

# Contract TNZ PA2000

## Upper Harbour Corridor Project

### SH16/18: Alteration to Designation

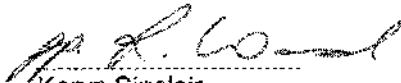
Prepared By



Jonathan Butler  
Environmental Consultant  
Opus International Consultants

Opus International Consultants Limited  
Environmental  
Level 1, The Westhaven  
100 Beaumont Street, PO Box 5848  
Auckland, New Zealand

Reviewed By



Karyn Sinclair  
Principal Planner  
Opus International Consultants

Telephone: +64 9 355 9500  
Facsimile: +64 9 355 9584

Date: October 2004  
Reference: 1-33380.40  
Status: Final

u:\design\hobsonville sh16 (specimen design phase)\environmental\boron\consent\alteration to boron pond designation final.doc

AI

## Contents

<b>1</b>	<b>Introduction .....</b>	<b>1</b>
1.1	Background.....	1
<b>2</b>	<b>Section 181 Alteration to Designation.....</b>	<b>2</b>
2.1	The site to which the requirement applies.....	2
2.2	The nature of the works.....	2
2.3	The alternative sites, routes and methods that have been considered .....	3
2.4	Why the public work and designation are reasonably necessary for achieving the objectives of the requiring authority .....	3
2.5	Resource consents.....	4
2.6	Consultation undertaken with parties likely to be affected by the designation .....	4
2.7	The effect that the proposed works will have on the environment and the ways in which any adverse effect will be mitigated.....	4
2.8	Attachments .....	5
2.9	Other Matters .....	5
2.10	Comment .....	6
<b>3</b>	<b>District Plan.....</b>	<b>6</b>
<b>4</b>	<b>Conclusion .....</b>	<b>7</b>
Appendix A	Designation Appendix and Maps C8 (Waitakere City District Plan)	
Appendix B	Site Location	
Appendix C	Designation boundary plan	
Appendix D	Certificates of Title	
Appendix E	Aerial Photo	
Appendix F	Site Photographs	
Appendix G	Concept Plans	
Appendix H	ARC Resource Consents	
Appendix I	Written Consent of Directly Affected Parties	
Appendix J	Gazette Notice	

TO: Waitakere City Council

FROM: Transit New Zealand

PO Box 1459

AUCKLAND 1

Notice is given of an alteration to a designation to include an additional 5679m<sup>2</sup> of land for the purpose of providing a stormwater management pond within the current State Highway 16/18 (SH16/18) designation. The following information is detailed in accordance with Form 18 of the Resource Management Act 1991 (RMA).

## 1 Introduction

Transit New Zealand (Transit) has engaged Opus International Consultants and Maunsell Limited to design and manage the construction of the new Upper Harbour Motorway. The new motorway will extend from the SH18 - Albany Highway in the east across a new duplicated Upper Harbour Bridge to the terminus of the North-western Motorway (State Highway 16 (SH16)) in the west. The motorway will be constructed within the designated route (referenced as TSNZ1 in the Operative Waitakere City District Plan Designations Appendix – copy attached at Appendix A). The target date for completion of the whole motorway is 2009.

### 1.1 Background

To provide stormwater management for the proposed improvements to SH16 at the interchange with SH18 it is proposed to develop an extended detention (ED) wetland pond that would be located at the south side of the Manutewhau Stream on land between SH16 and Westgate Drive. (Refer Site Location at Appendix B).

The proposed ED wetland pond is located outside Transit's SH16/18 designation (herein referred to as 'the designation'). To provide for the area to develop the pond, an additional 5679m<sup>2</sup> of land is to be incorporated within the designation. The altered designation boundary is illustrated on Plan 1/67A/37 at Appendix C.

This report has been prepared in accordance with Section 181, Form 18 of the Resource Management Act 1991 (RMA) and the Designations Section of the Operative Waitakere City District Plan (the District Plan).

## 2 Section 181 Alteration to Designation

### 2.1 The site to which the requirement applies

#### *Legal Description*

The site is legally described as a portion of Lot 1 DP 177892, Lot 84 DP 201496 and a portion of Lot 1 DP 205681. Lot 1 DP 177892 and Lot 84 DP 201496 are owned by Waitakere City Council (WCC). Lot 1 DP 205681 is privately owned by Boron Limited and Neon Limited (Certificate of Title for each area attached at **Appendix D**).

