

**Form 18**

**NOTICE OF REQUIREMENT BY THE NZ TRANSPORT AGENCY FOR A DESIGNATION  
UNDER SECTIONS 145 AND 168 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Environmental Protection Authority  
P O Box 10720  
The Terrace  
WELLINGTON 6143

From: Porirua City Council  
C/-NZ Transport Agency  
PO Box 5084  
WELLINGTON 6145

**Porirua City Council (PCC) gives notice of a requirement for a designation for a work, being the construction, operation and maintenance of the Whitby Link Road (NoR 7).**

This designation is necessary to provide for the construction, operation and maintenance of the Whitby Link Road, which will provide a connection to the Transmission Gully Main Alignment (the Main Alignment) from the eastern Porirua suburb of Whitby. The Whitby Link Road is part of the PCC Project, which is itself integrally related to the Transmission Gully Project (the Project). The Project will provide an alternative (inland) State highway between Linden (Wellington City) and MacKays Crossing (Kapiti Coast District). The Project, including the works that are the subject of this notice and the other notices and resource consents, is described in **Part D** of the Assessment of Environmental Effects (AEE) report (Volume 1).

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

The site to which the requirement applies (or the land subject to this notice) is identified and legally described in the plans **LR00- 20** (AEE report Volume 4).

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

The works to which this requirement relates form part of the PCC Project, which is integrally related to the Project. A more detailed description of the Project is contained in **Part D** of the AEE report (Volume 1).

The PCC Project will provide connections to the Main Alignment from Whitby (from the existing intersection of James Cook Drive and Navigation Drive) and from Waitangirua (from the existing intersection of Niagara Street and Warspite Avenue). The Whitby Link Road will provide a connection to the Main Alignment from the eastern Porirua suburb of Whitby.

This designation is required for the construction, operation and maintenance of the proposed Whitby Link Road.

The nature of the works that are the subject of this notice includes the construction, operation and maintenance of the roads and ancillary works including, vegetation removal, stormwater treatment, temporary construction works, maintenance and access areas, other ancillary structures and activities associated with these works. The Whitby Link Road is a two lane 50km/h road.

The resource consents and other statutory authorisations required for the works are described below

and/or detailed in the AEE report.

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

It is proposed that the designation for the Whitby Link Road will be subject to the designation conditions contained in section **Chapter 29** of the AEE report (as may be confirmed or modified in the determination of this requirement). Once constructed, access to the formed road will be restricted and controlled by PCC to provide safe and efficient movement of traffic and associated activities that may be required for its management and maintenance.

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

The AEE report contains a description of the existing environment, an assessment of the environmental effects of the Project and an outline of appropriate methods to avoid, remedy or mitigate any adverse effects of the works associated with the Project. As a component of the Project, this assessment has included the environmental effects of the PCC Project as appropriate. **Part C** of the AEE report provides a description of the existing environment. **Part G** of the AEE report provides an assessment of the actual and potential effects of the Project on the environment during its construction and operation. Actual and potential effects on the environment include (discussed further in the identified AEE report chapters):

- *Traffic and transport effects* - Impacts on the transportation network during construction and effects on operation as a result of the Project (**Chapter 13**).
- *Land use and property effects* - Effects on land owners whose property is required for the designation, and consideration of effects on publicly owned open space, and wider land use patterns (**Chapter 14**).
- *Effects on network utilities* - Various network utilities are affected by the Project and require protection and/or relocation. These include: electricity transmission and distribution, gas transmission and distribution, water supply, stormwater and wastewater, telecommunications (**Chapter 15**).
- *Noise and vibration effects* - Impacts from noise and vibration emitted from the Project during construction and operation (**Chapter 16**).
- *Effects on air quality* - Effects associated with emissions, including impacts from construction emissions (e.g. dust) and vehicle emissions to air during operation (**Chapter 17**).
- *Effects associated with contaminated land* - Effects of historical land uses and intrusive testing of known sites (**Chapter 18**).
- *Hydrology and water quality effects* - Management of site works during construction (e.g. staging, erosion and sediment control), the ongoing discharge of contaminants in stormwater during the operation of the State highway, and flooding effects created as a result of the Project's construction (**Chapters 19 and 20**).
- *Effects on ecology* - Effects of the project on streams, vegetation, herpetology, avifauna and marine ecology, including the effects of stream realignment and related effects on fauna and habitats during construction and operation of the Project (**Chapters 21, 22 and 23**).
- *Tangata whenua effects* - Effects of the Project during construction and operation on tangata whenua

values (**Chapter 24**).

