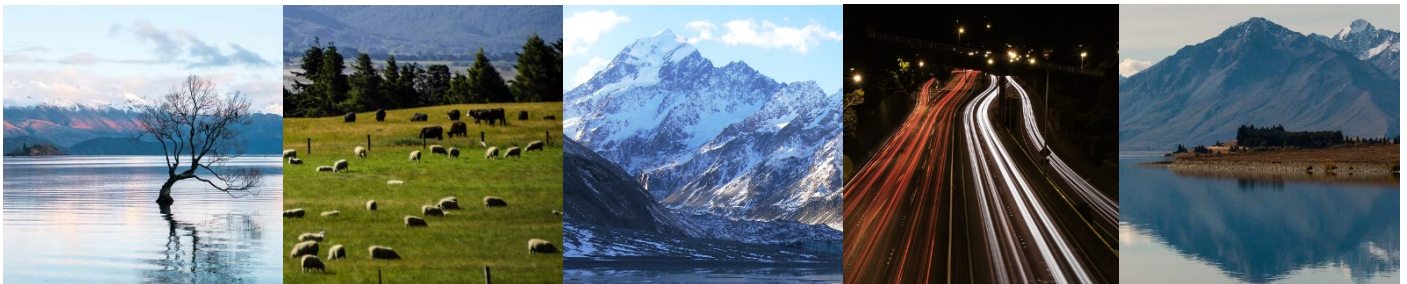


# Notice of Requirement

## Waimakariri District Council

Rangiora East Road Connection, Rangiora

June 2021



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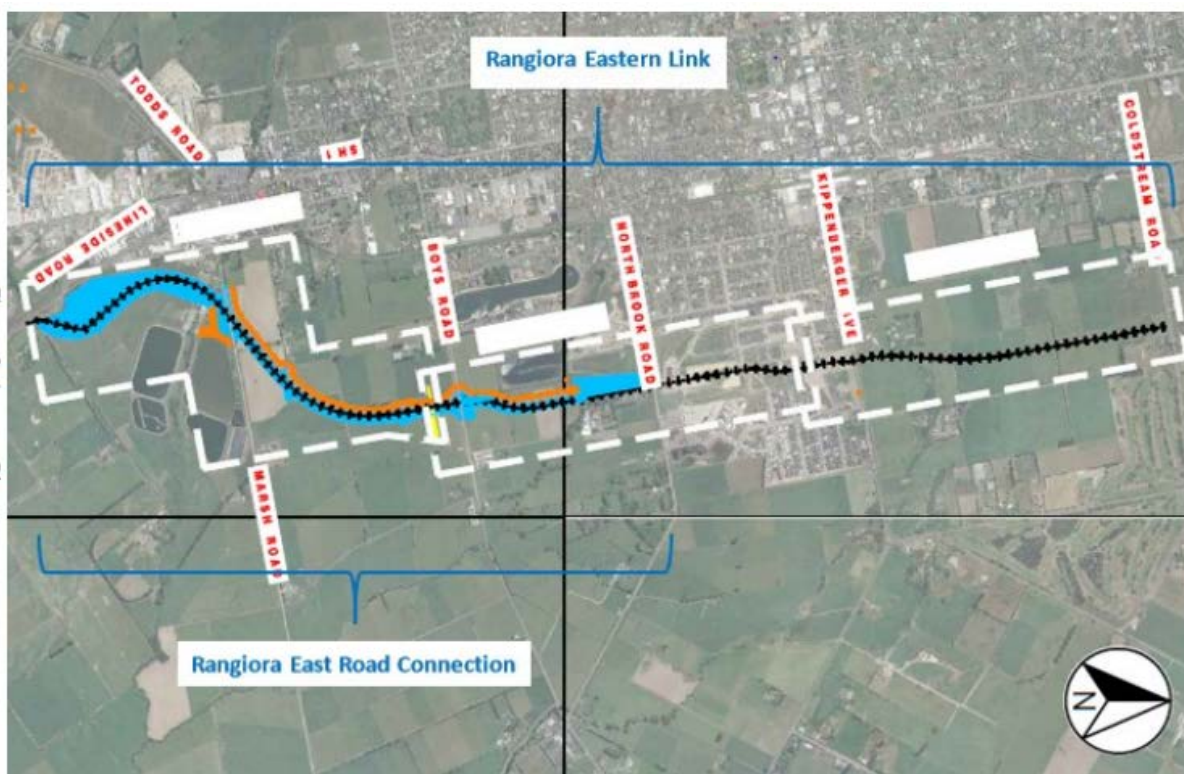
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## NOTICE OF REQUIREMENT FOR DESIGNATION – PURSUANT TO SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