#### *Physical Description*

The site of the proposed stormwater pond is generally flat with easy slopes leading down from the motorway off ramp and Westgate Drive. There is an incised stream gully adjacent to the Westgate shopping centre and residential area. The site is part of the riparian corridor and the Waitakere Open Space Network as identified in the District Plan. There is an existing stormwater pond on the northern side of the stream gully, servicing the Westgate shopping centre. The proposed stormwater pond is elevated above the stream with gently sloping banks. An aerial photograph of the site is included at **Appendix E**. Lot 1 DP 177892 is Open Space in the District Plan Human Environments. Lot 84 DP 201496 is Living Environment and Lot 1 DP 205681 is Working Environment under the District Plan. Part of Lot 1 DP 177892 and Lot 1 DP 205681 is 'Restoration Area' in the District Plan Natural Areas and the Manutewhau Stream has a Riparian Margin Zone of 5m. Photographs of the site are attached at **Appendix F**.

### 2.2 The nature of the works

It is proposed to construct and maintain an ED wetland pond for the purpose of providing stormwater management for proposed improvements of SH16.

The nature of works are within the scope of the current designation. Section 73 Paragraph 1 of the Transit New Zealand Act 1989 empowers Transit to "construct works of every description and material necessary to the making of the motorway".

The physical works for the ED wetland pond involve formation of the pond, batter slopes, and landscaping. Please refer to the concept plan of the proposed development attached at **Appendix G**.

The proposed ED Wetland Pond will adhere to the Auckland Regional Council Technical Publication 10 (TP10) Stormwater management devices: Design guidelines manual and the criteria stipulated in the Waitakere City Council *Code of Practice for Infrastructure development*, and meet conditions outlined in the ARC resource consents. (Refer to **Section 2(e)** and **Appendix H**)

It is proposed that the pond perimeter will be landscaped to include appropriate endemic native planting at the pond, batter slopes, and the adjacent stream, whilst further enhancing the Reserve by developing a perimeter walkway. Safety features incorporated into the pond design include suitable batter slopes and wetland benching that will eliminate the need for pond fencing. This will result in an improved aesthetic appearance and an increased reserve size. Refer to Section 2(g) for an outline of benefits the system will achieve.

### **2.3 The alternative sites, routes and methods that have been considered**

Alternatives investigated to achieve the best outcome for stormwater management in this location are as follows:

- Consideration was given to developing a treatment pond over the Manutewhau Stream, by piping the length between Westgate Drive and SH16 and constructing a pond over the pipe. However, this was not considered appropriate for the loss of riparian habitat potential that would be incurred by the works.
- The option to increase the capacity of the existing pond on the north side of the Manutewhau Stream was investigated. However, the solution would have required structurally engineered works (including 2-3m high gabion walls), and would not provide aesthetic betterment to the drainage reserve.
- Consideration was given to the use of filtration type stormwater treatment systems (i.e. sandfilter, stormfilter, etc). However, these devices do not provide the flood control or extended detention elements necessary in the treatment regime.

The option adopted to develop an extended detention (ED) wetland pond at the south side of the Manutewhau Stream, provides the optimal solution for stormwater management. Several alternative layouts were considered and various options for shared stormwater management were developed between Waitakere City Council, Boron Limited and Neon Limited, and Transit New Zealand. Refer to Section 2(g) for benefits.

### **2.4 Why the public work and designation are reasonably necessary for achieving the objectives of the requiring authority**

The alteration to designation is needed to provide a best practice solution for stormwater management associated with the proposed improvements to SH16 at the interchange with SH18. This is in accordance with Section 73 Paragraph 1 of the Transit New Zealand Act 1989.

## 2.5 Resource consents

The proposed ED Wetland Pond will meet conditions outlined in the following resource consents (**Appendix H**):

- Permit No. 25719: Stormwater Diversion and Discharge
- Permit No. 25720: Stream Diversion
- Permit No. 25721: Works in a Watercourse
- Permit No. 25722: Earthworks

No additional resource consents are required for the works.

## 2.6 Consultation undertaken with parties likely to be affected by the designation

Extensive consultation has been carried out over the past three years with affected parties. The affected parties are Waitakere City Council, owners of Lot 1 DP 177892 and Lot 84 DP 201496 and Boron Limited and Neon Limited, owners of Lot 1 DP 205681. Written approval of the alteration to designation has provided by both parties (**Appendix I**).

