

NOTICE OF REQUIREMENT FOR DESIGNATION UNDER SECTION 168(2) OF THE RESOURCE MANAGEMENT ACT 1991 (RMA)

To: Auckland Council

From: Auckland Transport

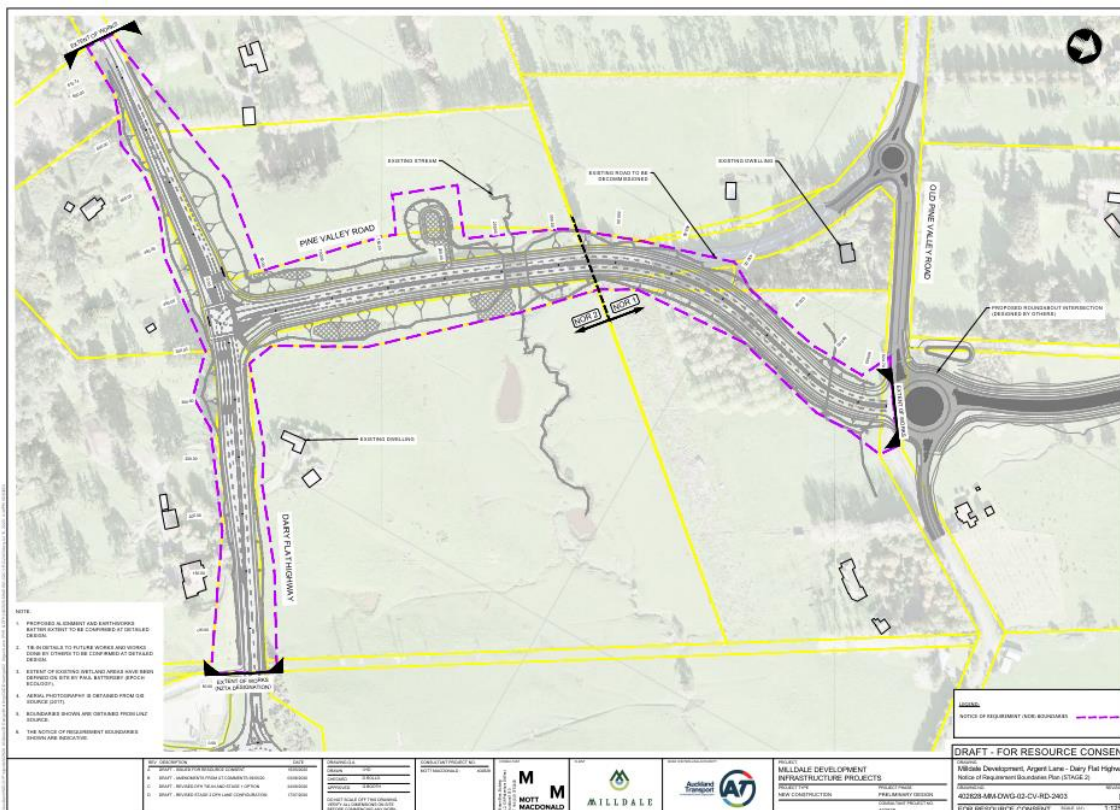
Auckland Transport (an Auckland Council Controlled Organisation) as a Requiring Authority under section 167 of the Resource Management Act 1991 gives notice of a requirement for a designation in the Auckland Unitary Plan for works being section one of the Crown Infrastructure Project 1 – Argent Lane Extension. The purpose of the designation is to construct, operate, and maintain a road, cycleways and pedestrian paths, and associated infrastructure.

1. SUMMARY

Auckland Transport is proposing to extend Argent Lane to Dairy Flat Highway (The Project). The Project is located in Silverdale.

This Notice of Requirement (NoR 1) covers the works extending from the Argent Lane roundabout at the intersection with Old Pine Valley Road (currently under construction by Fulton Hogan at the Milldale development) south through the properties of 10 and 36 Old Pine Valley Road tying into the existing Pine Valley Road to the north of the property boundary with 1731 Dairy Flat Highway. This is a section of new road. A separate Notice of Requirement (NoR 2) covers the remainder of the Project.

The extent of the Project, designation and the boundary of NoR 1 and NoR 2 is defined below.





The purpose of NoR 1 (and the designation) is to provide for an ultimate four lane future arterial corridor with a width of 30m and to construct, operate, and maintain a road, cycleways and pedestrian paths, and associated infrastructure. The activities to be enabled by the designation and resource consents include environmental mitigation, temporary construction areas, ancillary structures and other activities required for the Project.

