

NOTICE OF REQUIREMENT FOR A DESIGNATION OF LAND

October 2023

Waka Kotahi NZ Transport Agency

NoR1: New Rapid Transit Corridor (RTC)
between Albany and Milldale, including new
walking and cycling path

Notice of Requirement for a Designation of Land Under Section 168 of the Resource Management Act 1991

To: Auckland Council
Private Bag 92300
Victoria Street West, Auckland, 1142

From: Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland 1143

Pursuant to Section 168 of the Resource Management Act 1991 (RMA) Waka Kotahi NZ Transport Agency (Waka Kotahi) gives notice of a requirement for a designation for a public work.

The purpose of the proposed designation is *'To construct, operate, maintain and improve a public transport corridor, cycleway and/or shared path, and associated infrastructure.'*

Waka Kotahi is a network utility operator approved as a requiring authority under Section 167 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 Amendment Act 2008 which confirms that the order applies to NZ Transport Agency – these confirm the NZ Transport Agency as a requiring authority for the construction and operation (including the maintenance, improvement, enhancement, expansion, realignment, and alteration) of any state highway or motorway.
- Resource Management (Approval of NZ Transport Agency as a Requiring Authority) Notice 2015 (NZ Gazette, Notice Number 2015-go6742) – this 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 corporate name Waka Kotahi is used throughout this notice. The legal name for Waka Kotahi as a Requiring Authority is the New Zealand Transport Agency. When the designation is confirmed, the name of the Requiring Authority to be recorded in the district plan is 'the New Zealand Transport Agency', and the purpose of the designation to be recorded is 'to construct, operate, maintain and improve a public transport corridor, cycleway and/or shared path, and associated infrastructure'.

The site to which the requirement applies is as follows:

The area of the proposed designation is shown on the Designation Plans included in **Attachment A** of this Notice. The requirement applies to an area of land of approximately **191.17** hectares located between Albany (just south of Ōteha Valley Road) Dairy Flat and Milldale. The requirement applies to 241 land parcels (including local roads). The land directly affected by the requirement is identified in the Schedule of Directly Affected Property included in **Attachment B** of this Notice.

The nature of the proposed work is:

The proposed work is to construct, operate, maintain and improve a new Rapid Transit Corridor (RTC), cycleway and/or shared path and associated activities between Albany (just south of Ōteha Valley Road) and Milldale, via Dairy Flat (hereafter referred to as "the Project"). The Project is described in section 6.4 - Approach to Construction Methodology and Section 8.1 – NoR 1 – New Rapid Transit Corridor (RTC) between Albany and Milldale, including new walking and cycling path, of the accompanying Assessment of Effects on the Environment (AEE) Report.

In summary, the proposed work includes:

- A new 16km long RTC corridor with separated walking and cycling facilities along some of its length from Bawden Road to the point where the RTC crosses Dairy Flat Highway, with connections to other proposed/existing active mode facilities.
- Works on existing State Highway 1 to construct part of the new RTC corridor.
- Batter slopes and associated cut and fill earthworks.
- New or upgraded intersections, bridges, embankments, retaining, culverts, stormwater management systems, lighting, landscaping, utility services.
- Changes to local roads, where the proposed work intersects with local roads.
- Construction related activities including vegetation removal, construction compounds, laydown areas, bridge works areas, construction traffic management and the re-grade of driveways.

The nature of the proposed conditions that would apply are:

The proposed conditions that would apply are included in **Attachment C** of this Notice.

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 proposed work will have on the environment, and the ways in which any adverse effects will be mitigated, are set out in Sections 9-22 of the AEE Report.

The positive effects of the Project are outlined in Sections 9 and 10.2 of the AEE and can be summarised as follows:

- The project supports mode choice for the North growth areas and surrounding communities in the North through the provision of a safe, high-quality, frequent, and reliable public transport system that connects the North growth areas with Albany, the North Shore and Auckland city centre.
- The project supports land use and transport integration.
- The project supports stations at Milldale and Pine Valley East, as well as improving access to economic and social opportunities in the North growth area.
- The project will provide new safe and attractive walking and cycling facilities, improving safety for active modes and supporting mode shift.
- The project will provide a safe, reliable transport corridor that enables sustainable travel choice and improves access to employment and social amenities.
- The project is part of the wider future transport network for the North, which will collectively provide an efficient, resilient and reliable multi-modal transport network servicing existing urban areas and future growth areas across Auckland's north.

The potential adverse effects during the construction and operational phases of the Project are assessed in the following sections of the AEE Report:

- Traffic and Transport (section 10)
- Māori Cultural, Values and Aspirations (section 11)
- Landscape and Visual (section 12)
- Natural Hazards – flooding (section 13)
- Ecology (section 14)
- Archaeology and Built Heritage (section 15)
- Traffic Noise and Vibration (section 16)
- Construction Noise and Vibration (section 16)
- Network Utilities (section 17)
- Arboricultural (section 18)
- Community and Social (section 19)
- Property and Land Use (section 20).

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

A wide range of alternatives have been investigated for addressing the future transport needs of the North growth area before the preferred alignment was selected. Alternatives were assessed at all stages of Project development, commencing at a broad scale and systematically narrowing the geographic area from potential corridors down to the indicative alignment.

At the Indicative Business Case (IBC) stage, alternatives considered included an RTC corridor which followed SH1 to Silverdale. A corridor which diverted through Dairy Flat was considered to better integrate with future land use, provide for increased public transport and active mode share, and improve accessibility to social and economic opportunities.

A process to identify a preferred alignment within the preferred corridor followed at the Detailed Business Case (DBC) stage. The indicative corridor was divided into six segments, with between 1 and 9 options investigated further for each segment. The existing and likely future natural and built environment, social, and cultural values were taken into account at each stage of the process. The preferred alignment selection process involved a multi-disciplinary team analysing options against design, social, environmental, economic and cultural criteria. Key project partners involved in the decision making process included Manawhenua, Auckland Council and Auckland Transport.

Extensive consultation with various parties who have an interest in the Project, and landowners, also helped inform the process, and further refinements of alignment options and the preferred alignment occurred as a result.

The alternative sites, routes and methods that have been considered are set out in Appendix A of the AEE: Assessment of Alternatives Report.

The proposed work and 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 Project are to:

Provide for a new public transport and active modes corridor between Albany, Dairy Flat and Milldale that:

- a. Improves connectivity.*
- b. Is safe.*
- c. Is efficient, resilient and reliable.*
- d. Integrates with and supports planned urban growth.*
- e. Supports a quality compact urban form.*
- f. Integrates with and supports the existing and future transport network.*
- g. Improves travel choice and contributes to mode shift.*

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

- Provide a new, high quality public transport connection which supports the regional and interregional public transport system.
- Improve connectivity between transport networks, including the broader bus network, other North Projects, other planned transport projects and between planned growth areas.
- Be safe with a grade separated public transport corridor and dedicated active mode paths which separates vulnerable users from conflict with vehicles
- Support the development of an efficient, resilient and reliable multi-modal transport network for the North growth area.
- Support the urbanisation of Future Urban Zone land and provide the opportunity to integrate with future town centres, higher density residential areas, and business areas.
- Supports higher density living and a quality compact urban form.
- Provides access to economic and social opportunities for existing and planned urban areas in the North.

