

Notice of Requirement (Designation) Form

Form 18, Resource Management (Forms, Fees, and Procedure) Regulations 2003

Notice of requirement by the NZ Transport Agency for a designation under sections 145 and 168 and clause 4 of Schedule 1, Resource Management Act 1991.

To: Environmental Protection Authority
Private Bag 63002
Waterloo Quay
Wellington 6140

From: NZ Transport Agency
Level 9, PSIS House
20 Balance Street
PO Box 5084
Wellington 6145

The NZ Transport Agency (NZTA) gives notice of a requirement for a designation for a public work (or for a project or work or in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work or a project or work), being the construction, operation and maintenance of the Peka Peka to Ōtaki Expressway Project (the Project) in the Kāpiti Coast District Plan.

The site to which the requirement applies is as follows:

The site to which the requirement relates is described in Part C, Chapter 5 “Description of the Environment” of the AEE Report, Volume 2. Also refer to the Plan Set, Volume 5, specifically the Road Layout Plans and the Land Information Plans. A schedule of landowners affected is attached to the Land Information Plans. Generally, the Project is from Te Kowhai Road, Peka Peka to the north of Taylors Road, north Ōtaki.

The nature of the proposed public work (or project or work)

The nature of the proposed work is the construction, operation and maintenance of the Project. Refer to Part D, Chapter 6 “Operation of the Project” and Chapter 8 “Construction of the Project” in Volume 2 of the AEE Report.

The Project is a component of the Wellington Northern Corridor Roads of National Significance (RoNS) which when completed will create a high quality State highway connection from north of Levin to Wellington Airport. The total length of the Wellington RoNS project is approximately 110km. The designation is required for a new section of State highway, formed to an expressway standard, that extends from Te Kowhai Road, Peka Peka to the north of Taylors Road, north Ōtaki.

Works required in addition to the construction, operation and maintenance of the State highway include safety information and operational services and structures (communications), relocation of utility services,

vegetation removal, stormwater treatment, temporary construction works including storage areas and office facilities, maintenance and access areas and mitigation and restoration works.

The resource consents and other statutory authorisations required for the works are described below and/or detailed in Part B, Chapter 3 “Authorities sought under the Resource Management Act 1991” of the AEE Report, Volume 2.

The nature of the proposed conditions that would apply

It is proposed that the Project designation will be subject to the conditions contained in Part H, Chapter 31 “Proposed Designation Conditions” of the AEE Report, Volume 2 (as may be confirmed or modified in the determination of this requirement).

The effects that the public work (or project or work) will have on the environment, and the ways in which any adverse effects will be mitigated

The AEE Report, Volume 2, outlines the existing environment, an assessment of the environmental effects of the Project and appropriate methods to avoid, remedy or mitigate any adverse effects of the works associated with the Project. Part C, Volume 2, of the AEE Report provides a description of the existing environment. Part G, Volume 2 of the AEE Report provides an assessment of the actual and potential effects of the Project on the environment during both construction and operation.

Actual and potential effects on the environment and mitigation measures are identified in Part G of the AEE Report, Volume 2. These include:

- *Traffic and transport effects* – Effects on the transportation network during construction and effects on operation as a result of the Project (Chapter 13);
- *Geotechnical Engineering and Resilience* – Effects relating to geotechnical engineering including effects to groundwater, aquifers and existing extraction bores, rivers, and ground settlement. (Chapter 14);
- *Urban form and function effects* – Effects on the form and functioning of the Kāpiti urban area, including the urban growth strategy and the management of urban growth (Chapter 15);
- *Landscape and visual effects* – Visual and landscape effects, including amenity impacts during construction and operation (Chapter 16);
- *Hydrology effects* – Effects on the hydrology of the Project area, including effects on flooding (Chapter 17);
- *Stormwater effects* – Effects on the stormwater throughout the Project area (Chapter 18);
- *Terrestrial ecology effects* – Effects on the terrestrial ecology located within the Project area (Chapter 19);
- *Aquatic ecology effects* – Effects of the construction and operation of the Project on the aquatic ecology throughout the Project area (Chapter 20);

- *Air quality effects* – Effects associated with emissions, including impacts from construction emissions (particularly dust) and vehicle emissions to air during operation (Chapter 21);
- *Noise and vibration effects* – Effects from noise and vibration emitted from the Project during its construction and operation (Chapter 22);
- *Land contamination effects* – Effects of disturbance of actual or potentially contaminated soil on sites with known historical contamination (Chapter 23);
- *Archaeology effects* – Effects on actual and potential archaeological site (Chapter 24);
- *Built heritage effects* – Effects on built heritage throughout the Project area (Chapter 25);
- *Tangata Whenua and Cultural Heritage effects* – Effects of the Project during construction and operation on tangata whenua and cultural heritage values (Chapter 26);
- *Social and community effects* – Effects of the construction and operation of the Project on communities and neighbourhoods (Chapter 27);
- *Economic effects* – Effects of the construction and operation of the Project on economic activity locally, regionally and nationally (Chapter 28); and
- *Land acquisition and property effects* – (Chapter 29).