### Introduction

1. Pursuant to Section 168 of the Resource Management Act 1991 (RMA), Waimakariri District Council hereby gives notice of its requirement (NOR) for a new designation in the proposed Waimakariri District Plan for roading purposes, as described below. Waimakariri District Council, as a local authority, is an approved requiring authority under Section 166 of the RMA.
2. The objective of the designation is to improve the safety and efficiency of the roading network. In particular, the designation is intended to provide an alternative route into or around Rangiora; reduce congestion on the main north-to-south strategic route through Rangiora, particularly in terms of easing the pressure on the existing Percival Street/Southbrook Road route; and service expected growth in the east of the township.
3. The proposed designation will connect, and provide a new route between, Lineside Road and Northbrook Road (integrating with and expanding on the existing road at Spark Lane). The proposed designation will form part of a roading link that will ultimately connect Lineside Road through to Coldstream Road (referred to as the 'Rangiora Eastern Link'). This is shown in Figure 1 below.



**Figure 1: Layout Plan**

4. The designation table in the format required by the National Planning Standards is attached as Appendix B.

### Description of the sites to which this Notice of Requirement applies

5. The proposed sites to which this NOR applies are set out in the table below, and the location plan contained in Appendix A shows the areas to be designated.

General Area	Address	Certificate of Title
Lineside Road to Marsh Road	141 Marsh Road	Pt LOT 1 DP 3836
Marsh Road to Boys Road	162 Boys Road	Pt RS 1436
	234 Boys Road	LOT 1 DP 22100
	259 Boys Road	Pt RS 1645
Boys Road to Northbrook Road	151 Northbrook Road	Pt RS 793
	187 Northbrook Road	LOT 2 DP 9665
	Parts of the unformed legal road reserve between the southern end of the formed portion of Spark Lane and Boys Road.	

6. The sites are located on the eastern side of Rangiora’s current urban area. All properties included in the designation, and the immediately surrounding land parcels, are zoned Rural. They are described in more detail below.

#### 141 Marsh Road

7. This property contains the Council’s Wastewater Treatment Plant. A separate Notice of Requirement has been lodged to designate the full property for wastewater purposes. This roading NOR only applies to a smaller portion of the land. Where the two overlap, the roading designation will be the primary designation and the wastewater will be the secondary designation. The proposed designation will largely traverse vacant land within the property, but where the proposed road connects with Marsh Road, there are a range of utility buildings and parking areas. These will need to be relocated in order for the road to be constructed. The roading designation will not affect the location of the current treatment ponds or any of the major ancillary components (inlet screens, septage areas, etc). However, some of the underlying pipework may be affected.
8. There are also some National Grid powerlines that traverse the northwest corner of this property, but the proposed roading designation is located away from the National Grid support structures. Any requirements Transpower may have in relation to the designation will be discussed as part of the detailed design phase, and the applicant is cognisant of Transpower’s National Grid Yard setback requirements and NZECP 34:2001 - New Zealand Electricity Code of Practice for Electricity Safe Distances.
9. In addition, there is a stormwater treatment and retention pond in the southwest corner of the property. This pond is also included in this proposed roading designation but may or may not be affected, depending on the final design of the intersection with Lineside Road.

10. The size of the proposed designation area at the south of this property is significantly larger than is likely to be required in practice, as it allows for multiple options for a new intersection with Lineside Road. Further investigation into the type and location of this intersection will be carried out, and will require significant consultation with other parties (including KiwiRail and Waka Kotahi), which is unlikely to be resolved prior to adoption of the proposed District Plan. Therefore the larger designation area will remain until the works are fully designed and constructed. This is unlikely to be an impediment to the landowner (being the Council) as the designation has been located to take into account current and likely future wastewater works.