The Project objectives for NoR 1 (and NoR 2) are to:

- Provide a section of arterial road between Argent Lane (Milldale) and Pine Valley Road (Dairy Flat Highway), which is direct and future proofed for planned urban growth
- Provide safer and more resilient road connections to/from the existing and proposed road network
- Enable connections and accessibility to social and economic opportunities within Milldale, Silverdale and future development within Silverdale West Dairy Flat Structure Plan
- The Project has been separated into NoR 1 which can be constructed off-line and NoR 2 which includes all the works along Pine Valley Road and Dairy Flat Highway.

As an approved Requiring Authority under section 176 of the RMA via section 47(1) of the Local Government (Auckland Council) Act 2009, Auckland Transport may designate to construct, operate and maintain a road and undertake ancillary activities.

2. THE SITES WHICH THE NOTICE OF REQUIREMENT APPLIES TO ARE AS FOLLOWS:

NoR 1 relates to the following land interests:

- Privately owned land at 10 Old Pine Valley Road zoned Future Urban Zone in the Auckland Unitary Plan
- Privately owned land at 36 Old Pine Valley Road zoned Future Urban Zone in the Auckland Unitary Plan
- The public road reserve between the parcels of land that form 10 Old Pine Valley Road.

The following plans are attached which indicate the extent of this NoR:

The extent of the proposed designation is shown on Land Requirement Plan NoR1 Sheet 402828-MM-DWG-02-CV-RD-2403 attached to this NoR and in Appendix G of the Assessment of Environmental Effects (AEE).

The legal descriptions of the land to be designated are also attached to NoR 1 including an associated schedule of properties affected by NoR 1.

3. THE NATURE OF THE PROPOSED WORKS IS AS FOLLOWS:

The works included in NoR 1 will be constructed in two stages. The proposed timeframe for the completion of Stage 1 is 2022.

The proposed construction of Stage 2 is likely to be circa 2036. An Outline Plan of Works and regional consents will be obtained for Stage 2 in the future.



Stage 1

Stage 1 includes:

- The construction of a two-lane collector road with off-carriageway cycle and pedestrian pathways to realign the part of the Pine Valley Road through 10 and 36 Old Pine Valley Road
- Construction of a new stormwater culvert under the alignment of the new road and diversion of an intermittent stream
- Earthworks for the purpose of formation of the road, berms, cycle and foot paths, and embankments, installation of the stormwater infrastructure, regrading and realignment of the existing intermittent stream and installation of a culvert under the new portion of Pine Valley Road
- Construction of rain garden stormwater management devices, catch-pits, underground piped network and a new outfall associated with the control and treatment of stormwater for the high use road
- Vegetation removal of trees near the front road boundary within the existing private properties.

The general layout of the Stage 1 works is detailed in Figure 4.1: General Layout – Stage 1 of the AEE and the full set of plans is contained in Appendix E of the AEE.

Stage 2

Stage 2 includes:

- The construction of an additional two lanes along Pine Valley Road.
- The provision of additional network capacity with cycle and pedestrian pathways with similar activities to the Stage 1 works. The general layout of Stage 2 is detailed in Figure 4.3: General layout - Stage 2 of the AEE and the full set of plans is contained in Appendix E of the AEE.

4. THE NATURE OF THE PROPOSED CONDITIONS THAT WOULD APPLY:

The proposed conditions that would likely apply to NoR 1 are included in Appendix S of the AEE.

5. THE EFFECTS THAT THE PROPOSED WORK WILL HAVE ON THE ENVIRONMENT AND THE WAYS IN WHICH ANY ADVERSE EFFECTS WILL BE MITIGATED ARE:

An assessment of the actual and potential effects and a summary of the proposed measures to manage (including to avoid, remedy or mitigate) potential adverse effects is presented in the full assessment of effects included in section 7 of the AEE.

In summary the Project will have the following effects:

- Positive effects in that it will facilitate the future growth of the Wainui area as anticipated by the Auckland Unitary Plan through the Future Urban Zone. The realignment and upgrade, including the provision of future widening, provides certainty to Auckland Transport, the landowners and the wider community that the roading network has been designed for future capacity and will provide a safe arterial connection between Wainui Road in the north and east, Dairy Flat Highway to the south and west and the Northern Motorway to the east.
- Potential adverse effects primarily in the form of visual changes to the land, earthworks and construction activities required to construct the new road.
- To manage these effects the Project will incorporate native planting within the raingardens to soften the visual impact of the road and keeping within the surrounding context. A Construction Noise Vibration Management Plan is recommended as a condition of consent to manage and mitigate construction noise.



