

NOTICE OF REQUIREMENT FOR ALTERATION OF A DESIGNATION

Waka Kotahi NZ Transport Agency
Designation D89 - Matamata-Piako District Plan



Notice of Requirement for Alteration of a Designation under section 181 of the Resource Management Act 1991

To: Matamata-Piako District Council
PO Box 266
Te Aroha 3342

From: Waka Kotahi New Zealand Transport Agency
PO Box 973
Waikato Mail Centre
Hamilton 3240

Pursuant to section 181(1) of the Resource Management Act 1991 (RMA), Waka Kotahi NZ Transport Agency (Waka Kotahi) gives notice of its requirement to alter a designation for a proposed public work, being the construction, operation and maintenance of a two-lane roundabout at the intersection of State Highway 1 (SH1) and State Highway 29 (SH29), known as the SH1-SH29 Intersection Upgrade Project (the Project).

Waka Kotahi is a network utility operator approved as a requiring authority under section 167 of the RMA. The relevant Gazette Notices are:

- Resource Management (Approval of Transit New Zealand as Requiring Authority) Order 1992 (NZ Gazette, Notice Number 1994-go1500) – and refer Schedule 2, clause 29 of the Land Transport Management Act 2003 which confirms that the order applies to NZ Transport Agency
- Resource Management (Approval of NZ Transport Agency as a Requiring Authority) Notice 2015 (NZ Gazette, Notice Number 2015-go6742) – which confirms the NZ Transport Agency as a requiring authority for the purpose of constructing or operating (or proposing to construct or operate) and maintaining cycleways and shared paths.

The designation to be altered, and the nature of the alteration is as follows:

The designation to be altered is designation reference D89 in the Matamata-Piako District Plan (MPDP). The current purpose of the designation is for State Highways in accordance with Transit NZ Act 1989 (now the Government Roading Powers Act 1989).

The nature of the alteration is:

- A change to the purpose of the designation;
- Changes to the boundary of the designation; and
- Inclusion of new conditions that apply to the Project area.

The alteration to the designation includes a change to the purpose as follows:

To construct, operate, maintain, and improve a state highway, cycleway and / or shared path, and associated infrastructure.

The site to which the requirement applies is as follows:

The area of the proposed designation alteration is shown on the Designation Plans included in **Attachment A** of this Notice. **Attachment A** also contains a Designation Plan showing the full extent of the proposed alteration to designations in both Matamata-Piako District and South Waikato District.

Approximately 14.3 hectares of additional land around the intersection of SH1 and SH29 at Piarere will be subject to the designation. The additional land extends:

- west along the alignment of SH1 for approximately 600m, with the designation altered to apply to areas of properties on the northern and southern side of SH1.
- north along SH29 for approximately 700m, and applies to land on the eastern and western side of SH29.

A separate Notice of Requirement is being lodged for an alteration to a designation in the South Waikato district for land along, and north of, the south-east alignment of SH1.

A description of the site and surrounding environment is provided in Section 5: *The Existing Environment* of the accompanying Assessment of Effects on the Environment report (AEE). The requirement applies to five land parcels.

The nature of the proposed work is:

The proposed work to be authorised by the proposed designation alteration is the construction, operation and maintenance of a two-lane roundabout. The proposed work is described in Section 6: *Project Description* and Section 7: *Construction of the Project* of the accompanying AEE. In summary, the proposed work includes:

- a. A two-lane roundabout with a 60 m diameter central island;
- b. Realignment of parts of the SH1 and SH29 approaches to connect to the new roundabout;
- c. Elevation of the roundabout approximately 3.5 m above the existing ground level to provide for cycle and pedestrian underpasses;
- d. A stormwater management system, including a wetland pond, wetland and planted swales and a discharge structure and associated rip rap armour; and
- e. Construction activities, including a construction compound, lay down area and establishment of construction access.

