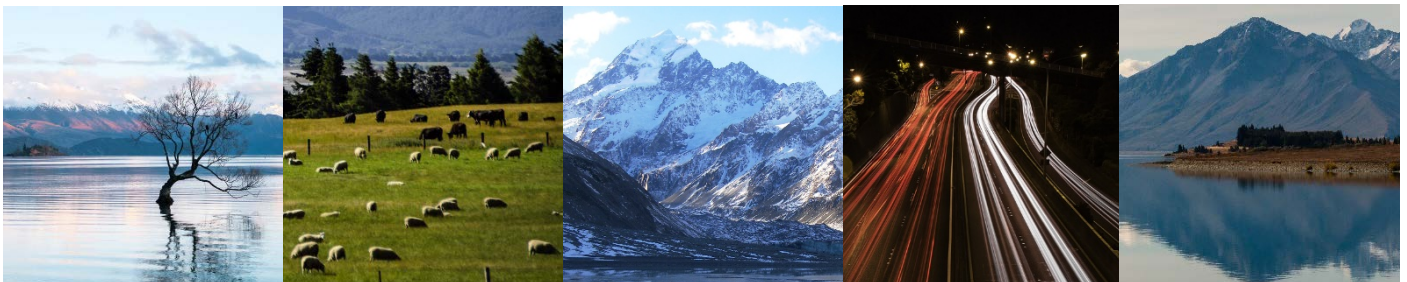


# Notice of Requirement

## Waimakariri District Council

Roading Widening, Corner of Fernside and Todds Roads,  
Rangiora

December 2020



Prepared By:  
Liz White

**For any information regarding this document please contact:**

Liz White  
Email: liz@incite.co.nz  
Mobile: 027 2285 006

**Incite**

PO Box 25-289  
Christchurch 8141  
New Zealand

**Incite Client File Number: C22055.00**  
**Document Date: 18/12/2020**

<b>Version</b>	<b>Reviewed by</b>	
Draft	Adele Dawson	7/12/20
Final	Don Young (WDC)	17/12/20

# Table of Contents

<b>Introduction .....</b>	<b>4</b>
<b>Description of the site to which this Notice applies .....</b>	<b>4</b>
<b>Nature of the proposed works.....</b>	<b>5</b>
<b>Assessment of effects on the environment .....</b>	<b>5</b>
<b>Statutory considerations.....</b>	<b>6</b>
<b>Consultation .....</b>	<b>8</b>
<b>Conclusion.....</b>	<b>8</b>

**Appendix A** – Location Plan

**Appendix B** – Designation Table

## **NOTICE OF REQUIREMENT FOR DESIGNATION – PURSUANT TO SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991**

### **Introduction**

Pursuant to Section 168 of the Resource Management Act 1991 (RMA), Waimakariri District Council hereby gives notice of its requirement (Notice) for a new designation in the proposed Waimakariri District Plan for road widening, as described below. Waimakariri District Council, as a local authority, is an approved requiring authority under Section 166 of the RMA. The designation is required in order to enable a safe and efficient roading network.

### **Description of the site to which this Notice applies**

The proposed sites to which this notice applies is 7 Todds Road (Pt RS 1439) and 245 Fernside Road (Lot 1 DP 54158), Rangiora. The designation affects approximately 110m<sup>2</sup> of 7 Todds Road and 116m<sup>2</sup> of 245 Fernside Road. The sites are located near the southern end of Rangiora's current urban area, to the west of the industrial/rural service area centred around Flaxton Road. 245 Fernside Road is zoned Rural. 7 Todds Road is also zoned Rural, but has been identified as a priority area for business zoning.<sup>1</sup> The land on the northeastern corner of the intersection is zoned Business 2. The property at 245 Fernside Road contains a residential dwelling, but the dwelling and associated accessory buildings are outside the area within which the designation would extend. The property at 7 Todds Road contains a yard and associated commercial buildings, as well as a residential dwelling. The proposed area for the designation does not include any of these buildings. The general area of the designation is shown in Figure 1 below and the specific area proposed to be designated is contained in Appendix A and shown using yellow shading. The designation table in the format required by the National Planning Standards is attached as Appendix B.

---

<sup>1</sup> In the Land Use Recovery Plan.



**Figure 1: General site location**

Source: Canterbury Maps

## Nature of the proposed works

This Notice relates to a designation for road widening. It is proposed to allow for the improvements to the Todds Road / Fernside Road intersection, including a right turn bay into Todds Rd, and easing turning and sight distances. This designation will provide for additional land within the road reserve, within which the intersection improvements can be undertaken. These works will contribute to the ongoing development of a safe and efficient roading network, and have been identified as priority works in a Scheme Assessment report for the Rangiora West Route (Stantec, November 2019), and an Implementation Plan for Rangiora West Route (Stantec, March 2020).

The roading improvements will be constructed in accordance with:

- The Council’s Engineering Code of Practice;
- Austroads Guide to Road design; and
- The Code of Practice for Temporary Traffic Management.

## Assessment of effects on the environment

The roading improvements will involve construction works that will result in temporary effects for the period during which construction works are undertaken. These are likely to include noise, dust, minor traffic delays and may interrupt property access. These effects will be temporary and minor in nature and will not be dissimilar to other roading improvements regularly undertaken by the Council to its roading network.