- Connects with the existing Albany Station and future public transport and active mode network to support urban growth.
- Provide attractive transport alternatives to the private vehicle, encouraging mode shift.

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

- It will allow the land required to be identified in the Auckland Unitary Plan, giving a clear indication of the intended use of the land;
- It will provide certainty for landowners of the intended use of the land and the work to be undertaken at some time in the future; and
- It will protect the land from future development which may otherwise preclude construction of the Project.

The following resource consents are needed for the proposed activity and have not been applied for:

The Project will require resource consents for a number of activities to enable the proposed works.

The resource consents are not sought at this time and will be sought when detailed design is complete and closer to the time of construction. The future resource consents likely to be required for the Project are summarised below.

- Resource consents for the disturbance of contaminated, or potentially contaminated land under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011.
- Resource consents for specified infrastructure works within and in proximity to rivers, streams and natural wetlands under the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.
- Resource consents for the following activities under the Auckland Unitary Plan:
 - Bulk earthworks and associated discharge of sediment
 - Vegetation removal
 - Stormwater discharge to land or water
 - Discharge of contaminants to land
 - Activities (including structures and associated works) in, on, under or over the bed of rivers, streams, wetlands
 - Water take, use and diversion.

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

Consultation and engagement is ongoing with various parties who are directly affected by or have an interest in the Project including Mana Whenua, property owners, Auckland Council, Auckland Transport, network utility operators, business and community representative groups and the wider community. Engagement activities include online video meetings, phone calls, face to face meetings, workshops, hui, newsletters and online information.

The consultation undertaken is detailed in Section 23 of the AEE Report.

Proposed Lapse Period:

Pursuant to Section 184(1)(c) RMA, Waka Kotahi proposes a lapse period of 30 years for implementation of the proposed designation.

Supporting Information:

Waka Kotahi submits 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.

Attachments to the Notice

- Attachment A – Designation Plan[s]
- Attachment B – Schedule of Directly Affected Property
- Attachment C – Proposed Designation Conditions

Accompanying Information

- Volume 2: Assessment of Effects on the Environment
- Volume 3: Drawing Set
- Volume 4: Supporting Technical Assessment Reports



Signed by:

Sarah Ho
Principal Planner, Auckland/Northland Poutiaki Taiao / Environmental Planning
Transport Services

Pursuant to authority delegated by Waka Kotahi NZ Transport Agency

19 October 2023

Address for Service:

E-mail: environmentalplanning@nzta.govt.nz

Waka Kotahi New Zealand Transport Agency
Level 5 Aon Centre
29 Customs Street West
Auckland

Private Bag 106602
Auckland City
Auckland 1143



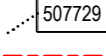

Attachment A Designation Plan[s]



Designation Plan

Land to be Designated New Rapid Transit Corridor between Albany and Milldale

Legend

-  Proposed Designation
-  Parcel Boundary
-  507729 Property ID
-  Existing Designation

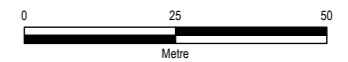


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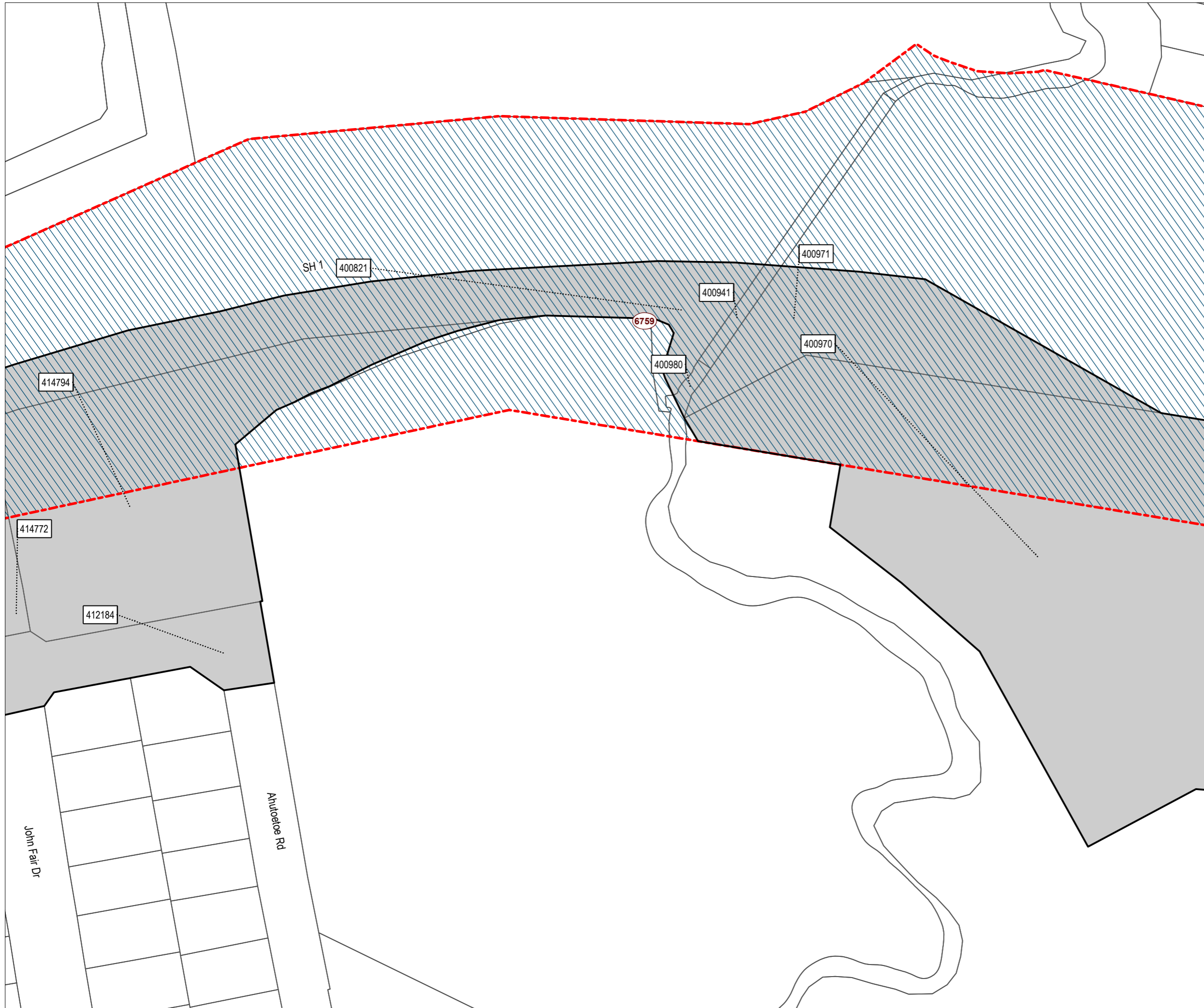
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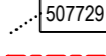

