

NOTICE OF REQUIREMENT FOR A DESIGNATION OF LAND

24 October 2023

Waka Kotahi NZ Transport Agency
Bombay Commercial Vehicle Centre



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 vehicle safety centre as part of the operation of the state highway network.**

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 Management 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 vehicle safety centre as part of the operation of the state highway network'.

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 1.23 hectares located at 253 Mill Road, Bombay. The requirement applies to one land parcel. The land directly affected by the requirement is identified below.

Parcel ID	Legal Description	Certificate of Title	Location	Required Area (ha)(approx.)
253 Mill Road, Designation Plan Sheet No. C-2	Lot 1 Deposited Plan 124783	NA72D/465	253 Mill Road, Bombay Auckland	1.233ha (approx. 12,330m ²)

A description of the site is contained in Section 5 of the accompanying Assessment of Effects on the Environment (AEE).

The nature of the proposed work is:

The proposed work is the construction, operation, and maintenance of a vehicle safety centre as part of the safe and efficient operation of the state highway network. The proposed work is part of a nationwide Commercial Vehicle Safety Centre (CVSC) programme, which involves the development of twelve CVSC sites across the state highway network in both the North and South Islands. In summary, the proposed work at this site includes:

- (a) Control (compliance) building with staff, driver, and administrative facilities;
- (b) On-site parking for staff and visitors;
- (c) Heavy Commercial Vehicle (HCV) weigh bridge;
- (d) Single inspection shed (including under-vehicle inspection pit, roller brake machine);
- (e) Inspection bays;
- (f) Offload area;
- (g) Bypass lane;
- (h) Onsite stormwater, wastewater and water infrastructure;
- (i) Landscaping;
- (j) Signage and site fencing.

A description of the proposed work is contained in Section 2 of the accompanying AEE.

The nature of the proposed conditions that would apply are:

The proposed conditions that would apply are included in **Attachment B** 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 Section 7 of the AEE.

The positive effects of the Project include increased compliance of Heavy Commercial Vehicles and improved safety and efficiency on the state highway network.

Potential adverse effects during the construction and operational phases of the Project relate to:

- Traffic
- Earthworks
- Stormwater management
- Works in and adjacent to an induced wetland
- Change of land use
- Operational noise and lighting.

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

The alternative sites considered are set out in Section 3 of the AEE. Four alternative sites were considered in the vicinity of the Bombay Interchange and Mill Road, and one alternative site was considered at Firth Street, Drury.

The proposed site at 253 Mill Road was identified as the preferred location for the CVSC as this is the only location that would allow safe access and egress to and from State Highway 1 for both north and south bound vehicles, and has favourable site conditions.

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 in relation to the CVSC programme are:

- Establish safe and accessible facilities to screen HCVs using the state highway network.
- Improve the screening of non-compliant vehicles, thus increasing the compliance of HCVs; and
- Improve HCV compliance which will in turn improve safety and efficiency on the state highway network.

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

- Establish a safe and accessible facility to screen HCVs using the state highway network.
- Improve the screening of non-compliant vehicles, thus increasing the compliance of HCVs; and
- Improve HCV compliance which will in turn improve safety and efficiency on the state highway network

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; 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 been applied for:

- Regional resource consents from Auckland Council are required for:
 - Bed disturbance and depositing of any substance within an induced (natural) wetland;
 - Diversion of water;
 - Stormwater diversion and discharge to a permanent stream and within 100m of a natural wetland;
 - Earthworks greater than 2,500m² within a sediment control protection area;
 - Discharge of contaminants into water or into or onto land;
- The discharge of contaminants during land disturbance as a Controlled Activity under the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NESCS, 2011) Regulation 9(1) Reg 9(2)
- The construction of specified infrastructure as a Discretionary Activity under regulation 45(1) and 45(2) of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-FW), and
- The taking, use, damming, or diversion of water within, or within a 100 m setback from, a natural inland wetland as a Discretionary Activity under regulation 45(4) of the NES-FW.

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

Consultation and engagement undertaken for the project is set out in Section 6 of the AEE. In summary, the parties consulted included the directly affected landowner, iwi, Franklin Local Board, Bombay Collision Cross Roads Action Committee, and the Sikh Temple management.