- *Landscape and visual effects* - Visual and landscape effects, including amenity impacts during construction and operation (**Chapter 25**).
- *Effects on archaeology and built heritage* - Impacts of construction and operation on sites and areas of heritage and historic value (**Chapter 26**).
- *Social effects* - Impacts of the construction and operation of the Project on communities, neighbourhoods and specific local facilities such as schools, churches and community centres etc. (**Chapter 27**).

The AEE report draws on information provided in the technical assessments (contained in Volume 3). **Chapter 11** also provides a summary of the actual and potential environmental effects of the Project.

**Part H** of the AEE report outlines proposed mitigation measures and proposed designation conditions. A variety of mitigation measures are proposed to mitigate the actual and potential adverse effects identified.

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

**Part E** of the AEE report contains an assessment of alternatives sites, routes and methods considered for the PCC Project.

The assessment of alternatives has provided PCC with information which has assisted it in identifying its preferred alignment for the Whitby Link Road.

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

### **The works**

As a local authority, PCC must operate under the principles set out in Part 2 of the Local Government Act (LGA) 2002, including the purpose of local government (section 10), being:

*“(a) to enable democratic local decision-making and action by, and on behalf of, communities; and*

*(b) to promote the social, economic, environmental, and cultural well-being of communities, in the present and for the future.”*

More specifically, and notwithstanding anything in Part 2 of the LGA 2002, PCC is able to lay out new roads and construct roads as it sees fit, under section 319 of the LGA 1974.

PCC’s objectives for the Porirua Link Roads are:

- to provide more efficient, safer and more reliable road access between eastern Porirua suburbs and the Hutt Valley, Wellington City and Kapiti Coast;
- to improve amenity values and the quality of the environment in Porirua by encouraging the use of Transmission Gully for regional and inter-regional trips as opposed to the existing State Highway 1

route through Mana, Plimmerton, Pukerua Bay and Paekakariki;

- to reduce the adverse effects of traffic on the environment in Porirua by encouraging the use of Transmission Gully for regional and inter-regional trips, as opposed to roads directly adjacent to the Pauatahanui Inlet and Onepoto Arm of the Porirua Harbour;
- to provide alternative arterial routes and connectivity within eastern Porirua suburbs to support an integrated approach to regional and local land transport and development; and
- to support the development and revitalisation of Waitangirua Village Centre as a focus for activity within the community by improving connectivity.

PCC's objectives under the LGA 2002 and PCC's objectives for the Porirua Link Roads will be achieved by constructing the Porirua Link Roads and linking eastern Porirua to the proposed Main Alignment. Construction of the Porirua Link Roads will increase the connectivity of eastern Porirua to other parts of the region, including Wellington City to the south, the Hutt Valley to the east and the Kapiti Coast to the north. It will also encourage the use of the Main Alignment for regional and inter-regional trips which will have amenity benefits through the reduction of traffic on existing SH1 through the District, and SH58 and Grays Road around the Pauatahanui Inlet.

PCC is a requiring authority under section 166 of the RMA and may therefore designate land, water, subsoil, or airspace to provide for a public work within its District and for which it has financial responsibility.

### **The designation**

This designation is necessary as it will secure land required for the Whitby Link Road and will enable PCC to carry out the works necessary for this part of the PCC Project. The principal reasons for requiring a designation to facilitate the works this requirement relates to are:

- The designation will enable PCC to achieve its principal objective under the LGA 2002;
- The designation will enable PCC to construct a new road in accordance with section 319 of the LGA 1974;
- The designation is necessary to assist PCC to achieve the specific Porirua Link Roads objectives and to facilitate the full benefits of the PCC Project and the Project;
- The designation will allow PCC and/or its authorised agents to undertake the works in accordance with the designation, notwithstanding anything contrary in the Porirua City District Plan (PCDP);
- The designation will allow the land required to be identified in the PCDP, giving a clear indication of the intended use of the land;
- The designation enables the Project and the PCC Project to be undertaken in a comprehensive and integrated manner; and
- The designation protects the proposed route from future development which may otherwise

preclude the construction of the works.