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Designation Plan

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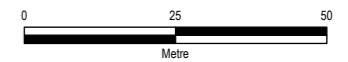


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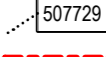

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Designation Plan

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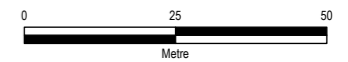


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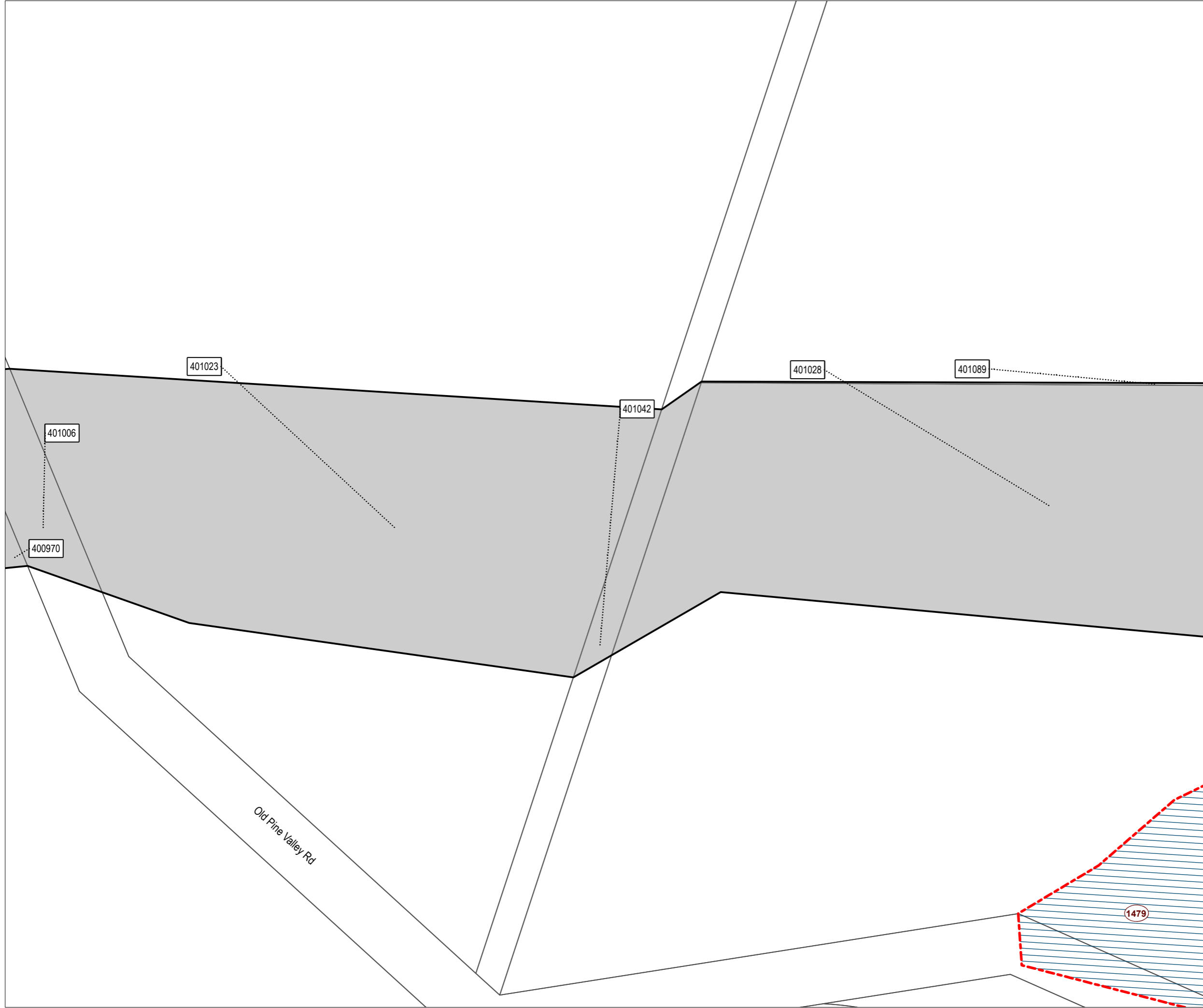
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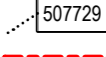

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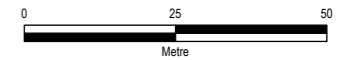


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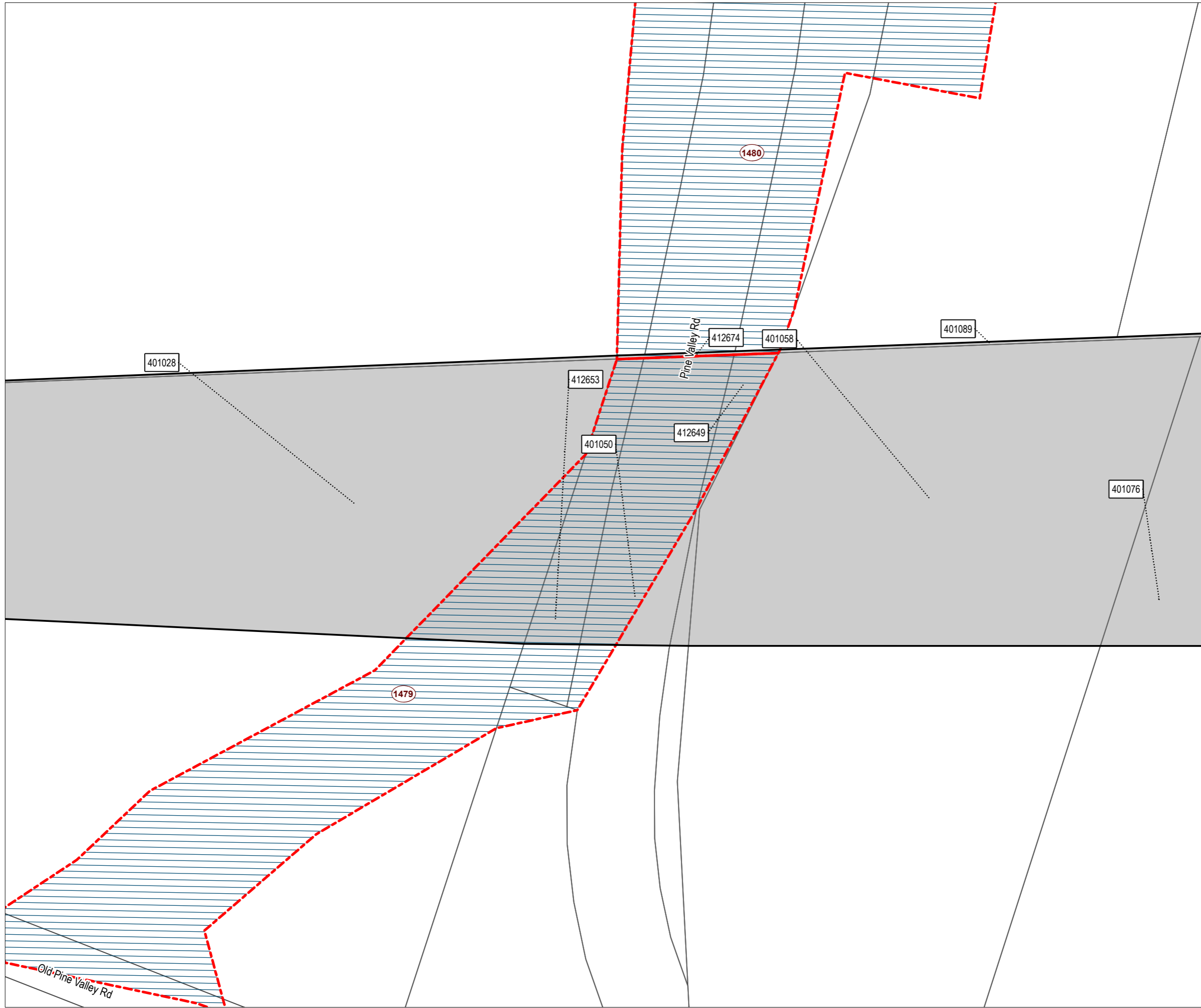
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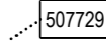
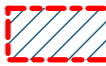
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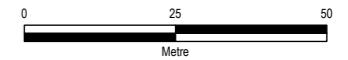