Proposed Lapse Period:

Pursuant to Section 184(1)(c) RMA, Waka Kotahi proposes a lapse period of ten 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 Plans
- Attachment B – Proposed Designation Conditions

Accompanying Information

- Assessment of Effects on the Environment
- Supporting Technical Assessment Reports
- Drawings

Signed by:



Belinda Petersen
Principal Planner, Poutiaki Taiao / Environmental Planning
Transport Services

Pursuant to authority delegated by Waka Kotahi NZ Transport Agency

24 October 2023

Address for Service:

Waka Kotahi NZ Transport Agency
Private Bag 106602
Auckland 1143

Attention: Ash Peti
Ph: 09 928 8762
E-mail: Ashleigh.Peti@nzta.govt.nz

**Attachment A
Designation Plans**

Attachment B
Proposed Designation Conditions

Ref.	General conditions
1	<p>a) Except as provided for in the conditions below, works within the designation shall be undertaken in general accordance with the following plans and information submitted with the Notice of Requirement dated 24 October 2023:</p> <ul style="list-style-type: none"> i. Section 2 Description of Proposed Work in the Assessment of Effects on the Environment dated 24 October 2023; ii. General Arrangement Plans dated 19 September 2023; iii. Architectural Design Plans dated 01 September 2021; iv. Landscape General Arrangement Plan and Landscape Planting Plan dated 19 September 2023. <p>b) Where there is inconsistency between the documents listed in clause (a) above and the requirements of the following conditions, the conditions shall prevail.</p>
	Pre-construction
2	Prior to the start of construction, appropriate provision shall be made for a cultural induction of the contractor's staff. The Waka Kotahi Southern IIG or its nominated representative(s) shall be invited to participate.
	Construction noise and vibration
3	<p>a) A Construction Noise and Vibration Management Plan (CNVMP) shall be prepared prior to the start of construction.</p> <p>b) The purpose of the CNVMP is to provide a framework for the development and implementation of the Best Practicable Option for the minimisation of noise and vibration effects from construction.</p> <p>c) The CNVMP shall include details in accordance with Annex E2 of NZS 6803 and the Waka Kotahi State Highway Construction and Maintenance Noise and Vibration Guide (version 1.1, 2019) or any subsequent updated version.</p>
	Construction traffic management
4	<p>a) A Construction Traffic Management Plan (CTMP) shall be prepared prior to the start of construction.</p> <p>b) The purpose of the CTMP is to avoid, remedy or mitigate, as far as practicable, adverse construction traffic effects. To achieve this purpose, the CTMP shall include:</p> <ul style="list-style-type: none"> i. methods to manage the effects of temporary traffic management activities on traffic capacity and movements;

	<ul style="list-style-type: none"> ii. measures to manage the safety of all transport users; iii. estimated numbers, frequencies, routes, and timing of traffic movements; iv. methods to communicate traffic management measures to affected road users. <p>c) The CTMP shall be prepared:</p> <ul style="list-style-type: none"> i. in accordance with the New Zealand Guide to Temporary Traffic Management or any subsequent version; and ii. in consultation with Auckland Transport.
	Accidental discovery protocol
5	<p>a) An Accidental Discovery Protocol (ADP) shall be prepared prior to the start of construction. The purpose of the ADP is to set out the procedures to be followed if there are accidental archaeological discoveries which occur during construction.</p> <p>b) The ADP shall be:</p> <ul style="list-style-type: none"> i. Consistent with the Waka Kotahi Minimum Standard P45 – Accidental Archaeological Discovery Specification (August 2018) or any subsequent updated version; and ii. Prepared in consultation with iwi.
	Operational noise
6	<p>Any night time operations shall be managed so that the emission of noise from the site does not exceed a reasonable level at nearby occupied residential dwellings existing as at 24 October 2023.</p> <p>For example, this might include:</p> <ul style="list-style-type: none"> a) Limiting the frequency and duration of night time operations; and / or b) Limiting the number of Heavy Commercial Vehicles on site between 10.00pm and 6.00am, unless there is a targeted safety campaign which requires otherwise.