

Notice of Requirement

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

TO: Auckland Council

FROM: Auckland Transport
6 Henderson Valley Road
Henderson
Private Bag 92250
Auckland

AUCKLAND TRANSPORT (an Auckland Council Controlled Organisation) as Requiring Authority under section 167 of the Resource Management Act 1991 gives notice of a requirement for a designation in the Auckland Council District Plan (Waitakere Section) for works being Northside Drive East (NSDE or the Project) to be shown as road.

1. SUMMARY

The Northside Drive East Notice of Requirement (NoR) will generally comprise:

- a corridor for the construction of a two lane road, including provision for pedestrians and cyclists,
- a bridge spanning State Highway 16, and
- a stormwater pond to service that road.

The works enabled by the NoR will assist in achieving connectivity between the west and east in this section of Auckland for both vehicular, cycle and pedestrian movement.

This NoR relates to that part of the Northside Drive East project between Northside Drive West and Trig Road which is necessary to provide for construction, operation and maintenance of that road. The purpose of the Designation will be “roading”.

Auckland Transport’s (AT) objective is to secure the road corridor to enable construction, operation and maintenance. In doing this, the wider objectives of the Project will also be achieved.

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

This NoR relates to land within the Auckland Council District Plan being:

- Private land located in the area stretching from the new State Highway (SH) 16 bridge pier across private land to connect with Trig Road totalling some 750m in length. This includes:
 - Part of the NZTA 4 designation.

- A private right of way (shared between properties 66-80 Trig Road).
- Parts of eleven properties at 64 - 82 Trig Road.

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

- The extent of the proposed designation is shown on the Designation Plans attached to the NoR as Appendix B. Land to be designated is shown in grey on these plans;
- The specific parcels of land to be taken are shown on the Land Take Plans attached to the NoR as Appendix A. The parcels of land to be taken are colour coded based on the nature and purpose of the take.

The legal descriptions of the land to be designated are also attached to this NoR in Appendix C.

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

This NoR seeks to designate land for road purposes for Northside Drive East. This includes the construction, including a construction area to support construction works, operation and maintenance of road, bridge, stormwater pond and ancillary activities associated with the designation of Northside Drive East.

The nature of the work in relation to this NoR is detailed in the Northside Drive East NoR AEE (particularly section 2) of the Northside Drive East NoR suite of documents. In summary, the work includes the following activities:

- Tree removal
- Earthworks
- Construction of a two lane road
- Construction of footpaths and cycle lanes
- Construction of a stormwater pond to service the road
- Construction of a vegetated swale, and
- Construction of a bridge over State Highway 16

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

The land required will be used for the construction, operation and maintenance of Northside Drive East. Upon completion of the construction of Northside Drive East this designation may be drawn back (pursuant to section 182 of the RMA) to operational requirements.

The proposed conditions that would likely apply to this NoR are contained in Appendix C to the AEE that supports this NoR. In summary these conditions relate to:

- An extended lapse date of 10 years.



- Low Impact Design measures.
- Managing construction noise.
- Managing earthworks, sediment, erosion and dust.
- Managing run off.
- Managing the discovery of any archaeological features.
- Private vehicle and site access.
- Timing of heavy machinery use.

Section 176 of the RMA provides that once a designation is included in a district plan, land owners may not, without AT written consent, do anything on their land that would prevent or hinder the project to which this NoR relates. That protection also applies in the interim once the NoR is served with the Council under section 178.

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 are presented in Section 5 of the Assessment of Environmental Effects (AEE) which supports this NoR.

The Northside Drive East project will provide local and regional benefits, including: meeting the future development in the wider area by linking Northside Drive West and SH 18 and by providing opportunities for public transport, walking and cycling along the new road. Northside Drive West is located in land that has recently been identified as employment land and will be redeveloped in a mixture of commercial and industrial land uses with a commensurate increase in traffic movements. Northside Drive East will greatly assist in the movement of both goods and people across this area of the City and has been aligned with the State Highway 18 on-ramps.

In summary adverse effects on the environment likely as a result of the works authorised by this NoR are:

- Effects on network, access and parking (temporary).
- Construction related effects (temporary).
- Visual, shading and privacy effects.
- Tree and vegetation removal effects.
- Noise effects.
- Stormwater effects.
- Earthworks related effects.
- Ecological effects.



Through careful design, management and various mitigation measures proposed in the AEE which supports this NoR, these effects can be adequately avoided, remedied or mitigated. In particular, the following key avoidance and mitigation measures are proposed:

- The construction of the road will control the stormwater collected on that road and channel it toward the purpose built stormwater pond. This will be a vast improvement on the existing accessway that has relatively uncontrolled stormwater.
- Acoustic barriers will be erected to mitigate potential noise effects.
- Erosion and sediment control will be employed to ensure any adverse effects from erosion or sedimentation are no more than minor.
- Prior to physical works commencing, a construction management plan will be prepared for Council approval. That plan will contain various measures such as provision of temporary ingress and egress to sites impacted by the work.