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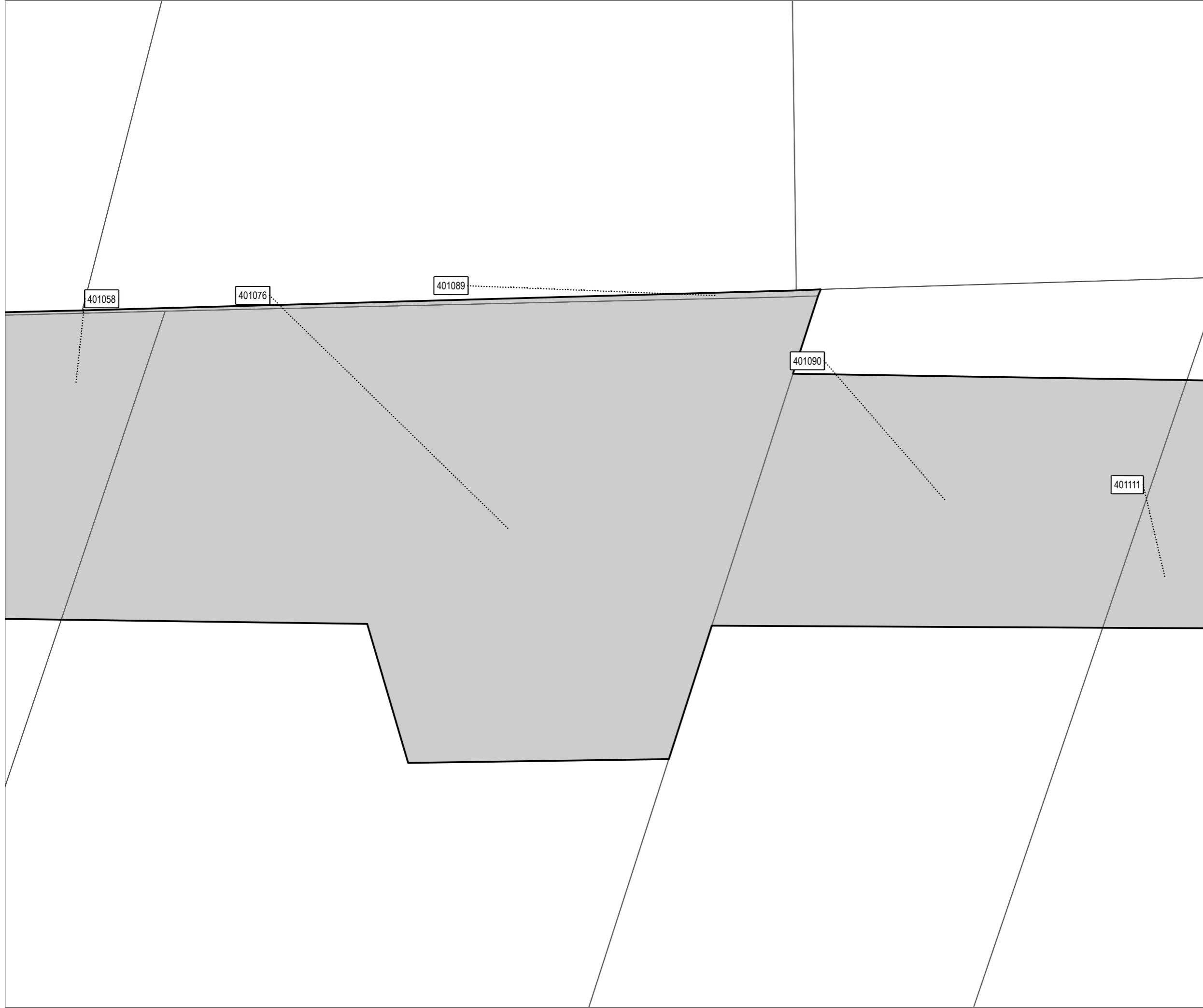
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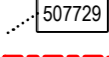

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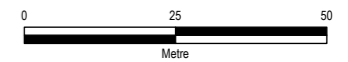


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Designation Plan

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Legend

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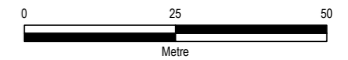


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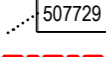

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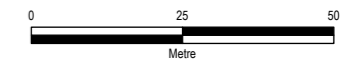