The nature of the proposed conditions that would apply are:

The proposed conditions that will apply to the work within the Project area are included in Appendix B of the AEE. The proposed conditions will apply to all land within the designation, as altered by this notice of requirement, that is delineated by the Extent of Works shown on the Designation Plans in **Attachment A** and identified as Directly Affected Property in **Attachment B**. These proposed conditions will enable the work to be carried out in a manner that manages potential adverse effects on the environment and surrounding land use.

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

The effects that the work in the area subject to this notice of requirement will have on the environment, and the ways in which any adverse effects will be mitigated, are set out in Section 10: *Assessment of Effects on the Environment and Proposed Mitigation* of the AEE.

The positive effects of the proposed work relate to significant safety improvements at the intersection. It also provides improved journey times for freight transport, improved connectivity for pedestrians and cyclists, and improved quality of stormwater discharges into surrounding watercourses including the Waikato River.

The proposed work has the potential to adversely affect the surrounding environment. However, these effects (both during construction and longer term) are able to be appropriately avoided, remedied or mitigated.

The assessments are supported by specialist reports in *Volume 3* of the AEE. The AEE concludes that, taking into account the positive transport and stormwater effects of the proposed work and the proposed measures to avoid, remedy and mitigate adverse effects, the proposed work is consistent with the purpose and principles of the RMA.

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

Alternative sites, and methods have been considered and are described in Section 8: *Consideration of Alternatives* of the accompanying AEE. The proposed location and form of the proposed work was found to present the best overall outcomes for safety and traffic efficiencies, archaeology and heritage, cultural matters, air quality, noise/vibration, stormwater, and impacts on farming operations.

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

The objective of Waka Kotahi 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 objectives of Waka Kotahi for the proposed work are to:

- Improve safety for motorists and active mode users using the State Highway 1 and 29 intersection to minimise deaths and serious injuries; and
- Accommodate any future extension of the Waikato Expressway from Cambridge to Piarere and any future walking and cycling connections.

The proposed work is reasonably necessary for achieving the objectives of Waka Kotahi because it will:

- Significantly improve safety for the users of the intersection by reducing the risk of crashes at the intersection;
- Reduce delays for traffic approaching the intersection from SH29, which will improve safety and overall performance of the intersection;

- Improve pedestrian and cycling crossing safety through provision of underpasses and shared paths; and
- Improve safety for nearby residents by providing safer access from SH1 and SH29 to their properties.

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

- Allowing Waka Kotahi to undertake the Project in an integrated manner in both Matamata-Piako and South Waikato Districts;
- It will allow Waka Kotahi and/or its authorised agents to undertake land use activities in accordance with Designation D89, notwithstanding anything contrary in the MPDP;
- It will allow the land required to be identified in the MPDP, giving a clear indication of the intended use of the land;
- It will provide certainty for affected landowners of the intended use of the land and the work to be undertaken in the future; and
- It will protect the land from future development which may otherwise preclude construction of the proposed work.

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

Resource consents required for the proposed activity have been applied for and are detailed in Section 4: *Statutory Approvals sought under the RMA* of the accompanying AEE.

In summary, resource consents are required pursuant to section 9(2), and 14 of the RMA, and under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (“NES Freshwater”). Resource consents are required for the construction, operation and maintenance of the roundabout including: land use consents for earthworks and water permits for discharge of stormwater, diversion of watercourses and installation of a culvert.

Once detailed design is confirmed, other site specific resource consents required, such as under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011, water takes for construction, and a wastewater discharge consent for the site office, will be sought.

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

Waka Kotahi has undertaken regular consultation and engagement with Matamata-Piako District Council, South Waikato District Council and Waikato Regional Council in the development of the proposed work and will continue to do so through the detailed design phase. As part of this engagement, it has held four meetings with a Consent Steering Group, which those councils are a part of, along with the Department of Conservation and Heritage New Zealand Pouhere Taonga.