**The following resource consents are needed for the proposed activity and have been applied for concurrently with this notice:**

Land use consents, 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 river beds; and
- the disturbance of river beds.

Discharge permits, for:

- the discharge of chemically treated sediment laden water (from construction) to land; and
- the discharge of chemically treated sediment laden water (from construction) to water.

**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** of the AEE report provides a record of the consultation process undertaken, feedback received and how this was considered in the development of the PCC Project. Most consultation has been undertaken on the Project as a whole (i.e. not just the PCC Project) and has been led by the NZTA.

The key aspects of the consultation undertaken are:

- It has kept stakeholders and the community informed of the Project as it has developed;
- Due to the long history of the Project, there is 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 form and mitigation measures and PCC (together with the NZTA) has considered and responded to issues and concerns that have been identified;
- 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; and
- PCC and the NZTA have considered and responded to issues and concerns raised during the consultation process.

In May 2010, PCC undertook specific consultation on the proposed Porirua Link Roads. A consultation document was distributed to property owners and occupiers on or close to the proposed alignments, as well as to local and national organisations expected to be affected or to have an interest in proposed Porirua Link Roads. The document was also hand-delivered to businesses near the proposed Waitangirua Link Road intersection with Warspite Avenue and posted on PCC's website with an online form for responses. Respondents were asked if they support, oppose or "don't mind" the Link Roads design and preferred

routes. Most of the submissions received were in support (19) or didn't mind (8) with 7 opposed to the proposal. Specifically in relation to the Whitby Link Road, Whitby Coastal Estates was closely consulted as the proposed alignment is entirely on their land.

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.

**Lapse period for the designation:**

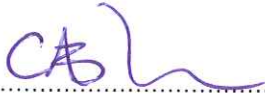
PCC seeks a lapse period of 15 years for the designation, pursuant to section 184(1)(c) of the RMA. This period provides sufficient time for PCC to give effect to the works including undertaking land purchase negotiations, detailed design and construction of the proposed Porirua Link Roads, and it allows for an appropriate margin to address possible consenting, tendering, funding and construction processes.

**PCC 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: 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
  - 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

Plans identifying the land subject to this notice of requirement and a schedule of properties affected by this requirement are contained in plans **LR00- 20** (Volume 4).

Signature of person giving notice (or person authorised to sign on behalf of person giving notice):



Gary Simpson

Chief Executive Officer, Porirua City Council

Signed for and on behalf of Porirua City Council



Date

Address for service: Porirua City Council (c/- NZ Transport Agency)

Attention: Greg Lee

Level 8, PSIS House

20 Ballance Street

PO Box 5084

WELLINGTON 6145

Telephone: 64 4 931 8906

Facsimile: 64 4 894 3305

Email: greg.lee@nzta.govt.nz

**Form 18**

**NOTICE OF REQUIREMENT BY THE NZ TRANSPORT AGENCY FOR A DESIGNATION  
UNDER SECTIONS 145 AND 168 OF THE RESOURCE MANAGEMENT ACT 1991**

To: Environmental Protection Authority  
P O Box 10720  
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WELLINGTON 6143

From: Porirua City Council  
C/- NZ Transport Agency  
PO Box 5084  
WELLINGTON 6145

**Porirua City Council (PCC) gives notice of a requirement for a designation for a work, being the construction, operation and maintenance of the Waitangirua Link Road (NoR 8).**

This designation is necessary to provide for the construction, operation and maintenance of the Whitby Link Road, which will provide a connection to the Transmission Gully Main Alignment (the Main Alignment) from the eastern Porirua suburb of Whitby. The Waitangirua Link Road is part of the PCC Project, which is itself integrally related to the Transmission Gully Project (the Project). The Project will provide an alternative (inland) State highway between Linden (Wellington City) and MacKays Crossing (Kapiti Coast District). The Project, including the works that are the subject of this notice and the other notices and resource consents, is described in **Part D** of the Assessment of Environmental Effects (AEE) report (Volume 1).