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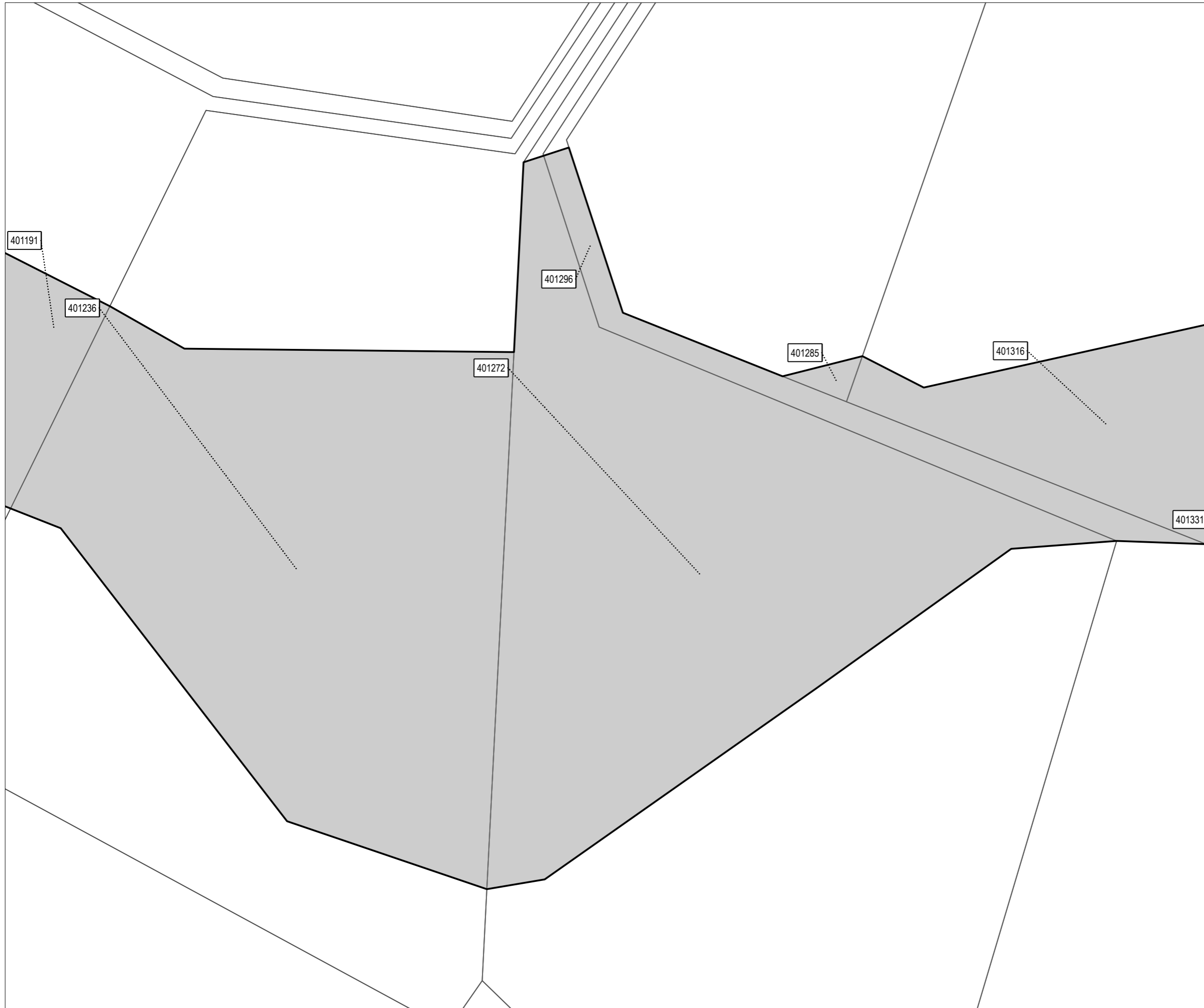
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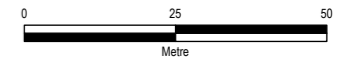


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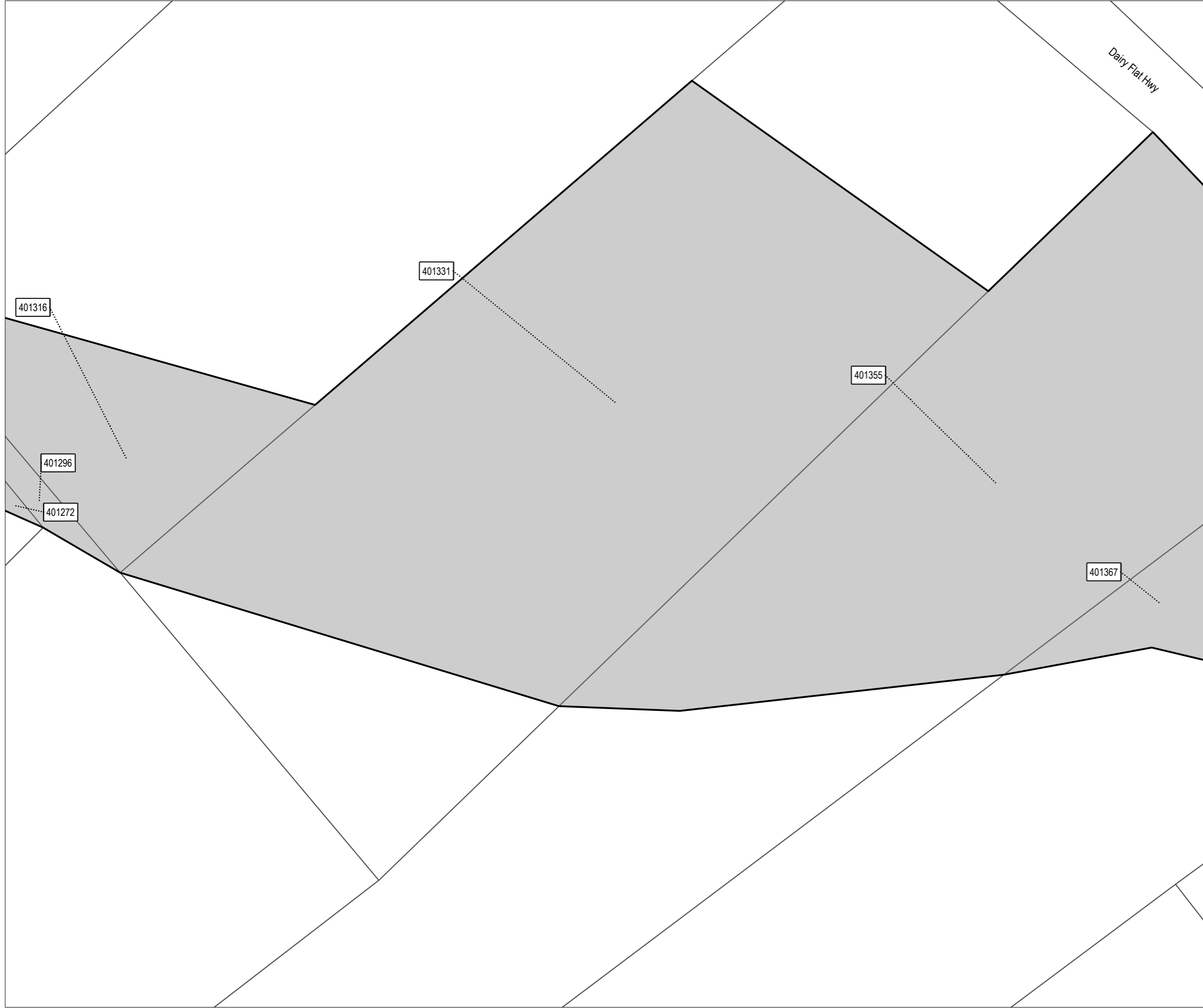
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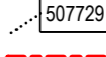

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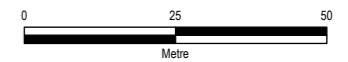