Waka Kotahi has also engaged regularly with its iwi partners the Ngāti Koroki Kahukura Trust and the Ngāti Hauā Iwi Trust. It has also engaged with affected landowners, and utility companies (Transpower, Powerco, Chorus and Vocus) that are affected by the requirement.

Consultation undertaken is described in Section 9: *Engagement and Consultation* of the accompanying AEE.

Supporting Information

Waka Kotahi attaches the following information required to be included in this notice by the district plan, regional plan, or regulations made under the RMA.

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

Signed by:



Jenni Fitzgerald
Manager Poutiaki Taiao / Environmental Planning

System Design, Transport Services

Pursuant to authority delegated by Waka Kotahi NZ Transport Agency

24 August 2021

Address for Service:

Waka Kotahi New Zealand Transport Agency
Deloitte Building
24 Anzac Parade
Hamilton 3216

Attention: Mike Wood
Ph: +64 9 928 8756
Email: mike.wood@nzta.govt.nz

Attachment A – Designation Plans

Attachment B – Schedule of Directly Affected Property

**Attachment A
Designation Plans**



300 mm
200
100
50
0 10 mm

EXISTING PROPERTY BOUNDARY	
EXISTING DISTRICT BOUNDARY	
EXTENT OF WORKS	
LAND TO BE ADDED TO DESIGNATION	
EXISTING DESIGNATION (MATAMATA PIAKO DISTRICT)	
EXISTING DESIGNATION (SOUTH WAIKATO DISTRICT)	

REVISION	AMENDMENT	APPROVED	DATE
B	UPDATED POST REVIEW	Z.ESSA	14-07-2021
C	UPDATED POST REVIEW	Z.ESSA	22-07-2021
D	UPDATED POST REVIEW	Z.ESSA	16-08-2021



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New Zealand

SURVEY

SCALES	DESIGNED	APPROVED
1:7000 (A3)	M B ARMSTRONG	Z AID ESSA

PRELIMINARY

PROJECT	ORIGINAL SIZE	TITLE
WAKA KOTAHI NZ TRANSPORT AGENCY SH1 REGION 3 RP01N-0591-B/660 TO RP01N-0594-B/360 STATE HIGHWAY 1/29 INTERSECTION UPGRADE	A1	DESIGNATION PLAN



EXISTING PROPERTY BOUNDARY	
EXISTING DISTRICT BOUNDARY	
EXTENT OF WORKS	
LAND TO BE ADDED TO DESIGNATION	
EXISTING DESIGNATION (MATAMATA PIAKO DISTRICT)	

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SURVEY

SCALES	DESIGNED	APPROVED	ORIGINAL SIZE
1:7000 (A3)	M B ARMSTRONG	Z AID ESSA	A1
DRAWING VERIFIED	DESIGN VERIFIED	APPROVED DATE	
TANYA RUNNING		14-07-2021	

PRELIMINARY

PROJECT		WAKA KOTAHİ NZ TRANSPORT AGENCY
SH1 REGION 3 RP01N-0591-B/660 TO RP01N-0594-B/360		STATE HIGHWAY 1/29 INTERSECTION UPGRADE
TITLE		DESIGNATION PLAN
MATAMATA-PIAKO DISTRICT		
WSP PROJECT NO.	PRJ-ORIG-VOL-LOC-TYPE	SHEET NO.
2-A0011.05		V252
		REVISION
		C

Attachment B
Schedule of Directly Affected Property

Legal Description	Record of Title	Location	Required Area (ha)(approx.)
Lot 13 DPS 87749	SA69C/317	1831A and 1833B State Highway 1	11.04
Lot 3 DP 13810	SA1701/33	5969A and 5969B State Highway 29	0.50
Lot 3 DP 516737	806061	2400 Maungatautari Road	0.28
Pt Section 129	SA32A/615	1896 State Highway 1	1.23
Section 263	SA32A/615	1896 State Highway 1	1.21