

Notice of Requirement (Designation) Form

For office use only:
PO Box 10720
The Terrace
Wellington 6143

Application number:

Date received:

It is recommended that information requirements are discussed with EPA staff before the matter is lodged with the EPA. Contact details are (04) 439 7713 or 0800 CALL EPA.

All the information relating to the matter which is lodged with the EPA will be available to the public.

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

Sections 145, 168(1), (2) and 181 and clause 4 of Schedule 1, Resource Management Act 1991
This part of the form reflects the information requirements of Form 18.

To the Environmental Protection Authority (EPA)

NZ Transport Agency 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).

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 1 of AEE report (Volume 1).

Describe the site to which the requirement applies as it is commonly known and in a way that will enable it to be easily identified eg.:

- the street address
- the legal description
- proximity to any well-known landmark

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- grid reference.

Include the page number(s) where the above information is included (eg, Volume 1, pages 1 to 10):

Refer to the land requirement plans and schedule LR00-21 (Volume 4).

Give details of the nature of the proposed public work (or project or work). Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

The construction, operation and maintenance of the Transmission Gully Main Alignment and the Kenepuru Link Road (being components of the Transmission Gully Project). Refer to Part D of the AEE report (Volume 1).

Give details of the nature of the proposed restrictions that would apply. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to Chapter 29 of the AEE report (Volume 1).

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.

Give details of 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. Include the page number(s) where the above information is included (eg, Volume 1, pages 1 to 10):

Refer to Parts G and H of the AEE report (Volume 1).

Give details of the extent to which alternative sites, routes, and methods have been considered. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to Part E of the AEE report (Volume 1).

Give details of the reasons why the public work (or project or work) and the designation (or alteration) are reasonably necessary for achieving the objectives of the requiring authority. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to Chapter 2 of the AEE report (Volume 1).

Give details of any resource consents that are needed for the proposed activity and have (or have not) been applied for. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10), or N/A if resource consents are not needed for the proposed activity:

Refer to Chapter 3 of the AEE report (Volume 1).

Give details of the consultation (or No consultation) that has been undertaken with parties that are likely to be affected. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to Part F of the AEE report (Volume 1).

Attach information required to be included in this notice by the district plan, regional plan, or any regulations made under the Resource Management Act 1991. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

- Volume 1: Assessment of Environmental Effects report, including:

ENVIRONMENTAL PROTECTION AUTHORITY

- 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
- Part G: Assessment of effects on the environment
- Part H: Management of environmental effects
- Part I: Statutory assessment
- Volume 3: Technical reports and supporting documents
- Volume 4: Plan set
- Volume 5: Draft management plans

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):

NZ 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):

The construction, operation and maintenance of the Transmission Gully Main Alignment and the Kenepuru Link Road (being components of the Transmission Gully Project). Refer to Part D of the AEE report (Volume 1).

List the relevant local authorities for the matter lodged:

Kapiti Coast District Council, Upper Hutt City Council, Porirua City Council and Wellington City 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):

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Refer to Section 3.4 of the AEE report (Volume 1).

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

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: Transmission Gully Plan Change

EPA reference number: EP/PCTG/02/03

EPA Project Leader: Sally Baguley

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):

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- 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)
- 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).

On 10 September 2010 the Minister for the Environment made a direction that the Project is a proposal of national significance. Refer to Section 1.6 of the AEE report (Volume 1).

Please provide reasons why you consider that the selected factors support your application to have a direction made in relation to the matter. Please include the page number(s) where these reasons are provided (eg, Volume 1, pages 1 to 10) in the application documents or with references to other correspondence sent to the EPA:

Not applicable. The Transmission Gully Project has been accepted as a proposal of national significance under Part 6AA of the Resource Management Act 1991.

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. Please include the page number(s) where these reasons are provided (eg, Volume 1, pages 1 to 10):

The NZTA requests that the matter be directed to a board of inquiry made up of the same people as the board of inquiry which the NZTA's request for a change to Regional Freshwater Plan was directed to. Refer to Section 1.6 of the AEE report (Volume 1).

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:

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- 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):

Resource consents are required under Wellington regional plans. A list of resource consents applied for is contained in Chapter 3 of the AEE report (Volume 1). Refer to Chapter 10 of the AEE report (Volume 1).