The Northside Drive East project will be designed and implemented in a way which recognises and responds to the actual and potential adverse effects of the project on the environment. With the proposed mitigation measures and methodology these effects will be appropriately managed.

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

Alternative sites, routes and methods considered are detailed in Section 5 of the AEE, GHD Alternatives Assessment (Appendix R) and the Beca Route Options Alternatives Assessment (attached as Appendix G).

The preferred alignment for Northside Drive East has been the result of a careful evaluation of a number of alignment options and construction methods. From 2009 to 2013 investigations were undertaken and design and construction alternatives considered. In 2013 AT undertook further investigations, designs and alternatives have been refined. In particular, the assessment of alternatives has focussed on engineering requirements, safety, environmental impacts and cost.

Northside Drive East is restricted by a number of technical parameters and physical constraints (e.g. the existing bridge pier over SH 16 and the SH 18 on ramp location). The preferred Northside Drive East alignment has been selected to minimise, to the extent practicable, impacts upon private property and productive rural land while achieving consistency with the Project and AT's objectives.

The assessment of alternatives has provided AT with information which has assisted it in identifying its preferred alignment and feasible construction options for the Northside Drive East.

This is further discussed in Section 7 of the AEE, GHD Alternatives Assessment (Appendix G) and the Beca Route Options Alternatives Assessment (attached as Appendix F to the) which all support this NoR.

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

AT's objectives are outlined in the Statement of Intent (SOI) 2012-2015. The SOI presents AT's overarching outcome as "Auckland's transport system is effective and efficient and provides for the region's social, economic, environmental and cultural wellbeing".

AT's objective in serving this NoR is to enable the construction, operation and maintenance of Northside Drive East. In achieving that, AT will also enable the achievement of the Project Objectives, as set out in full in Section 1 of the AEE which supports this NoR. For ease of reference these are repeated below:

- To ensure that the form and function of Northside Drive East meet the needs of future development in the wider area, including linking with Northside Drive (West) and linking with the new SH 18 motorway and Hobsonville Road to improve the connectivity of the Hobsonville area with both Massey North to the west and Greenhithe to the north;
- To provide statutory protection to the future Northside Drive East to ensure that its construction, operation and maintenance is authorised and that the public road asset, which is an essential community resource, is protected and able to be managed on an on-going basis in the interests of the community;
- To provide opportunities for public transport in the future; and
- To provide for pedestrian, cyclist and motor vehicle access along Northside Drive East to serve adjoining properties and to link with the wider area.

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

- Will increase the capacity of the road network to cater for the existing development and expected future growth consequentially reducing queuing and travel times and enhancing the network's permeability and safety.
- Provide for alternative modes of transport including: walking, cycling and bus access. This alleviates the reliance on private passenger vehicles.

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

- It enables AT to have the flexibility and ability to construct the project and operate and maintain the network in accordance with the designation.
- It enables the work to be undertaken in a comprehensive and integrated manner.
- It achieves certainty through identifying in the District Plan the location, nature and extent of the Project and AT's clearly intended use of that land.

As an approved Requiring Authority in terms of section 167 of the RMA via section 47(1) of the Local Government (Auckland Council) Act 2009, AT may designate roads.



8. OTHER RESOURCE CONSENTS NEEDED FOR THE PROPOSED ACTIVITY WHICH HAVE NOT BEEN APPLIED FOR:

As summarised in Section 2 of the AEE which supports this NoR, resource consents will be required to construct Northside Drive East (generally relating to earthworks and stormwater). The preparation of these resource consents is dependent upon final site layout.

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

The consultation undertaken with parties likely to have particular interest in the Northside Drive East project is detailed in Section 6 of the AEE which supports this NoR. Discussions will be continuous and on-going. In summary, AT has consulted with:

- NZTA (being the requiring authority and owner of land that provided for the extension to SH16).
- Private property owners.
- Utility operators (Vector and Watercare).

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

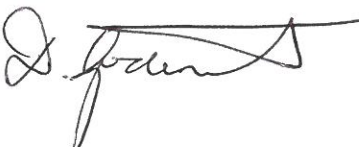
Section 8 of the AEE includes the information required by the Auckland Council District Plan: Waitakere Section 2003. In addition a schedule of affected properties and a plan identifying the area covered by this NoR is attached to the NoR.

11. EXTENDED LAPSE PERIOD SOUGHT:

Pursuant to section 184(1)(c) of the RMA, AT proposes a lapse period of 10 years for the implementation of the proposed designation as detailed in Section 2 of the AEE supporting this NoR.

This period provides sufficient time for AT to give effect to the works including undertaking land purchase negotiations, detailed design and construction of the road, and allows for an appropriate period to address required resource consenting, tendering and construction processes.

Signed for AT by Deborah Godinet, Manager Property and Planning pursuant to an authority by AT

Signature: 

Date: 21/8/13



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