## 2.7 The effect that the proposed works will have on the environment and the ways in which any adverse effect will be mitigated

The proposed stormwater management system will have a positive effect on the environment. A concept plan for the proposal has been prepared and is included in **Appendix G**. Some benefits of the proposed ED wetland pond include:

- Achieves WCC/Ecowater objective to integrate/centralise stormwater management. The pond will provide quality stormwater treatment with an overall enhancement of water quality values within the receiving stream environment.
- Provides increased buffering between SH16 and Westgate Drive and an improved and widened ecological corridor at the Manutewhau Stream with an additional 5679m<sup>2</sup> of 'reserve' (i.e. the designation area).
- Will provide improved amenity value to encourage public use, with the provision of landscape features.
- Aesthetic improvement (currently the reserve area is in a poor state and shows few signs of public use).
- Provision of a functional reserve, promoting 'active' use (i.e. walkway, landscaping).

- Landscape planting in the form of reinstatement and enhancement planting adjacent to the Manutewhau Stream, riparian planting within the pond, and appropriate landscape planting at the batter slopes.

The proposed works will only create minor effects during construction. However, all the works will comply with the conditions of designation including those relating to dust, ground vibration, noise, hours of operation and landscaping. Compliance with these conditions will ensure that any adverse effects created by the construction of the batter and stormwater pond or the operation of the motorway will be avoided, remedied or mitigated.

## 2.8 Attachments

Transit attaches the following information to be included in this notice:

- Appendix A: Designation Appendix Maps C8 from the Waitakere City District Plan;
- Appendix B: Site Location
- Appendix C: A Plan of Existing and Proposed Designation Boundary
- Appendix D: Certificates of Title
- Appendix E: Aerial Photo
- Appendix F: Photographs of the Site
- Appendix G: Concept Plans
- Appendix H: ARC Resource Consents
- Appendix I: Written Consent of Directly Affected Parties
- Appendix J: Gazette Notice

## 2.9 Other Matters

Section 181(3) of the RMA --Alteration of designation states that:

'A territorial authority may at any time alter a designation in its District Plan if -

- (a) *The alteration-*
  - (i) *Involves no more than a minor change to the effects on the environment associated with the use or proposed use of the land or any water concerned; or*
  - (ii) *Involves only minor changes or adjustments to the boundaries of the designation; and*
- (b) *Written notice of the proposed alteration has been given to every owner or occupier of the land directly affected and those owners or occupiers agree with the alteration -*
- (c) *Both the territorial authority and the requiring authority agree with the alteration - And sections 168 to 179 shall not apply to such change.'*

## 2.10 Comment

Transit request that this alteration be processed without notification for the following reasons:

1. It is considered that altering the designation to incorporate a further 5679m<sup>2</sup> will be a minor change to the boundaries of the existing designation. Therefore the requirements of s181(3)(a)(ii) are met;
2. It is considered that the alteration to designation also meets the requirements of s181(3)(a)(i); and
3. All the owners and occupiers of all directly affected sites will benefit from the proposed works and have given their written consent to the proposal.

## 3 District Plan

This information is provided to satisfy the requirements of Rule 1 the Designations Section of the District Plan

- 1.1(a) Please find the Gazette notice attached at Appendix J detailing the approval that empowers Transit New Zealand as a requiring authority.
- 1.1(b) The proposed works will proceed in conjunction with development of the motorway network. It is anticipated that tenders for the proposed works will be called for in mid 2005.
- 1.1(c) The land will likely be developed within five years.

#### 4 Conclusion

Overall, the alteration to designation is in keeping with the provisions of Section 181 of the RMA, and Designation Section of the Waitakere City District Plan. Transit, therefore requests that this alteration to designation be treated on a non-notified basis and the alteration confirmed as requested.

*R Hancy*

---

Richard Hancy

ACTING REGIONAL MANAGER

Pursuant to an authority from the Chairman of the Transit New Zealand Board

Date ..... *13/10/04* .....

Address for service of applicant:

Opus International Consultants

Private Bag 5848

AUCKLAND

Telephone No.: (09) 355 9500

Fax No.: (09) 355 9584

Contact person: Jonathan Butler

---

A9