- 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):

Refer land requirement plans and land requirement schedule, LR00-20 (Volume 4).

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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.



Signature of applicant (or person authorised to sign on behalf of application)

2/8/11

Date

Address for service: NZ Transport Agency

Telephone: 64 4 931 8906

Email: greg.lee@nzta.govt.nz

Fax: 64 4 894 3305

Contact person: Greg Lee, Senior Resource Planner (RoNS)

Additional contact information that would help us process your application:

Additional contact representative: Nicky McIndoe

Service (ie, legal): Chapman Tripp, legal counsel to the NZTA

Address: PO Box 993, WELLINGTON 6140

Telephone: 64 4 498 6371

Email: nicky.mcindoe@chapmantripp.com

Fax: 64 4 472 7111

Billing address:

Telephone:

Email:

Fax:

Contact person:

Note to person giving notice

You must pay any charge payable to the territorial authority for the requirement or alteration to the requirement under the Resource Management Act 1991.

You may be required to pay actual and reasonable costs incurred in dealing with this matter. You should refer to section 149ZD of the Resource Management Act 1991 for further details.

You must serve the relevant local authority with notice of this matter together with notice of its lodgement with the Environmental Protection Authority.

Resource Consent Form

For office use only:
PO Box 10720
The Terrace
Wellington 6143

Application number:

Date received:

It is recommended that information requirements are discussed with EPA staff before the matter is lodged with the EPA. Contact details are (04) 439 7713 or 0800 CALL EPA.

All the information relating to the matter which is lodged with the EPA will be available to the public.

Part I: Application for Resource Consent

Sections 145 (1) (a) and (5), Section 88 and Schedule 4, Resource Management Act 1991

This part of the form reflects the information requirements of Form 9.

To the Environmental Protection Authority (EPA)

NZ Transport Agency (NZTA) applies for the following type(s) of resource consent (please tick all that apply):

coastal permit

1 or more of the following:

land-use consent

subdivision consent

water permit

discharge permit.

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

The construction, operation and maintenance of the Transmission Gully Main Alignment and the Kenepuru Link Road (being components of the Transmission Gully Project). Refer to Part D of the Assessment of Environmental Effects (AEE) report (Volume 1).

Information that would help us process your application includes:

- consent type required for each activity requiring resource consent (ie, land-use consent for earthworks/discharge permit for stock effluent etc)
- detailed description of the matter requiring resource consent
- plans and elevations as necessary

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- consent term/duration sought.

The names and addresses of the owner and occupier (other than the applicant) of land to which the application relates and provided on the following page(s) (eg, Volume 1, pages 1 to 10):

A list of properties and owners to which the applications relates is contained in the schedule and plans in LR00-20 (Volume 4).

Additional information that would help us process your application:

- contact details for property owner and occupier (phone, fax, email, address) (if not the applicant).

Please include the page number(s) where the above information is included, if provided (eg, Volume 1, pages 1 to 10):

The NZTA has contact details for all owners and occupiers and will provide these to the EPA. Full contact details have not been included in the lodgement documents for privacy reasons.

Describe the location of the proposed activity as it is commonly known and in a way that will enable it to be easily identified eg:

- the street address
- the legal description
- the name of any relevant stream, river or water body to which the application relates
- proximity to any well-known landmark
- grid reference.

Include the page number(s) where the above information is included (eg, Volume 1, pages 1 to 10):

A list of properties and owners to which the applications relates is contained in the schedule and plans in LR00-20 (Volume 4).

At this time the NZTA is not aware of any further resource consents which will be required for the Project. However, this will be reassessed once detailed design is complete and a contractor has been appointed.

Attach, in accordance with the Fourth Schedule of the RMA, an assessment of environmental effects in the detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

Refer to the AEE report (Volume 1).

Attach any information required to be included in this application by the district plan, the regional plan, the Resource Management Act 1991, or any regulations made under that Act. Include the page number(s) where this information is included (eg, Volume 1, pages 1 to 10):

No additional information required.

If this is an application for subdivision consent, attach information that is sufficient to adequately define:

- the position of all new boundaries
- the areas of all new allotments
- the locations and areas of new reserves to be created, including any esplanade reserves and esplanade strips
- the locations and areas of any existing esplanade reserves, esplanade strips, and access strips
- the locations and areas of land below mean high water springs of the sea, or of any part of the bed of a river or lake, to be vested in the Crown or local authority under section 237A of the Resource Management Act 1991

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- the locations and areas of land to be set aside as new roads.