#### 162, 234 and 259 Boys Road

11. These properties form part of a rural landholding used for farming activities. The landholding is largely open rural paddocks, with associated farm infrastructure such as irrigation and powerlines. The wider landholding contains various dwellings and farm accessory buildings, but these will not need to be removed as a result of the proposed designation. The designation will however bisect the landholding, resulting in the current farm being separated, and various infrastructure such as fencelines and powerlines needing to be shifted.

#### 151 and 187 Northbrook Road

12. These properties are owned by the Council and form part of the Council's Stormwater Management Area. The area includes a wetland designed to treat stormwater runoff from roofs and roads, and act as a detention basin to attenuate peak flows in wet weather events. A separate Notice of Requirement has been lodged to designate 151 Northbrook Road as a Stormwater Management Area. The area to which this roading designation applies is located within the eastern part of the property and not those portions containing swales or wetlands. Where the two proposed designations overlap, the roading designation will be the primary designation and the stormwater management designation will be the secondary designation.

#### Unformed legal road reserve

13. The unformed road reserve included in the designation includes an unformed continuation of Sparks Lane on the south side of the North Brook, which runs westward along the North Brook, and then southward alongside the North Brook Ponds Stormwater management area to meet Boys Road. The area is vacant land that is currently used as a mixture of North Brook stream environs, or for grazing by the neighbouring property.

### **Nature of the proposed works**

14. This NOR relates to a designation for roading purposes. It is proposed to allow for roading to be constructed. As expanded on in the Transportation Assessment, included in Appendix C to this NOR, these works will contribute to the ongoing development of a safe and efficient roading network.
15. The proposed designation is also made up of two different components: land designated for roading purposes, which will contain the formed road area, including cycleways and walkways or

footpaths as well as adjoining road berms/ roadside areas - ultimately becoming the final road reserve. The second component to the designation is land designated for road construction purposes. This part of the designation will be used to provide access to, and storage areas for use during the construction of the road. This part of the designation is intended to be temporary, as following the construction of the road, this part of the designation would be removed.

16. The designation allows for the area of land required for roading purposes to be identified and planned for. The specific details around how the road will be constructed and its detailed design are not known at this stage. However, the technical assessments, included as Appendices to this NOR do identify a range of assumptions that the assessments are based on. These include:
  - The basis on which the traffic modelling has been undertaken (Transportation Assessment);
  - Assumed intersection design (Transportation Assessment);
  - Assumed carriageway widths (Stormwater and Flood Risk Assessment);
  - Assumed parameters for stormwater conveyance and treatment (Stormwater and Flood Risk Assessment); and
  - Key design criteria for stormwater management (Stormwater and Flood Risk Assessment).
  
17. There are particular aspects of the proposed designation that have not been finalised at this stage. These include:
  - A new roundabout will be established to connect the new road with Lineside Road. As noted above, the location and design of this roundabout will be the subject of further investigation of options that will also need to take into account the location of the railway crossing existing on Lineside Road. A large area of land has been included within the designation corridor to allow for multiple options. However, the final layout and location does not affect the underlying assumptions related to this intersection in the traffic assessment.
  - The designation includes land adjacent to the existing road reserve of Spark Lane. This land allows for either Spark Lane to be upgraded and widened to the west (which will require the existing drain to be moved), or for the existing recreational path to the west of Sparks Lane to be upgraded and extended over the North Brook, to provide a separate sealed walkway and cycleway path to the west of the existing drain. The existing drain is fed by permanent springs, has a steady population of Koura (freshwater crayfish) and has high ecological and cultural value. The potential effects on the existing drain from either upgrading Sparks Lane to a suitable standard and width within the existing road reserve, or shifting the drain to the neighbouring land, (and the ability to remediate or mitigate these effects) needs to be considered in more detail. This will be done prior to a decision being made on which option will be pursued. However, the designation allows for both options, and the effects assessment considers mitigation options at a high level.
  - The designation passes through land currently owned by the Council and operated for wastewater treatment purposes, off Marsh Road. The location of the proposed road corridor has been carefully chosen to not intersect with the main treatment ponds, or any of the ancillary infrastructure associated with the ponds (such as pipework, inlet structures, screens, septage facilities, etc). Therefore this infrastructure will not need relocating to allow the works to proceed. However, the designation crosses over land that contains various buildings and car parking areas. These buildings include offices, garaging, and storage