The effects associated with the use of the upgraded intersection, such as noise and vibration, will be the same as those currently resulting and will not be altered by the proposed improvements.

The effects associated with both the construction works and ongoing use of the intersection once upgraded are anticipated by the community as part of the use and development of the roading network, and will be no different to other roads in the District. As such the effects are considered acceptable.

There are positive effects associated with the intersection improvements, as it will improve the safety and efficiency of the roading network in the area. Once the works are completed, the intersection will continue to be inspected as part of Council's road network patrols and any defects will be repaired as necessary.

## **Statutory considerations**

Section 171(1) of the RMA sets out that when considering a Notice, a Territorial Authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to matters (a) – (d). For completeness, matters (a) – (d) of Section 171(1) are considered as follows:

***Section 171(1)(a): “any relevant provisions of - (i) a national policy statement: (ii) a New Zealand coastal policy statement: (iii) a regional policy statement or proposed regional policy statement: (iv) a plan or proposed plan.”***

### National Policy Statements

There are five National Policy Statements and none are considered to be relevant to this Notice. None of the sites are located in the Coastal Environment and therefore the New Zealand Coastal Policy Statement is also not relevant.

### Canterbury Regional Policy Statement

Chapter 6 of the CRPS applies to Greater Christchurch, which includes Rangiora and its surrounding rural area. Objective 6.2.1 seeks to enable development through a framework that optimises use of existing infrastructure. Objective 6.2.4 seeks that the planning for transport infrastructure is prioritised so that it maximises integration with planned or existing development and facilitates the movement of people and goods and provision of services, while achieving a number of matters. Of relevance, these matters include enhancing transport safety. Policy 6.3.4 directs that the efficiency and effectiveness of the transport network is ensured, to maintain and improve movement of people and goods, by (amongst other matters) improving road user safety. The proposed designation is consistent with this direction as it seeks to optimise the safety and efficiency of an existing intersection and better facilitate traffic movement in this area.

### Regional Plans

The Canterbury Land and Water Regional Plan and the Waimakariri River Regional Plan both apply in the Waimakariri District. There is nothing in this Notice that is considered to be inconsistent with the CLWRP.

### District Plan

The Operative Waimakariri District Plan include a Utilities and Traffic Management Chapter (Chapter 11). Objective 11.1.1 seeks that utilities maintain or enhance the community's social, economic and cultural wellbeing, and its health and safety. Policy 11.1.1.1 directs that utilities should: contribute to a safe environment; promote efficient use of resources and efficient development of the utility; and maintain and enhance social wellbeing. Objective 11.2.1 seeks that the adverse effects on the environment caused by provision, use, maintenance and upgrading in of utilities are avoided, remedied or mitigated. Policy 11.2.1.1 directs that effects are managed by (amongst other things) having regard to the particular amenity and character to the area in which it is placed. This Notice is consistent with these outcomes as the purpose of the designation is to allow for improvements to the transport network that will improve its safety, efficiency and effectiveness.

***Section 171(1)(b): “whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if - (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or (ii) it is likely that the work will have a significant adverse effect on the environment.’***

As set out above, the work is not expected to have significant adverse effects on the environment and therefore s171(1)(b)(ii) is not applicable. However, in terms of (i), the Notice applies to two sites that are not in the Council's ownership. Given that the intersection to be improved already exists, there are limited alternative sites or methods that can be considered. In this instance, different options for improvement were considered, including shoulder widening only, but a right turn bay is considered the most appropriate traffic solution. As noted earlier, the improvements have been identified as priority works in a Scheme Assessment report and Implementation Plan for western Rangiora.

***Section 171(1)(c): “whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.”***

The designation, as a planning tool, is considered necessary to allow Waimakariri District Council as the Requiring Authority to ensure a safe and efficient transport network is provided. The alternative to designating these sites is to rely on the District Plan rules and/or the resource consent process for undertaking the roading projects. These options do not provide as certain a solution to authorise the works.

***Section 171(1)(d): “any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.”***

There are no other matters considered reasonably necessary to make a decision on this Notice.

## **Consultation**

The Council, as a requiring authority, has advised both affected land owners of the intention to designate the land. Both are not opposed to the designation, subject to, in relation to 245 Fernside Road, their existing driveway being shifted north, to the edge of their property boundary, at the time the works are undertaken. This has been agreed to by the requiring authority.

## **Conclusion**

Waimakariri District Council gives notice of its requirement to designate land on the corner of Todds and Fernside Road, for the purpose of road widening, to allow roading improvements to the current intersection. The preceding assessment of effects concludes that the effects associated with the improvements are minor and temporary in nature. The proposed designation is consistent with the Operative District Plan and CRPS.

Overall it is considered the designation is consistent with the relevant statutory provisions and the principles and purpose the RMA.



## **Appendix A – Location Plan**



## Appendix B – Designation Table

<b>Fernside Road &amp; Todds Road Intersection</b>	
Designation unique identifier	
Designation Purpose	Road Widening
Site identifier	Pt RS 1439 (7 Todds Road) and LOT 1 DP 54158 (245 Fernside Road)
Lapse date	10 years
Designation hierarchy under section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	n/a