assessment of Effects on the Environment
- Supporting Technical Assessment Reports
- Drawings

Signed on behalf of the Transport Agency



Belinda Petersen

Principal Planner Consents and Approvals – Transport Services

Pursuant to authority delegated by the New Zealand Transport Agency

Dated: 20 March 2020

**ADDRESS FOR SERVICE:**

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**Attachment A** – Gazette Notices

**Attachment B** – Designation Plans

**Attachment C** – Schedule of Directly Affected Property

**Attachment D** – Proposed Designation Conditions

**Attachment A – Gazette Notices**

**Attachment B – Designation Plans**

**Attachment C – Schedule of Directly Affected Property**

**Attachment D – Proposed Designation Conditions**