



Notice of Requirement (Designation) Form

For office use only:
Private Bag 63002
Waterloo Quay
Wellington 6140

Application number:

Date received:

Part I: Notice of Requirement by Minister, Local Authority, or Requiring Authority for Designation or Alteration of Designation

To the Environmental Protection Authority (EPA)

The New Zealand Transport Agency gives notice of a requirement for an alteration to a designation (Designation 401) for a project, being the construction, operation and maintenance of a State highway, being the Ara Tūhono Pūhoi to Wellsford Road of National Significance – Pūhoi to Warkworth Section.

Additional information that will help to process your application:

Please tick which of the below options for a requiring authority apply:

- a Minister of the Crown
- a local authority
- a network utility operator approved as a requiring authority under section 167 of the RMA. Please provide the Gazette Notice reference approving the applicant as a requiring authority:

Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994. Gazette Notice contained in Appendix A of the AEE Report, Volume 2

The site to which the requirement applies is as follows:

The requirement for alteration to designation applies to parts of the existing State Highway 1 designation (401) in the Auckland City District Plan: Rodney Section adjacent to, and west of, the Pūhoi River. The southern boundary of the alteration to the designation is the portals of the Johnstone's Hill tunnels, while the northern boundary is the northern edge of the existing Designation 401.

The nature of the proposed works is:

The construction, operation and maintenance of a State highway, being the Ara Tūhono Pūhoi to Wellsford Road of National Significance – Pūhoi to Warkworth Section. Refer to Section 5 of the AEE Report, Volume 2.

The nature of the proposed restrictions/conditions are:

See the Schedule to this notice.

Additional information that will help to process your application:

Please tick whether restrictions will apply to the designation:

- no restrictions/conditions on the designation are proposed
- restrictions/conditions applying to the designation are proposed
- changes to the existing restrictions/conditions applying to the designation are proposed.

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

The AEE Report, Volume 2, contains a description of the existing environment (Section 4), an assessment of the Project's effects on the environment (Sections 9 - 26), and an outline of appropriate methods to avoid, remedy or mitigate any adverse effects of the works associated with the Project (Section 28).

The effects of the alteration sought by this NOR are negligible. In particular, there are no anticipated traffic effects of the new lane arrangement for the tie-in to Hibiscus Coast Highway. The other works are to tie the new motorway into the entry and exit to the north portals of the Johnstone's Hill tunnels. The Assessment Reports addressing construction traffic, existing traffic flows and noise and dust conclude that such effects can be appropriately managed.

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

Refer to Section 7 of the AEE Report in Volume 2.

The works and designation are reasonably necessary for achieving the objectives of the requiring authority because:

Refer to Section 29 of the AEE Report in Volume 2. The alteration to Designation 401 is a critical part of the broader Project given it is in an area which links the existing roading network to the new motorway. It is therefore reasonably necessary for achieving the New Zealand Transport Agency's objectives.

The following resource consents are needed for the proposed activity and have been applied for:

Refer to Section 1.8 of the AEE Report in Volume 2.

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

Refer to Section 8 of the AEE Report in Volume 2.

Lapse period for a designation:

Not applicable.

The New Zealand Transport Agency attaches the following information to be included in this NoR:

Volume 1	NORs and Land Requirement Plans and a schedule of land affected by the designation Resource consent applications
Volume 2	Assessment of Environmental Effects Report
Volume 3	Assessment reports

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Part 1	Air Quality Assessment Report
	Construction Noise Assessment Report
	Construction Traffic Assessment Report
	Construction Water Assessment Report
Part 2	Freshwater Ecology Assessment Report
	Heritage Assessment Report
	Hydrogeology Assessment Report
	Marine Ecology Assessment Report
Part 3	Terrestrial Ecology Assessment Report
	Vibration Assessment Report
	Cultural Assessment Report
	Landscape and Visual Assessment Report
	Operation Noise Assessment Report
Part 4	Operational Water Assessment Report
	Transportation and Traffic Assessment Report
Volume 4	Drawings

Part II: Matter Lodged With the EPA

Sections 145, 148 and 149ZB, Resource Management Act 1991

This part of the form reflects the information requirements of Form 16A.

To the Environmental Protection Authority (EPA)

Insert full name of person lodging the matter (the applicant):

The New Zealand Transport Agency.

Provide a description of the proposal to which the matter relates. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

An alteration to the existing Designation 401 to facilitate construction, operation and maintenance of the Ara Tūhono Pūhoi to Wellsford Road of National Significance – Pūhoi to Warkworth Section. Refer to Section 5 of the AEE Report, Volume 2.

List the relevant local authorities for the matter lodged: Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Auckland Council.

This information accompanies:

- 1 or more of the following applications for a resource consent
- 1 or more of the following applications for a change to or cancellation of the conditions of a resource consent
- 1 or more of the following requests for the preparation of a regional plan
- 1 or more of the following changes to a plan
- 1 or more of the following variations to a proposed plan
- 1 or more of the following notices of requirement for a designation or to alter a designation
- 1 or more of the following notices of requirement for a heritage order or to alter a heritage order.

Provide details of the matter or matters. Please include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to Sections 1.7 and 1.8 of the AEE Report, Volume 2, for a discussion of the resource consents sought and the NORs for Designation and Alteration to Designation.