buildings for the Council's in-house 3-Waters operations and maintenance staff, (the Water Unit) as well as a dog pound and other miscellaneous buildings. The proposed road will therefore impact on these Council assets, requiring their removal or relocation. In addition, there may be underground pipework that needs relocation. The impacts on both the site specific wastewater assets and the facilities for the Water Unit are a matter that needs to be worked through in more detail and may affect both how the works are undertaken and the exact location of the road within the designated corridor. However, the effects on the landowner (the Council) can be appropriately addressed. The designation location has also allowed sufficient width to allow buffer and screening planting to be installed in order to minimise any reverse sensitivity issues on the road users. This will need careful consideration once the exact alignment is chosen.

- Similarly, this area is also traversed by overhead National Grid powerlines. These powerlines may have an effect on the location of the road and/or the requirements for how the road is designed and constructed. As overhead powerlines commonly traverse roads, this is considered to be able to be appropriately managed through the detailed design process, including through consultation with Transpower.
18. It is noted that the designation has been sized to provide for various options associated with the above matters, allowing for exact configurations to be further investigated and the overall best options implemented. Following construction of the road, the designated area can be reduced where it is surplus to requirements for roading purposes.

## **Context of Designation**

19. As noted in the introduction, the proposed designation will form part of a roading link that will ultimately connect Lineside Road through to Coldstream Road. The full Rangiora Eastern Link was originally proposed in the Rangiora Transport Study (Beca, September 2001) and alignment options and preliminary details for the selected alignment were identified in a subsequent Scheme Assessment Report (Opus, February 2005). The full Link includes MacPhail Avenue (referred to below as the 'middle section') and a new road between Kippenberger Avenue and Coldstream Road (referred to below as the 'northern section'). The proposed designation only covers the 'southern section' of the overall roading link; the reason it does not include the middle and northern sections of the Rangiora Eastern Link is set out below.

### Middle Section

20. MacPhail Avenue is an existing legal road, that has been formed and vested in the Council as part of the development of the residential area surrounding it. A separate Notice of Requirement has been lodged with the Waimakariri District Council to designate all existing formed roads within the District. MacPhail Avenue, as part of the existing formed roading network will be captured by this broader designation. Similarly, Spark Lane, which is currently a small sealed no-exit road extending south off Northbrook Road will be captured under the separate designation for existing formed roads. However, an additional area adjacent to the existing Spark Lane road reserve is included in this NOR.



### Northern Section

21. A new road is also planned between Kippenberger Avenue and Coldstream Road. As part of the wider district plan review, the Council is developing a draft Structure Plan for Rangiora. The portion of land between Kippenberger Avenue and Coldstream Road will form part of the North-East Rangiora Development Area, and the Structure Plan will include identification of the need for a primary road connection through between Kippenberger Avenue and Coldstream Road. A designation for this portion of the Rangiora Eastern Link is not proposed because the exact alignment of the road is yet to be determined and because the road will be constructed as part of the development of this area, guided by the Structure Plan.

### Southern Section

22. The wider district plan review and draft Structure Plan for Rangiora will also include identification of that part of the proposed designation connecting Northbrook Road and Boys Road, as part of the Plan for development of this part of eastern Rangiora. However, the land to the south of Boys Road is outside the Structure Plan area. This proposed designation encompasses the full roading connection proposed from Lineside Road through to Northbrook Road, including those portions within and outside the draft Structure Plan.

23. Portions of this proposed designation also include existing unformed legal road. This is because these unformed 'paper' roads are not captured by the designation of district wide existing formed roads, and so it is necessary to include these within this designation to signal the intention to construct a proposed road over these areas.

## **Assessment of effects on the environment**

24. As part of the preparation of this NOR, the Council has commissioned a number of technical assessments. These are appended to, and form part of this NOR application. In broad terms, these assessments identify, at a high level, the likely effects to arise from the construction of the proposed roading. They are based on broad effects arising from the construction of a road, rather than a more specific and detailed assessment based on a specific road design. In terms of the effects identified, the assessments also identify measures available to avoid or mitigate any adverse effects, where it is considered necessary to do so.