6. ALTERNATIVE SITES AND METHODS HAVE BEEN CONSIDERED TO THE FOLLOWING EXTENT:

Alternative routes and alternative methods to achieve the objectives of Auckland Transport and the Project have been given consideration and are included in the Argent Lane Extension Alternatives Assessment included in Appendix I.

The options for providing alternative routes have been identified and evaluated through a robust Multi Criteria Analysis process, as have alternative methods for delivering the Project.

Consideration has been given to stakeholder feedback through the evaluation process to assist with the overall assessment of alternatives and the identification of the preferred option.

The options assessment undertaken by Auckland Transport is sufficient to meet the requirements of section 171(l)(b) of the RMA and the objectives of Auckland Transport.

7. THE PROPOSED WORK AND DESIGNATION ARE REASONABLY NECESSARY FOR ACHIEVING THE OBJECTIVES OF THE REQUIRING AUTHORITY:

The objectives of the Project (which includes both NoR 1 and NoR 2) are to:

- Provide a section of arterial road between Argent Lane (Milldale) and Pine Valley Road (Dairy Flat Highway), which is direct and future proofed for planned urban growth
- Provide safer and more resilient road connections to/from the existing and proposed road network
- Enable connections and accessibility to social and economic opportunities within Milldale, Silverdale and future development within Silverdale West Dairy Flat Structure Plan.

The proposed works in NoR 1 are reasonably necessary for achieving these objectives because they:

- Provide a portion of the required extension to complete the full arterial alignment identified as part of the strategic future network identified in the Wainui Precinct I544 of the Auckland Unitary Plan
- Provide a safe, connected and accessible arterial for vehicles, pedestrians and cyclists with a north-south connection through and within Milldale and the wider Wainui catchment to manage the transport appropriately as growth and demand increases in this area
- Provide a key arterial road connection to support zoned residential development under construction for up to 4,500 households and future growth for up to 9,000 dwellings.

The proposed designation is reasonably necessary for achieving these objectives because:

- It enables Auckland Transport to have the flexibility and ability to construct, operate and maintain the road network and undertake the Project in accordance with the designation notwithstanding anything contrary in the Auckland Unitary Plan
- It enables the works to be undertaken in a comprehensive and integrated manner
- It achieves certainty through identifying in the Auckland Unitary Plan the location, nature and extent of the Project and Auckland Transport's intended use of that land
- It ensures the security of the road is maintained from other network utilities and the potential activities of third parties on and within land contained within the designation footprint.



NoR 2 - Pine Valley Road South and Dairy Flat Highway is also required to fully implement the Project. This is subject to a separate Notice of Requirement.

8. OTHER RESOURCE CONSENTS NEEDED FOR THE PROPOSED ACTIVITY WHICH ARE APPLIED FOR:

As summarised in Section 15 of the AEE resource consents in accordance with sections 9, 13, 14 and 15 of the RMA will be required to construct the road (generally relating to earthworks, diversion and discharge of stormwater runoff and restrictions related to reclamation of water bodies and diverting streams). The resource consents for the Stage 1 works are being sought at the same time as this NoR application.

Resource Consents Needed for the Project

Relevant regional resource consents required for the construction of Stage 1 and which form part of the application are set out in section 15 of the AEE. Pursuant to the provisions of the Auckland Unitary Plan the following consents are required:

- Section 13 and 14 Discretionary Activity consent is required for the diversion of an intermittent stream within 36 Old Pine Valley Road to a new course and associated disturbance and sediment discharge
- Section 13 and 14 Discretionary Activity consent is required for the installation of a new culvert of more than 30m in length when measured parallel to the direction of water flow under the new section of realigned road to allow the flow of the intermittent stream at 36 Old Pine Valley Road
- Section 13 and 14 Non-Complying Activity consent is required for a new reclamation of land identified as wetlands at 1731 Dairy Flat Highway and reclamation associated with the filling over a piped intermittent stream at 36 Old Pine Valley Road
- Section 14 and 15 Restricted Discretionary Activity consent is required for the diversion and discharge of stormwater runoff from additional impervious areas greater than 5,000m² of road that complies with Standard E8.6.1 and Standard E8.6.4.1
- Section 9(2) Controlled Activity consent is required for the development of a new and redevelopment of an existing high use road greater than 5,000m²
- Section 9(2) Restricted Discretionary Activity consent is required for earthworks greater than 2,500m² where the land has a slope equal or greater than 10 degrees, having slopes on batters up to approximately 18 degrees
- Section 9(2) Restricted Discretionary Activity consent is required for earthworks greater than 2,500m² within the Sediment Control Protection Area, being earthworks within 50m of the edge of a watercourse or wetland of 1000m² or more