The matter consists of one or more applications for resource consent, or an application to change or cancel the conditions of a resource consent, or a notice of requirement to alter a designation, or a notice of requirement to alter a heritage order, and relates to an activity that is part of a proposal of national significance in relation to which one or more matters have already been subject to a direction under section 142(2) or 147(1)(a) or (b) (please tick):

- yes
- no

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Additional information that will help us in processing your application:

If yes, please provide the following information to identify the matter for which a direction by the Minister under section 142(2) or 147(1)(a) or (b) has been made:

Project name: Ara Tūhono Pūhoi to Wellsford Road of National Significance – Pūhoi to Warkworth Section

EPA reference number: 33/002

EPA Project Leader: Jon Bengé

The matter relates (please tick one):

- wholly to the coastal marine area
- partly to the coastal marine area
- does not relate to the coastal marine area.

Please note, if the matter relates wholly to the coastal marine area references to the Minister in this form should be read as the Minister of Conservation. If the matter relates to the coastal marine area in part, references to the Minister in this form should be read as the Minister for the Environment and Minister of Conservation.

Please confirm that you wish the Minister to make a direction under section 147(1)(a) or (b) to refer the matter to a board of inquiry or to the Environment Court for decision, on the grounds that the matter is or is part of a matter of national significance. Please indicate your preference (tick):

- a direction to refer the matter to a board of inquiry
- a direction to refer the matter to the Environment Court.

Please note the Minister will only direct the matter to a board of inquiry or the Environment Court for decision if they consider that the matter is, or is part of, a proposal of national significance. In deciding whether a matter is, or is part of, a proposal of national significance the Minister may have regard to any relevant factor, including the factors set out in section 142(3) of the RMA.

It would be helpful for you to indicate whether, in your view, any of the following factors are relevant to this matter (tick factors of relevance):

- the matter has aroused widespread public concern or interest regarding its actual or likely effect on the environment (including the global environment)
- the matter involves, or is likely to involve, significant use of natural and physical resources
- the matter affects, or is likely to affect, a structure, feature, place, or area of national significance
- the matter affects, or is likely to affect, or is relevant to, New Zealand's international obligations to the global environment
- the matter results, or is likely to result, in or contribute to, significant or irreversible changes to the environment (including the global environment)

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- the matter involves, or is likely to involve, technology, processes, or methods that are new to New Zealand and that may affect its environment
- the matter is, or is likely to be, significant in terms of section 8
- the matter will assist the Crown in fulfilling its public health, welfare, security, or safety obligations or functions
- the matter affects, or is likely to affect, more than one region or district
- the matter relates to a network utility operation that extends or is proposed to extend to more than one district or region
- other relevant factor(s).

Please provide reasons why you consider that the selected factors support your application to have a direction made in relation to the matter.

As set out in the attached cover letter and Notice of Requirement for Designation form.

Please provide the further views of the applicant regarding whether the matter should be referred to a board of inquiry or the Environment Court and any other recommendations sought as to the course of action:

As set out in the attached cover letter and Notice of Requirement for Designation form.

Please note that the applicant's views will be considered but will not determine the recommendation of the EPA or the Minister's direction.

Part III: Additional Optional Information

This part of the form includes additional information that will help in processing the application.

If would be helpful to provide the following information:

- a list of the local authorities under whose administrative jurisdiction resource consent is required, and any staff members that the proposal has been discussed with. Please include the page number(s) where this information is included, if provided (eg, Volume 1, pages 1 to 10):

Auckland Council, including Peter Vari, Ryan Bradley and Warren McLennan (Policy) Andrew Gysberts and Sarah Haarhoff (Major Projects)

- if the requiring authority is not the owner of the land to which the requirement applies, please attach details of all property owners and occupiers. Please include the page number(s) where this information is included, if provided (eg, Volume 1, pages 1 to 10):

Not applicable. The land required for this notice of requirement for an alteration to designation is owned by the New Zealand Transport Agency.

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Part IV: Signature

I hereby certify that, to the best of my knowledge and belief, the information given in this application is true and correct.

I understand that the EPA can recover its actual and reasonable costs associated with processing this application.



Tommy Parker

State Highway Manager – Auckland and Northland,
New Zealand Transport Agency

23.08.13

Date

Address for service: New Zealand Transport Agency
Private Bag 106602
Auckland
Attention: Patrick Kelly

Telephone: 09 9699800
0272408826

Email: patrick.kelly@nzta.govt.nz

Contact person: Patrick Kelly

Additional contact information that would help us process your application:

Additional contact representative: Tony Innes

Service (ie, legal): Further North Alliance Manager

Address: Further North
Level 2, Carlaw Park, 12-16 Nicholls Lane,
Parnell,
PO Box 9806,
Newmarket,
Auckland

Telephone: 09 928 5990
021 655 782

Email: tinnes@furthernorth.co.nz

Billing address: New Zealand Transport Agency

Telephone: 09 9699800

Email: patrick.kelly@nzta.govt.nz

Contact person: Patrick Kelly

Schedule

For inclusion in the Auckland Council District Plan: Rodney Section

APPENDIX 15F

MOTORWAY AND LIMITED ACCESS HIGHWAY AND ASSOCIATED INTERCHANGE STRUCTURES – CONDITIONS OF DEVELOPMENT (Designation 401)

Alter conditions as shown below (additions underlined):

1 GENERAL CONDITIONS

1.1 That the scope and extent of the works envisaged within the designation be generally in accordance with the plans contained in Appendix C accompanying the notice of requirement dated 9 May 1994 (held on Vol 1 of RDC file No. L18810), subject to final design and any modification required to comply with the conditions set out below, except as altered to accommodate a road configuration to the north of the Johnstone's Hill tunnel portal for the Ara Tūhono Pūhoi to Wellsford Road of National Significance – Pūhoi to Warkworth Section in accordance with Designation reference number 40x [to be determined].