25. The assessments are intended to ensure that the adverse effects arising from the proposed designation are identified, and where these effects are likely to be of a scale or nature that necessitates avoidance, remediation or mitigation, confirm that such measures are available. Prior to the construction of the proposed road, the Council (as the requiring authority) will be required to submit an outline plan of the proposed construction, to cover the detailed aspects of the road construction. This allows the Council (as the regulatory authority) to request changes before construction is commenced. It is anticipated that the outline plan process would allow for specific mitigation measures to be identified in response to the detailed design of the road; but that these would generally align with the broad mitigation measures identified in the technical assessment forming part of this NOR.

26. In addition to the outline plan process, various other authorisations have been identified through the technical assessments as being required prior to the construction of the proposed road. These other authorisation processes will also ensure that various potential adverse effects are appropriately managed. For example, if after further assessment, those areas within the designation identified as potential archaeological sites are found to be so, an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 will be required, allowing for effects on heritage values to be addressed through that authorisation process. A range of authorisations have also been identified as being required under the Canterbury Land and Water Regional Plan. This will allow for effects resulting from construction of the proposed road on matters such as water quality and aquatic habitat to be addressed through the regional resource consenting process.
27. The following sub-sections provide an assessment, by topic, of the actual and potential effects of the proposed road on the environment.

### **Traffic**

28. The traffic effects from the proposed designation are set out in the Transportation Assessment, included in Appendix C to this NOR, which is intended to identify the magnitude of impacts that would result from the proposed designation. Notwithstanding that the NOR only applies to portions of the overall Rangiora Eastern Link, from a traffic perspective the full link has been assessed, because of the need to look at the operation of the entire network.
29. The Link was proposed as part of the 2001 Rangiora Transport Study, which recommended several links that together were collectively intended to provide alternative routes into Rangiora; reduce congestion on the main north-to-south strategic route through Rangiora; and to service expected growth in the east, south and west of the township. The Link was also specifically intended to ease the pressure on the Percival Street/Southbrook Road route.
30. The Rangiora Eastern Link is expected to reduce travel times for people with origins or destinations along the route, by between 40 and 70%. It will also result in traffic on parallel routes (Lehmans Road, Southbrook Road and Rangiora Woodend Road) decreasing significantly, and improvements to the efficiency of existing local road intersections at South Belt/Southbrook Road and Ashley Street/High Street. This is expected to alleviate significant delays on the Percival—Southbrook route (and side streets feeding into it). All intersections along the Link are expected to operate at Level of Service A or B in 2038. Overall, the cumulative travel time and distance savings of all vehicle travelling on the network per day is modelled to decrease by 588hrs and 5,558km, respectively, as a result of the Rangiora Eastern Link, because the new road significantly shortens the distance needed to be travelled for many motorists, and reduces delays on existing roads.
31. Local roads closest to, and connecting directly with the Link road intersections, will experience increased traffic flows, that will impact on local property access. Increased use of these local roads, whose primary function is property access rather than use as a thoroughfare, would have adverse effects on the amenity and safety of residents in these streets. The assessment

recommends that to address these effects, area-wise traffic calming treatment be installed on local roads adjacent to the eastern link road to reduce the potential effects of these roads being used as thoroughfares. It is accepted that the Council, as the road controlling authority, will need to note this, and take it into account as part of its planning for the wider roading network.