Include the page number(s) where this information is included if relevant (eg, Volume 1, pages 1 to 10):

Not applicable.

If the application is for a resource consent for reclamation, please attach information to show the area proposed to be reclaimed, including its location, the position of all new boundaries, and the portion of that area (if any) to be set apart as an esplanade reserve or esplanade strip. Include the page number(s) where this information is included if relevant (eg, Volume 1, pages 1 to 10):

Proposed stream realignments are shown on the plans DR01-21 (Volume 4). The new boundaries have not yet been determined. No esplanade reserves or esplanade strips are proposed.

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):

NZ 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):

The construction, operation and maintenance of the Transmission Gully Main Alignment and the Kenepuru Link Road (being components of the Transmission Gully Project). Refer to Part D of the AEE report (Volume 1).

List the relevant local authorities for the matter lodged:

Greater Wellington Regional 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):

A full list of resource consents sought by the NZTA is contained in Section 3.X of the AEE report (Volume 1).

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

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no

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: Transmission Gully Plan Change

EPA reference number: EP/PCTG/02/03

EPA Project Leader: Sally Baguley

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).

On 10 September 2010 the Minister for the Environment made a direction that the Transmission Gully Project is a proposal of national significance. Refer to Section 1.6 of the AEE report (Volume 1).

Please provide reasons why you consider that the selected factors support your application to have a direction made in relation to the matter. Please include the page number(s) where these reasons are provided (eg, Volume 1, pages 1 to 10) in the application documents or with references to other correspondence sent to the EPA:

Not applicable. The Transmission Gully Project has been accepted as a proposal of national significance under Part 6AA of the Resource Management Act 1991.

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. Please include the page number(s) where these reasons are provided (eg, Volume 1, pages 1 to 10):

The NZTA requests that the matter be directed to a board of inquiry made up of the same people as the board of inquiry which the NZTA's request for a change to Regional Freshwater Plan was directed to. Refer to Section 1.6 of the AEE report (Volume 1).

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):

Resource consents are required under Wellington regional plans. A list of resource consents applied for is contained in Chapter 3 of the AEE report (Volume 1). Refer to Chapter 10 of the AEE report (Volume 1).

- a record of any consultation you have undertaken with any persons who may be potentially adversely affected by the proposal. Please include the page number(s) where this information is included, if provided (eg, Volume 1, pages 1 to 10):

Refer to Chapter 10 of the AEE report (Volume 1) and Technical Report 22 (Volume 3).

- a list of persons who are potentially adversely affected by the proposal. If written approvals have been received from any potentially affected parties please attach these. Please include the page number(s) where this information is included, if provided (eg, Volume 1, pages 1 to 10):

Refer to Chapter 10 of the AEE report (Volume 1) and Technical Report 22 (Volume 3). No written approvals have been obtained.



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.

Signature of applicant (or person authorised to sign on behalf of application)

Date

2/8/11

Address for service: NZ Transport Agency

Telephone: 64 4 931 8906

Email: greg.lee@nzta.govt.nz

Fax: 64 4 894 3305

Contact person: Greg Lee, Senior Resource Planner (RoNS)

Additional contact information that would help us process your application:

Additional contact representative: Nicky McIndoe

Service (ie, legal): Chapman Tripp, legal counsel to the NZTA

Address: PO Box 993, WELLINGTON 6140

Telephone: 64 4 498 6371

Email: nicky.mcindoe@chapmantripp.com

Fax: 64 4 472 7111

Billing address:

Telephone:

Email:

Fax:

Contact person:

Note to applicant

You may apply for two or more resource consents that are needed for the same activity on the same form.

You must pay the charge payable to the consent authority for the resource consent application under the Resource Management Act 1991 (if any). If the application is for a coastal permit for a restricted coastal activity, you must also pay the application fee stated in Schedule 2 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003.

You may be required to pay actual and reasonable costs incurred in dealing with this matter. You should refer to section 149ZD of the Resource Management Act 1991 for further details.

If the Environmental Protection Authority determines that the application for resource consent is incomplete it may return the request.

You must serve the relevant local authority with notice of this matter together with notice of its lodgement with the Environmental Protection Authority.