The AEE Report, Volume 2, draws on information provided in the technical assessments (located in Volumes 3) and the management plans (located in Volume 4).

Part G and Part H of the AEE Report, Volume 2, outline the management plan and condition approaches to managing the environmental effects of the Project.

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

Part E, Chapter 9 of the AEE Report, Volume 2, contains an assessment of alternative sites, routes and methods considered for the Project. For further detail refer to Technical Report 3, “Route Options Review”, Volume 3.

The public work (or project or work) and designation (or alteration) are reasonably necessary for achieving the objectives of the requiring authority because:

The Works

The NZTA’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 affordable, integrated, safe, responsive, and sustainable land transport system*”. The works, as part of the Project, will assist the NZTA in meeting its statutory objective.

The overall Project objectives for the NZTA can be summarised as follows:

To provide a modern 4-lane expressway that will support economic development by providing a strategic arterial route to improve trip reliability and efficiency through the Wellington region. The Project will provide legible connections to Ōtaki township, and provide for community connections

across the corridor. The expressway is to be integrated with the Ōtaki Vision, and opportunities to enhance urban and landscape outcomes are to be explored.

The NZTA's objectives for the Project are:

- To:
 - enhance inter-regional and national economic growth and productivity;
 - enhance efficiency and journey time reliability from, to and through the Kāpiti District, Wellington's CBD, key industrial and employment centres, the port, airport and hospital;
 - enhance safety of travel on SH1; and
 - appropriately balance the competing functional performance requirements of inter-regional and local traffic movements, and to facilitate others to provide modal choice opportunities, to enable local facilities and amenities in the Kāpiti Coast District to be efficiently accessed.
 - by developing and constructing a cost-optimised new State highway to expressway standards between Peka Peka and North Ōtaki.
- To manage the immediate and long-term social, cultural, land use and other environmental effects of the Project on the Kāpiti Coast District and its communities by so far as reasonably practicable avoiding, remedying or mitigating any adverse effects through route and alignment selection, expressway design and conditions.
- To integrate the expressway into the form of Kāpiti Coast District by taking into account current and planned future land use and development in route and alignment selection, expressway design and conditions.
- To work with NZ Rail Corporation/KiwiRail to achieve an integrated design for both the new State highway expressway and a realigned NIMT.
- To efficiently serve Ōtaki and its future development by providing appropriate vehicle access and signage to and from the new Expressway.

The works are reasonably necessary to achieve those objectives because the works will:

- Provide a significantly improved State highway, formed to an expressway standard, improving the State highway network and enhancing inter-regional and national economic development;
- Reduce travel times and reduce congestion on the State highway through the provision of an expressway, making travel times more reliable;
- Achieve a State highway, formed to an expressway standard, that will provide efficient, safe, reliable and resilient connections to and through the Kāpiti District, and to the rest of the Wellington Northern Corridor linking Wellington and Levin;
- Improve the safety of travel on SH1 by improved road standards (including median separation of traffic) associated with expressway design and by the separation of State highway traffic from local traffic;

- Align traffic types by providing an expressway for national and inter-regional traffic movements and maintaining the existing State highway for use as a local arterial link while providing efficient access to the expressway and improving the connectivity and safety of local road linkages and connections across the State highway;
- Avoid, remedy and mitigate adverse environmental effects while providing enhance transport and safety outcomes;
- Provide integration of the expressway through access points reflecting local planned and future land use developments;
- Appropriately integrate the expressway with the re-aligned NIMT while maintaining the role of the historic Ōtaki Railway Station and the removal of 5 of 8 level crossings; and
- Through the use of north and south half interchanges with appropriate signage provide efficient access to Ōtaki from the expressway and provide for the enhancement of the existing Ōtaki Railway Retail area through the removal of State highway traffic.

The Designation

The NZTA was approved under section 167 of the RMA as a requiring authority by the Resource Management (Approval of Transit New Zealand as Requiring Authority) Notice 1994, notified in the Gazette on 3 March 1994 (a copy of this Notice is contained in Appendix B of the AEE Report, Volume 2). As a network utility operator and a requiring authority under section 167 of the RMA, the NZTA may designate land, water, subsoil or airspace for the *“construction and operation (including the maintenance, improvement, enhancement, expansion, realignment and alteration) of any State highway or motorway pursuant to the [Government Roding Powers] Act 1989”*.