32. In terms of safety, the reductions in traffic volumes on the surrounding road network is expected to reduce forecast crashes on that network by approximately 1 injury crash per annum; conversely, in introducing a new road and new intersections, there is expected to be an increase in forecast crashes on this road/these intersections of approximately 1 injury crash per annum.
33. In terms of other transport effects, the Link is expected to have positive benefits for pedestrians and cyclists through providing additional pedestrian and cycling access options. While the Link is expected to result in a small delay to buses on current Route 97, the overall reduction in traffic on alternate routes is expected to result in improved travel times on these alternate routes. Overall, the impact on the operation of public transport is therefore expected to be positive.
34. The assessment also considers impacts on access to residential properties, noting that for most properties the effects are not expected to be more than minor. This includes where existing accesses will be affected but can be moved to an appropriate new location. However, it identifies that there will be significant effects on access for 197 Boys Road, which will be split into two portions as a result of the proposed designation. It notes that the severance of land could affect the day-to-day operations of the rural farming land use. In particular, it notes that the road could have a significant impact on the movement of livestock between the paddocks. The assessment considers that this can be addressed through the installation of a livestock underpass. This is a matter that requires further discussion with affected landowners, to determine the best way to address various effects associated with land severance resulting from the proposed road, including stock movement. A proposed condition on the designation addresses this by requiring any future outline plan to include measures proposed to avoid, remedy or mitigate the effects of the road severing any landholding. This allows for investigation of a stock underpass, while not pre-determining the outcome of that investigation if an alternate option would be more appropriate.

### **Noise**

35. The likely noise effects associated with the proposed road are set out in the Road Traffic Noise Assessment, included in Appendix D to this NOR. The assessment identifies sensitive receivers to traffic noise – referred to as “Protected Premises and Facilities” (PPFs), such as dwellings, within 200m of the road alignment (rural) or 100m (urban), and assesses the potential noise increases on these receivers, against those levels that would otherwise be expected in absence of the road being constructed. It notes where there are existing PPFs where mitigation of noise may be required to address the increased noise levels resulting from the traffic associated with the proposed road, and identifies mitigation options such as low-noise road surfacing or local speed reductions. The assessment notes that the specific mitigation should be assessed and determined at the detailed design stage.

36. Overall, the Noise Assessment concludes that the noise effects arising from the proposed road are either reasonable, or can be addressed to ensure that they are reasonable, through various noise mitigation options.
37. The proposed conditions for this designation will require that a further noise assessment is undertaken of the final design following the appropriate New Zealand noise standard, and that the structural mitigation found by the assessment to be the best practicable option is implemented.

### **Landscape and Visual Effects**

38. The visual and landscape effects of the proposed road are considered in the Landscape and Visual Assessment (LVA), included in Appendix E to this NOR. The main visual change arising from the proposed road will be the creation of a linear corridor of roading across a series of flat, open paddocks, and the related removal of established plantings. To mitigate the potential landscape and visual effects created by changes to the local vegetation pattern and by the stream and road 'crossings', landscape plantings can be undertaken. This includes wetland plantings being incorporated in drainage swales and riparian plantings on the immediate stream banks, at stream crossings; integrating landscape treatment with stormwater treatment measures and (if relevant) any physical noise mitigation measures; and using the layout landscape planting at intersections to define the intersections.
39. The LVA also notes that where adjacent land is developed alongside the corridor, there will be an opportunity for any land developer to include landscape buffers between any development and the proposed road corridor, if such a buffer is desirable. The exception to this is where the road is adjacent to Northbrook Reserve, where the current land use is not expected to change. It recommends that landscape planting, of the type that is currently on the western margin of Sparks Lane, be extended along the west margin of the short section of the proposed link road to meet the North Brook stream crossing and its proposed landscape planting.
40. Overall, having identified potential measures to mitigate the potential landscape and visual effects of the proposed road, the LVA recommends that a detailed landscape plan should be prepared during the detail design phase for the proposed link road. Because the work proposed under this NOR does not include details on landscaping, an outline plan will be required, in accordance with s176A(3)(e) to include proposed landscaping. The matters identified in the LVA will therefore be addressed through the future outline plan process.

### **Ecology**

41. The ecological values within and adjacent to the proposed road and the potential effects of the road on these values are set out in the Ecological Report, included in Appendix F to this NOR. In summary, these include: riparian vegetation along several waterways which the proposed roading will cross or reclaim and adjacent stormwater treatment basins and wetland habitats; rank grass adjacent to, but not within, the proposed road corridor likely providing habitat for Canterbury grass skink (an At Risk lizard species); and approximately 50 species of birds known to occur within the area, including three Threatened and six At Risk species.