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

The site to which the requirement applies (or the land subject to this notice) is identified and legally described in the plans **LR00- 20** (AEE report Volume 4).

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

The works to which this requirement relates form part of the PCC Project, which is integrally related to the Project. A more detailed description of the Project is contained in **Part D** of the AEE report (Volume 1).

The PCC Project will provide connections to the Main Alignment from Whitby (from the existing intersection of James Cook Drive and Navigation Drive) and from Waitangirua (from the existing intersection of Niagara Street and Warspite Avenue). The Waitangirua Link Road will provide a connection to the Main Alignment from the eastern Porirua suburb of Waitangirua.

This designation is required for the construction, operation and maintenance of the proposed Waitangirua Link Road.

The nature of the works that are the subject of this notice includes the construction, operation and maintenance of the roads and ancillary works including, vegetation removal, stormwater treatment, temporary construction works, maintenance and access areas, other ancillary structures and activities associated with these works. The Waitangirua Link Road will be a two lane 50km/h road.

The resource consents and other statutory authorisations required for the works are described below



and/or detailed in the AEE report.

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

It is proposed that the designation for the Waitangirua Link Road will be subject to the designation conditions contained in section **Chapter 29** of the AEE report (as may be confirmed or modified in the determination of this requirement). Once constructed, access to the formed road will be restricted and controlled by PCC to provide safe and efficient movement of traffic and associated activities that may be required for its management and maintenance.

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The AEE report contains a description of the existing environment, an assessment of the environmental effects of the Project and an outline of appropriate methods to avoid, remedy or mitigate any adverse effects of the works associated with the Project. As a component of the Project, this assessment has included the environmental effects of the PCC Project as appropriate. **Part C** of the AEE report provides a description of the existing environment. **Part G** of the AEE report provides an assessment of the actual and potential effects of the Project on the environment during its construction and operation. Actual and potential effects on the environment include (discussed further in the identified AEE report chapters):

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**Part H** of the AEE report outlines proposed mitigation measures and proposed designation conditions. A variety of mitigation measures are proposed to mitigate the actual and potential adverse effects identified.

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

**Part E** of the AEE report contains an assessment of alternatives sites, routes and methods considered for the PCC Project.

The assessment of alternatives has provided PCC with information which has assisted it in identifying its preferred alignment for the Waitangirua Link Road.

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

#### **The works**

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*“(a) to enable democratic local decision-making and action by, and on behalf of, communities; and*

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- The designation will enable PCC to construct a new road in accordance with section 319 of the LGA 1974;
- The designation is necessary to assist PCC to achieve the specific Porirua Link Roads objectives and to facilitate the full benefits of the PCC Project and the Project;
- The designation will allow PCC and/or its authorised agents to undertake the works in accordance with the designation, notwithstanding anything contrary in the Porirua City District Plan (PCDP);
- The designation will allow the land required to be identified in the PCDP, giving a clear indication of the intended use of the land;
- The designation enables the Project and the PCC Project to be undertaken in a comprehensive and integrated manner; and
- The designation protects the proposed route from future development which may otherwise

preclude the construction of the works.

**The following resource consents are needed for the proposed activity and have been applied for concurrently with this notice:**

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preferred routes. Most of the submissions received were in support (19) or didn't mind (8) with 7 opposed to the proposal.

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.

**Lapse period for the designation:**

PCC seeks a lapse period of 15 years for the designation, pursuant to section 184(1)(c) of the RMA. This period provides sufficient time for PCC to give effect to the works including undertaking land purchase negotiations, detailed design and construction of the proposed Porirua Link Roads, and it allows for an appropriate margin to address possible consenting, tendering, funding and construction processes.

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- Volume 3: Technical reports and supporting documents
- Volume 4: Plan set
- Volume 5: Draft management plans

Plans identifying the land subject to this notice of requirement and a schedule of properties affected by this requirement are contained in plans **LR00- 20** (Volume 4).

Signature of person giving notice (or person authorised to sign on behalf of person giving notice):



Gary Simpson

Chief Executive Officer, Porirua City Council

Signed for and on behalf of Porirua City Council



Date

Address for service: Porirua City Council (c/-NZ Transport Agency )

Attention: Greg Lee

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WELLINGTON 6145

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