This designation is reasonably necessary to achieve the objectives as:

- It will enable the land required for the Project to be acquired by the NZTA;
- It will enable the NZTA to carry out the works necessary for the Project;
- It will enable the NZTA to achieve its principal objective under the LTMA;
- It is necessary for the NZTA to achieve the specific Project objectives to ensure consistency in the planning regime for the sections of the Wellington Northern Corridor and SH1 (which are designated);
- It will allow the NZTA and/or its authorised agents to undertake the works in accordance with the designation, notwithstanding anything contrary in the Kāpiti Coast District Plan (KCDP);
- It will allow the land required to be identified in the KCDP, giving a clear indication of the intended use of the land;
- It will enable the Project to be undertaken in a comprehensive and integrated manner; and
- It will protect the proposed route from future development which may otherwise preclude the construction of the Project.

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

Regional land use consents, for:

- Soil disturbance and vegetation clearance for roading and tracking activities;
- The use, erection and placement of new structures (culverts, bridge support structures, erosion protection structures, stormwater pipes and outfall structures) in the beds of watercourses;
- The reclamation of wetlands;
- The construction of bore holes for groundwater extraction;
- The removal of vegetation in the beds of various watercourses; and
- To dam surface water via a wetland.

Water permits, for:

- The temporary and permanent diversion of water (both surface and groundwater); and
- To take groundwater and surface water for construction activities.

Discharge permits, for:

- the discharge of chemically treated sediment laden water (from construction) to land that may enter water;
- the discharge of chemically treated sediment laden water (from construction) to water; and
- the discharge of contaminants (from cement) to land.

At this stage consents have not been sought, from the KCDC, in accordance with the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

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

Extensive consultation has been undertaken with the community and key stakeholders, including directly affected landowners.

Part F, Chapter 10 of the AEE Report, Volume 2, provides a record of the consultation process undertaken, feedback received and how this was considered in the development of the Project.

The key aspects of the consultation are:

- It has kept stakeholders and the community informed of the Project as it has developed to provide a relatively high degree of familiarity among key stakeholders and the general public about the general concept of the Project;
- The majority of key stakeholders support the Project and there is good support for the Project from the general public, although opposition from some groups and individuals is acknowledged;

- Stakeholders and the community have had an opportunity to provide feedback on the Project's design and mitigation measures and the NZTA has considered and responded to issues and concerns that have been identified through this engagement;
- Consultation has recognised and utilised community knowledge and resources in the identification of environmental effects to consider;
- Consultation feedback has been taken into account in decision-making throughout the process, particularly in regard to local knowledge; and
- The NZTA has considered and responded to issues and concerns raised during the consultation process.

Ongoing consultation is proposed during the construction period and provision is made for this in the proposed mitigation and monitoring contained in Part H of the AEE Report, Volume 2.

Lapse period for the designation

The NZTA seeks a lapse period of 15 years for the designation, pursuant to section 184(1)(c) of RMA. This period has been set having regard to the time anticipated to be required for the NZTA to give effect to the works, including the completion of land purchase negotiations, detailed design and construction of the proposed Project and the staged construction of the Project with the other sections of the Wellington Northern Corridor. It also allows for an appropriate margin to address possible consenting, tendering, funding and construction processes.

The NZTA 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

Volume 1: Forms:

- Lodgement of matter with the EPA;
- Notice of Requirement by the NZTA;
- Notice of Requirement by KiwiRail; and
- Applications for regional resource consents by the NZTA.

Volume 2: Assessment of Environmental Effects Report, including:

- Part A: Introduction and background to the Project;
- Part B: Statutory context;
- Part C: Description of the environment;
- Part D: Description of the Project;
- Part E: Consideration of alternatives;
- Part F: Consultation and engagement;
- Part G: Assessment of effects on the environment;

- Part H: Management of environmental effects;
- Part I: Statutory assessment; and
- Part J: Appendices.

Volume 3: Technical reports and supporting documents

Volume 4: Management Plans

Volume 5: Plan Set

- [Note – Plans identifying the land subject to this notice of requirement are contained in the 'Plan Set' (Volume 5)]

Signature of person authorised to sign on behalf of person giving notice:

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Rod James

State highway Manager – Wellington, NZ Transport Agency

Signed for and on behalf of the NZ Transport Agency

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Date

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