Pursuant to the provisions of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020:

- Section 13(1) and 13(2) Discretionary Activity consent is required for reclamation of the bed of any river
- Section 13(1) and 13(2) Discretionary Activity consent is required for the placement, use, alteration, extension, or reconstruction of a culvert in, on, over, or under the bed of a river where it does not comply with the conditions in regulation 70(2), in this case being that the culvert is not laid parallel to the slope of the bed of the river or connected area, due to the realignment of the stream under the road.

9. THE FOLLOWING CONSULTATION HAS BEEN UNDERTAKEN WITH PARTIES THAT ARE LIKELY TO BE AFFECTED:

The consultation undertaken with parties likely to have a particular interest in the Project is detailed in the Consultation Summary included in Appendix R of the AEE. Discussions will be continuous and on-going throughout the Project.



In summary, Auckland Transport has consulted with:

- Mana whenua – This has included attendance at numerous hui, a site walkover, and input into the Multi Criteria Analysis. Key discussion items have been the treatment of stormwater from road run off, removal of vegetation and biodiversity, works within a watercourse, the accidental discovery protocol, value for money and staging, and opportunities for aesthetic or artistic input into design
- Auckland Council - Various departments of Auckland Council have been consulted. These include meetings with the Resource Consents team and the Plans and Places team working on the Silverdale West Structure Plan
- Utility Operators including Watercare Services Limited
- Directly affected landowners at:
 - 10 Old Pine Valley Road
 - 36 Old Pine Valley Road
- Rodney Local Board – This included attendance at meetings to discuss the nature of the Project and the intended works
- Te Tupu Ngātahi (Supporting Growth Alliance) – These included meetings to discuss future growth and wider network demands.

10. AUCKLAND TRANSPORT ATTACHES THE FOLLOWING INFORMATION REQUIRED TO BE INCLUDED IN THIS NOTICE OF REQUIREMENT BY THE AUCKLAND UNITARY PLAN OR ANY REGULATIONS MADE UNDER THE RESOURCE MANAGEMENT ACT 1991:

This NoR is supported by the following information as part of the overall suite of documents supporting this application:

- Assessment of Environmental Effects
- Land Requirement Plans and Property Schedules (attached to this NoR and Appendix G of the AEE)
- Supporting Plans and Drawings
- Specialist reports to support the AEE as follows:
 - Milldale Integrated Transport Assessment – Prepared by Stantec (Appendix H)
 - Transport Preliminary Design Report – Prepared by Mott MacDonald (Appendix J)
 - Proposed Stormwater Management Report – Prepared by Mott MacDonald (Appendix K)
 - Noise and Vibration Environmental Effects Assessment – Prepared by Marshall Day Acoustics (Appendix L)
 - Ecological Assessment of Effects – Prepared by Epoch Ecology (Appendix M)
 - Land Contamination Preliminary Site Investigation – Prepared by SLR (Appendix N)
 - Geotechnical Interpretive Report – Prepared by Mott MacDonald (Appendix O)
 - Indicative Erosion and Sediment Control Plan – Prepared by Mott MacDonald (Appendix P)
- Mana Whenua Engagement Report – Prepared by Auckland Transport (Appendix Q)
- Stakeholder and Consultation Summary – Prepared by Auckland Transport (Appendix R).



11. REQUEST FOR EXTENSION OF LAPSE PERIOD UNDER SECTION 184

Pursuant to section 184 of the RMA a designation lapse period of 15 years from being operative in the Auckland Unitary Plan is sought to provide for the undertaking of Stage 2 works.

A handwritten signature in black ink, which appears to read 'Jane Small', is positioned above the typed name.

Signed for Auckland Transport by Jane Small, Group Manager Property and Planning pursuant to an authority by Auckland Transport

Address for service:

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