42. The following potential effects on these values have been identified:
- The construction of road crossings necessitated by the construction of the road across existing waterways is expected to result in the permanent loss of habitat for aquatic and terrestrial species currently provided by indigenous plantings within riparian margins.
  - Waterway headwaters and spring heads located within the proposed designation may be susceptible to reduced flow after the road has been constructed.
  - In-stream structures, such as culverts, can disrupt or impede the free movement of fish along waterways.
  - The increase in impervious surfaces resulting from the roading can reduce natural flow paths to waterways during rainfall events, resulting in 'flashy' flows, which can have adverse effects on the ecology and health of waterways.
  - Contaminants and pollutants (e.g. sediments, heavy metals) from the surrounding urban environment can also accumulate on these hard surfaces (e.g. roads, footpaths) and enter waterways during rainfall events.
43. The Ecological Report identifies how the above effects can be avoided or mitigated, including through a range of measures. In particular this includes the provision of freshwater ecology advice in the design and build stages for the road, including stormwater treatment systems, landscape planting and lighting. Of particular note, the assessment recommends that where possible, installation of culverts is avoided, with preference given to bridges. Where that is not possible, it is recommended that culverts are designed and sized to meet ecological needs (rather than for conveyance of flood events), and that mitigation for stream loss, such as enhancement of adjacent sections of waterway, is provided. Overall, the Ecological Report concludes that there are no ecology values that preclude the general alignment of the proposed roading or suggest that the road should not be built in the corridor proposed, provided that various design and construction elements are carefully considered.
44. In general, the potential adverse effects identified are matters which will be addressed through the Canterbury Land and Water Regional Plan (CLWRP), the requirements of which will continue to apply to the proposed works. Consents required under the CLWRP will therefore need to address the potential effects identified in the Ecological Report, and may include additional assessments or specialist surveys required to complete a detailed Ecological Impact Assessment. Because these are addressed through the CLWRP, no conditions are proposed on this designation in relation to these matters.

### **Flooding and Stormwater**

45. The Stormwater and Flood Risk Assessment, included in Appendix G to this NOR, outlines the potential adverse effects relating to stormwater and flood risk for the proposed road.
46. The assessment identifies a number of potential adverse effects arising from the operation of the road on stormwater and flood risk, including: discharge of contaminants from stormwater and their impact on water bodies; an increase in impervious surfaces leading to an increase in the amount of surface water run-off during rainfall events; and interruption of existing overland flow

paths, flood storage and swales/drains. The assessment identifies ways in which each risk or potential effect can be addressed. This includes physical mitigation measures; things to be considered and/or included in the future design of the road and related stormwater collection and treatment systems; and the preparation and implementation of an Erosion and Sediment Control Plan.

47. The assessment also notes that the proposed road alignment will cross multiple paddocks and has the potential to affect the irrigation systems and farm drainage functions and in turn adversely affect the farm's productivity. It recommends that this is discussed with the landowners to ensure that the impacts on irrigation systems and drainage capacity are minimised as far as practicable.
48. It is noted that the potential adverse effects identified, in terms of stormwater management, can be managed through adherence to the Council's Engineering Code of Practice, to ensure that the design will appropriately manage the conveyance, treatment and disposal of stormwater. In terms of effects relating to the discharges arising from the proposed roading, these will be managed, either under any global stormwater consent held by the Council, or will require a resource consent to be obtained under the CLWRP. Fish passage is also specifically managed under the National Environmental Standards for Freshwater. Because of this the Stormwater and Flood Risk Assessment does not recommend that specific stormwater conditions be included on the designation, except in relation to requiring compliance with the Engineering Code of Practice.
49. In terms of flood risk, a condition is proposed on the designation, reflecting the recommendations of the Stormwater and Flood Risk Assessment, to prepare a report prior to construction of the roading to assess the potential impact of the road corridor on flood risk, and identify proposed mitigation measures to be incorporated into the road design.

### **Archaeology**

50. The Desktop Archaeological Assessment, included in Appendix H to this NOR, provides a review of archaeological information, including databases, maps, aerial photographs and survey plans relevant to the proposed designation.
51. The assessment identifies that there are no recorded archaeological sites within the proposed designation corridor, but a large Ngai Tahu silent file area centred around Tuahiwi Marae lies along the eastern boundary of the proposed designation. A review of historic aerial photographs and related documents identifies that there are two areas where buildings and structures were located, but further investigation is required to determine if the development of the land was pre-1900 and therefore presents an archaeological risk. Further assessment of these sites is recommended in order to determine if an archaeological authority under the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) is required, prior to the construction of the road. The assessment also recommends that iwi consultation is undertaken to determine if there are other sites of potential archaeological interest within the corridor that need to be considered in the archaeological assessment.