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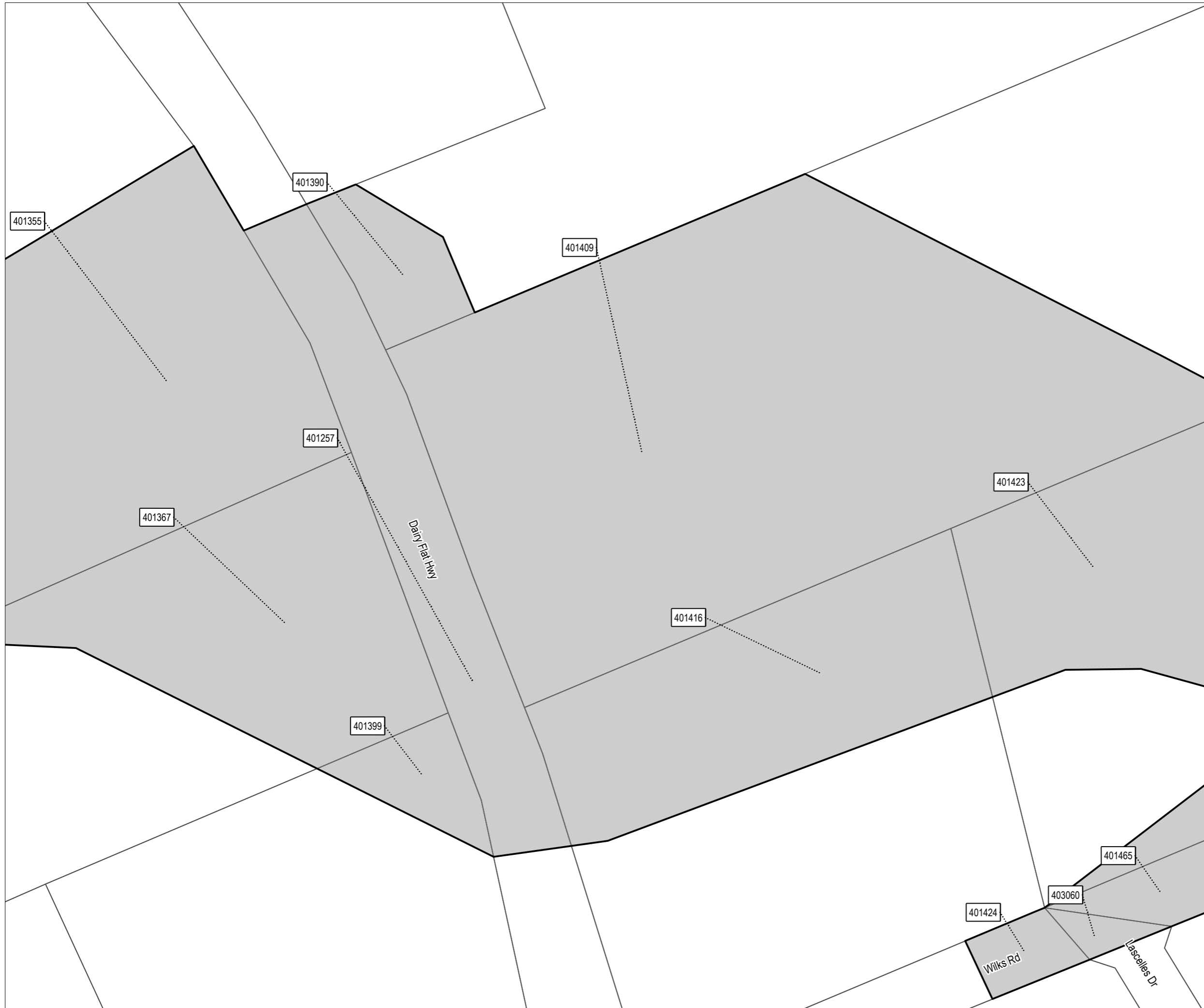
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Designation Plan

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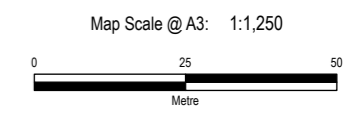
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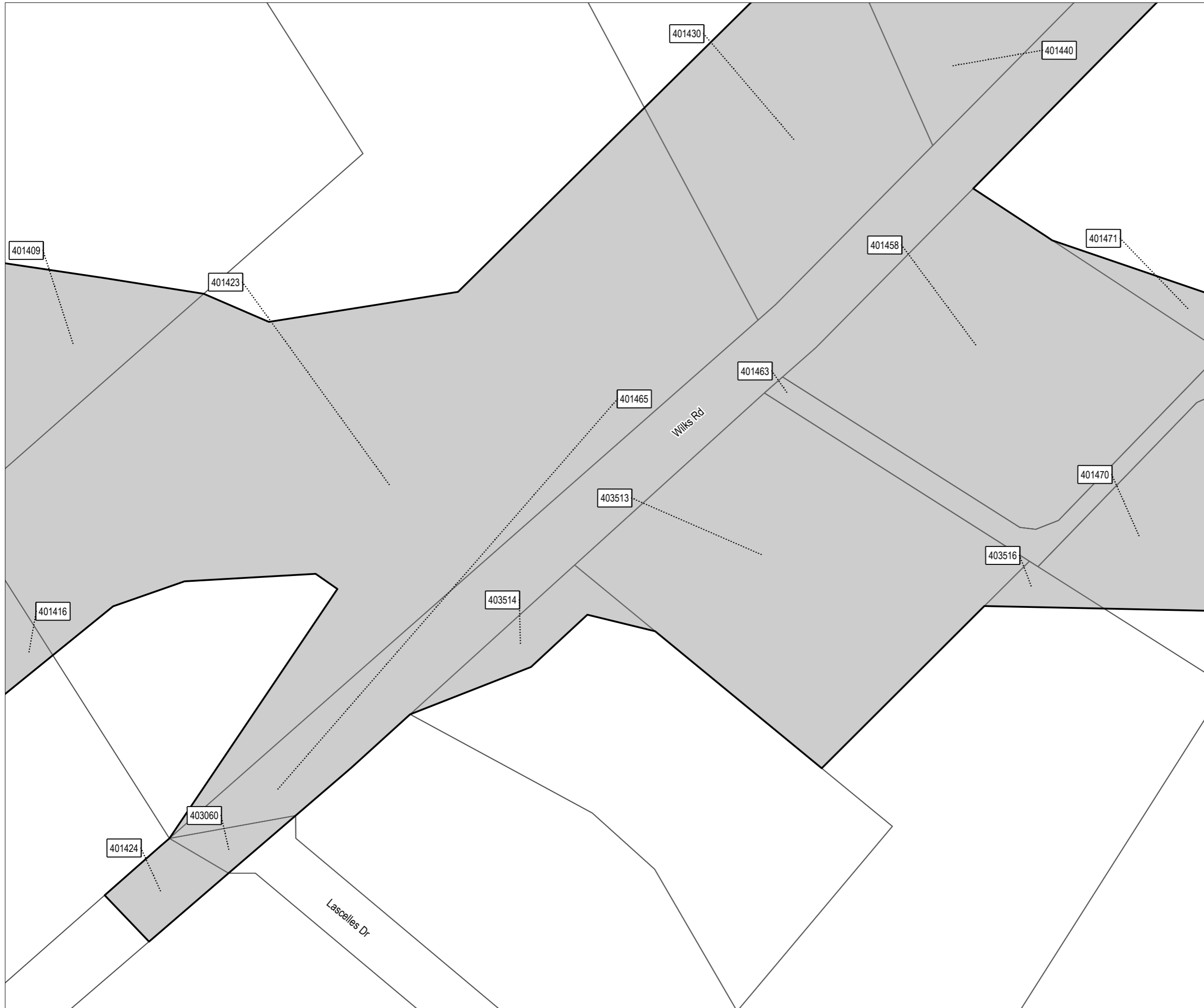
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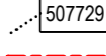





