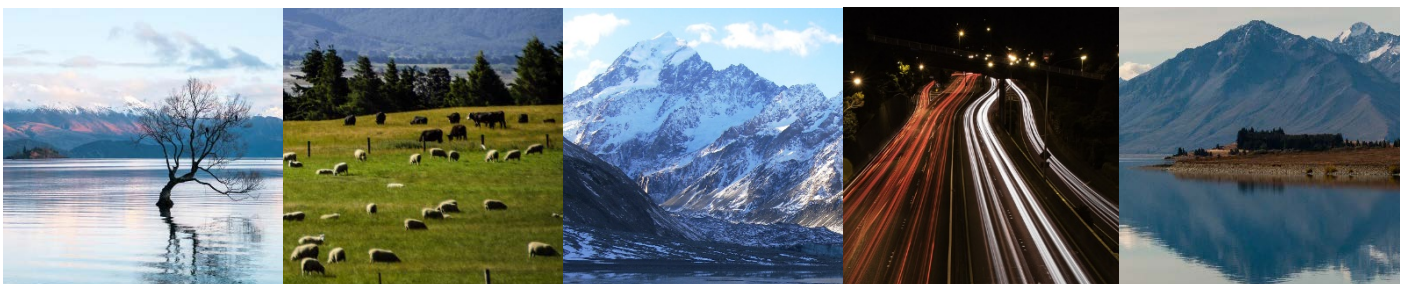


Notice of Requirement

Waimakariri District Council

Road Widening – Ivory Street, Rangiora

December 2020



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

Version	Reviewed by	
Draft	Adele Dawson	07/12/2020
Final	Don Young (WDC)	17/12/2020

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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 purposes, 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 are 80, 82, 84 and 86 Ivory Street, Rangiora. The site consists of land parcels Pt RS 385 (80 Ivory Street); Pt RS 385 (82 Ivory Street); Pt RS 385 (84 Ivory Street) and Pt RS 385 (86 Ivory Street). The designation will affect the road frontage of these sites, and result in the road reserve being consistent with the width of the road reserve adjoining 76 and 78 Ivory Street. The affected area is, respectively, 49m², 45m², 47m² and 47m².

The sites are located in central commercial area within Rangiora. The affected properties are zoned Business 1, as are the immediately surrounding sites. 80 Ivory Street contains a commercial building with associated car parking, while 82, 84 and 86 Ivory Street contain residential dwellings and accessory buildings. None of the dwellings are included within the designated area, but the road widening will apply to an accessory building (garage) located on 84 Ivory Street.

The general area of the designation is shown in Figure 1 below, with affected properties identified using a red star. The specific areas proposed to be designated are 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.

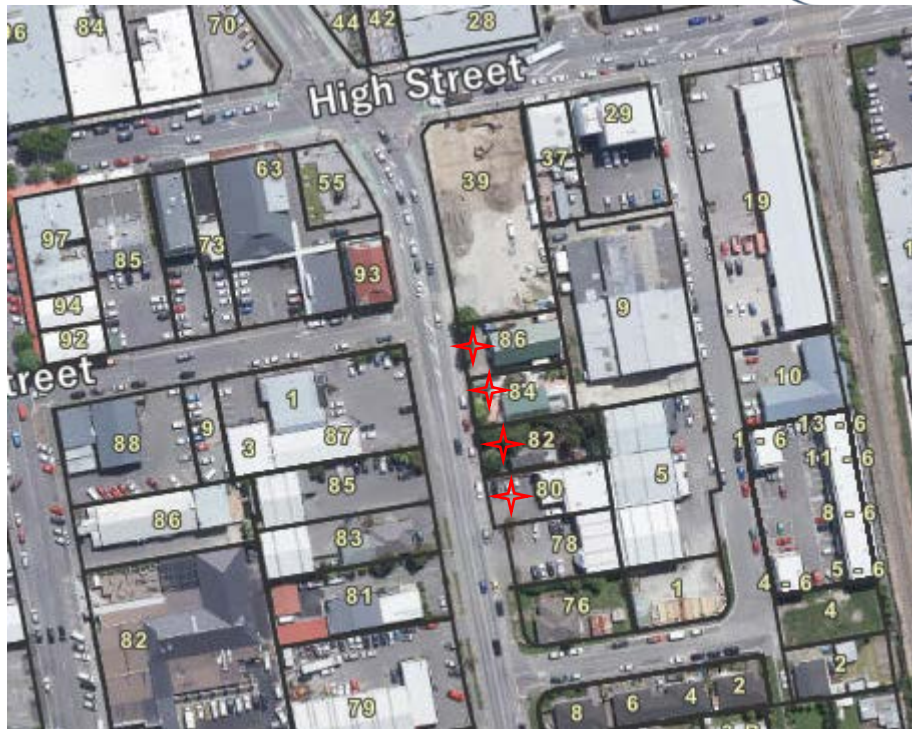


Figure 1: General site location

Source: Canterbury Maps

Nature of the proposed works

This Notice relates to a designation for road widening. It is proposed to provide additional road width, which would allow either road parking, turning, footpath or amenity improvements. It will also align the road boundary with the sites to the south. It is acknowledged that the proposed road boundary will not be aligned with the site to the north, but it is impracticable to extend the designation to the northern corner site, as a building has recently been built up to the road boundary, on that site. These works will contribute to the ongoing development of a safe and efficient roading network by allowing for roading improvements to be made that will better serve the commercial area.

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 road widening 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 extended road carriageway, 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 road once widened 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 road widening, as it will improve the safety and efficiency of the roading network in the area. In particular, it will allow for this part of the road to be upgraded as required, allowing for additional parking, turning, footpath or amenity improvements to be made in this area. Once the works are completed, the roads 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. Objective 6.2.1 seeks to enable development through a framework that optimise 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 movements 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 enable development of existing infrastructure so that it better integrates with commercial land development and improves movement and road safety.

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; and promote efficient use of resources and efficient development of the utility. 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 various sites that are not in the Council's ownership. Given that the purpose of the designation is for widening of an existing road, there are no practical alternatives.

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 the affected land owners of the intention to designate the land. No response was provided from one landowner at the time this notice was prepared. The proposal was discussed and information provided about the process to the other landowners.

Conclusion

Waimakariri District Council gives notice of its requirement to designate land, at the road frontage of properties located at 80, 82, 84 and 86 Ivory Street, Rangiora, for the purpose of road widening. The preceding assessment of effects concludes that the effects associated with the road widening 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

Ivory Street Improvements	
Designation unique identifier	
Designation Purpose	Road Widening
Site identifier	Pt RS 385 (80 Ivory Street); Pt RS 385 (82 Ivory Street); Pt RS 385 (84 Ivory Street) and Pt RS 385 (86 Ivory Street).
Lapse date	10 years
Designation hierarchy under section 177 of the Resource Management Act	Primary
Conditions	No
Additional information	n/a