Designation Plan

Land to be Designated New Rapid Transit Corridor between Albany and Milldale

Legend

-  Proposed Designation
-  Parcel Boundary
-  Property ID
-  Existing Designation

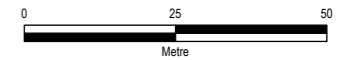


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Revision	Author	Verified	Approved	Date
1	BAP	RR9	KB	20/07/2023



Client:
Auckland Transport / Waka Kotahi

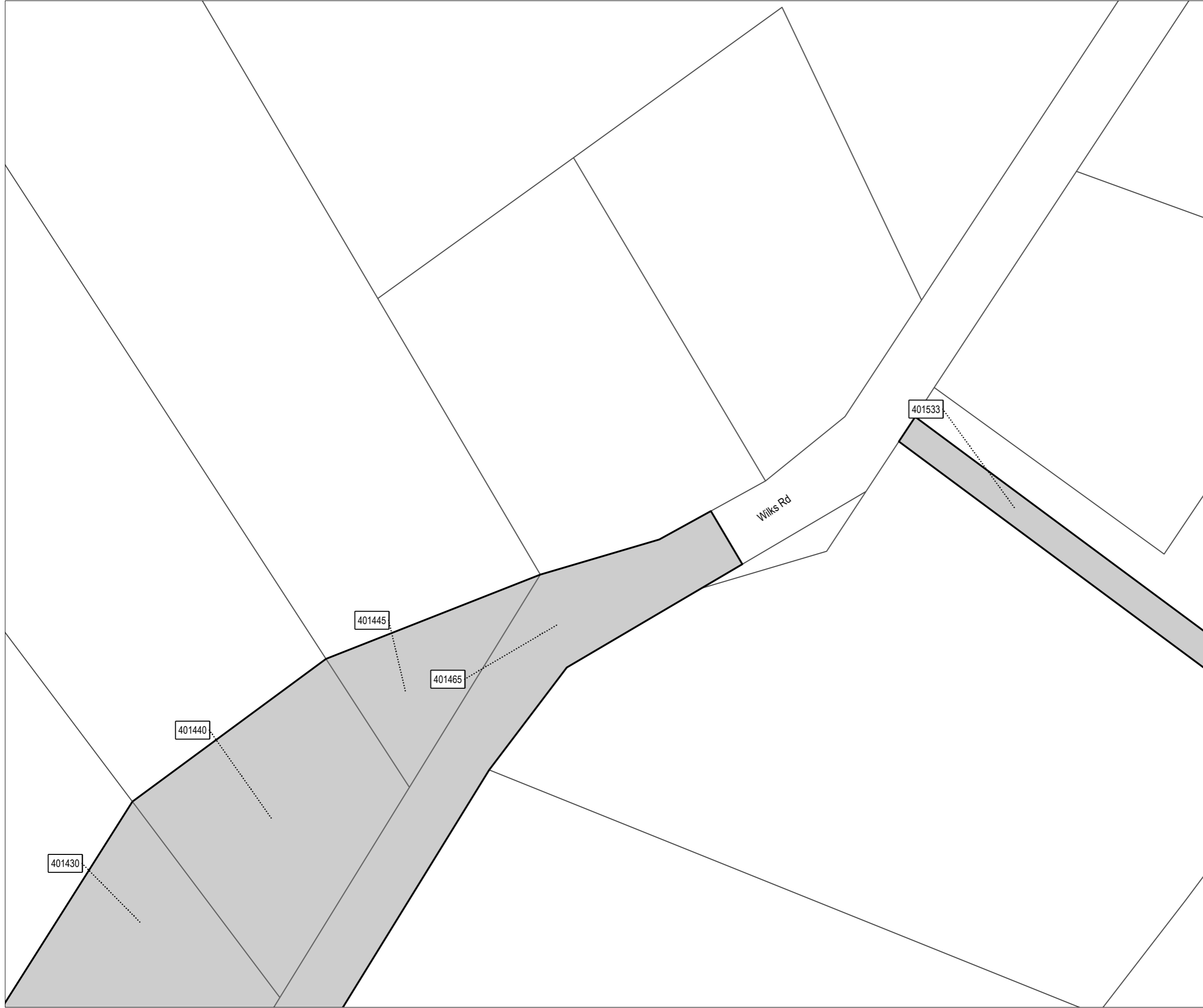
Discipline:
GIS

Project:
North Projects

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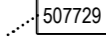

New Zealand Government



Designation Plan

Land to be Designated New Rapid Transit Corridor between Albany and Milldale

Legend

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-  Parcel Boundary
-  Property ID
-  Existing Designation

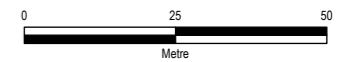


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Client: **Auckland Transport / Waka Kotahi**

Discipline: **GIS**

Project: **North Projects**

Drawing No: **SGA-PA-N-001**
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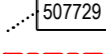

New Zealand Government



Designation Plan

Land to be Designated New Rapid Transit Corridor between Albany and Milldale

Legend

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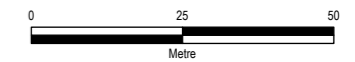


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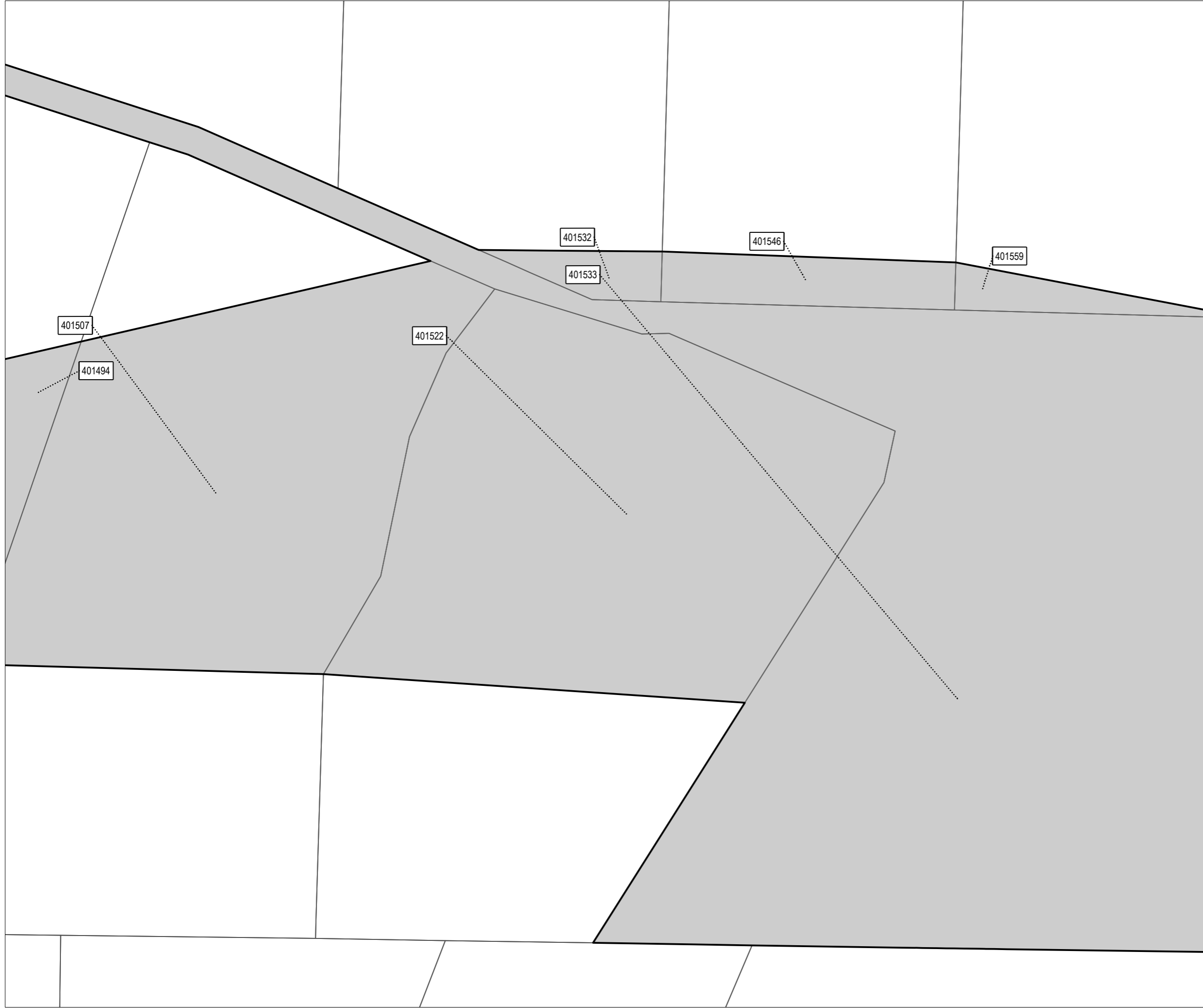
Discipline:
GIS

Project:
North Projects

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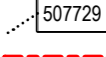

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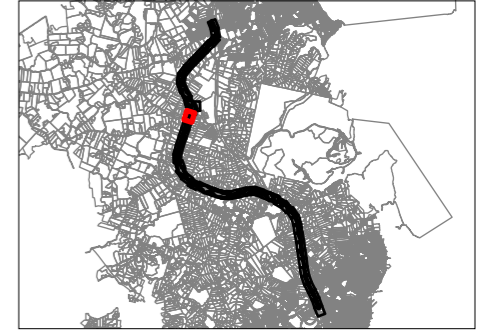


Designation Plan

Land to be Designated New Rapid Transit Corridor between Albany and Milldale

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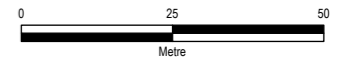


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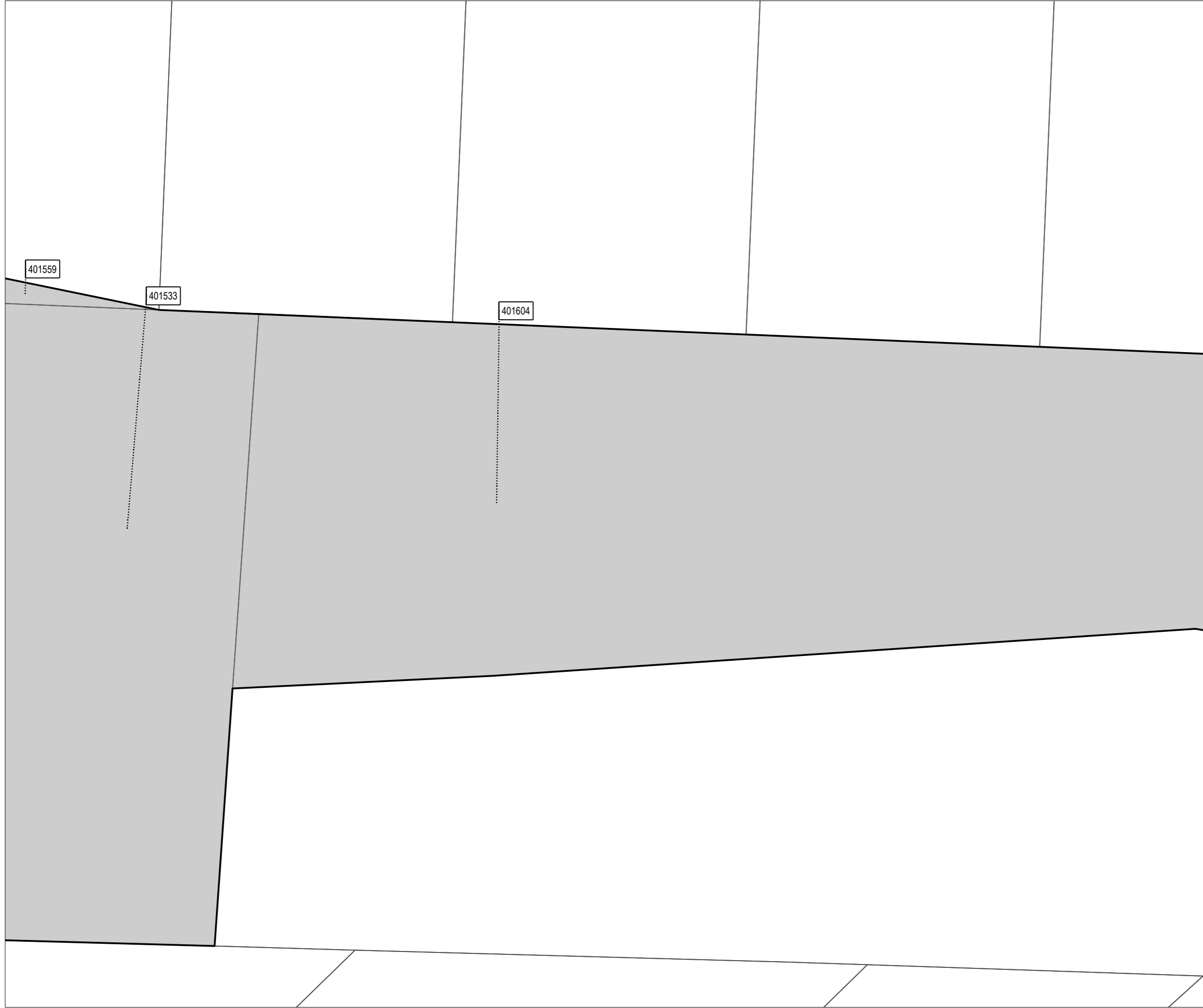
Discipline:
GIS

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North Projects

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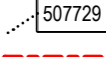

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Designation Plan

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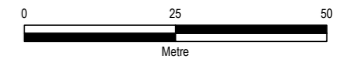


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Client:
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Discipline:
GIS

Project:
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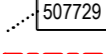

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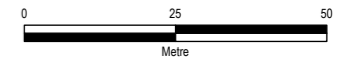


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