52. While the assessment considers these to be potential risk areas, it concludes that the risks are unlikely to be of outstanding significance and the effects of the designation on archaeological values is considered to be minor. As such, the assessment considers that disturbance of the sites does not need to be avoided, and can be mitigated through seeking an archaeological authority under the HNZPTA prior to the start of ground investigations and/or construction works, and undertaking archaeological investigation and recording during construction under this authority, within the potential risk areas.
53. The assessment considers that outside of the above areas, there is low risk of archaeological sites being present. It recommends that an Archaeological Management Plan is prepared prior to the start of construction to manage archaeological risk work within risk areas and accidental discovery protocols along the rest of the Corridor.
54. In response to the recommendations in the Desktop Archaeological Assessment, the proposed conditions include a requirement for an assessment to be undertaken of the identified risk areas and any sites of cultural importance identified through consultation with iwi. It is acknowledged that should this assessment confirm evidence of pre-1900 activity, an archaeological authority will be required from Heritage New Zealand Pouhere Taonga prior to any ground investigation works or construction activity.

#### **Contaminated Soil**

55. The Desktop HAIL Review, included in Appendix I to this NOR, has been undertaken to assess whether it is more likely than not that HAIL activities have occurred, or are occurring within the proposed designation, that may impact the project, with respect to the disturbance of soil. This has been undertaken on a desktop basis, and included review of: the proposed road corridor; sources of information that outline the topography and hydrology of the area; Environment Canterbury's Listed Land Use Register; and historical aerial photographs. This identified three HAIL sites of significance that intercept or are within 200m of the extent of designation. The level of risks posed by these sites are also assessed, with one site considered to have likely risk, whereas the others are considered unlikely or highly unlikely to have potential risk arising from the roading proposed. Taking the risks into account, the review recommends that a detailed site investigation be undertaken on the site at 141 Marsh Road, (containing the Rangiora Waste Water Treatment Plant) due to it being listed as a 'Verified HAIL site – not investigated' in the Environment Canterbury LLUR and directly intersecting the proposed route. It is noted that following a detailed site investigation being undertaken, a consent may be required under the National Environment Standards for Contaminated Soils (NESCS).
56. The review also identified the potential for risks associated with disturbance of existing road pavement material where connecting to existing roads as these roads have the potential to contain coal tar, which contains contaminants that can be hazardous to worker health during disturbance, and implications for off-site disposal. It further notes that the desktop review does not include identification of contaminating features that may be present in rural areas and which may pose a latent low-level risk. In relation to these risks it recommends that the concentrations of PAH (polycyclic aromatic hydrocarbons) in the road pavement are established to allow

quantification of the risk to human health and to allow assessment of off-site disposal options for coal tar contaminated materials.

### **Effects on Existing Assets**

57. The proposed road will travel past the Council's wastewater treatment ponds. There is the potential for odour associated with the treatment ponds to be noticeable to passers-by and lead to complaints. This in turn may result in the Council coming under pressure to increase mitigation measures undertaken to manage odour. While this is acknowledged, the necessity for the road is considered to outweigh the potential for reverse sensitivity effects to arise and any subsequent increases in costs associated with managing odour.
58. As noted earlier, the proposed road will also impact various buildings and car parking areas associated with both the Council Water Unit, and the wastewater treatment plant. There are cost implications associated with the removal or relocation of these assets and the potential for disruption of wastewater services. Potential disruption is however able to be mitigated through the detail of how assets are to be removed and relocated in order to allow for the road to be built being worked through carefully between the Council's different departments. The costs and disruption associated with the impact on the existing wastewater assets is also considered to be less than those associated with an alternate route that would impact on the wastewater treatment ponds themselves, or the construction costs and impacts on other private landowners if the eastern link were to be located to the east of the wastewater treatment ponds.
59. The proposed road will also pass beneath Transpower's overhead powerlines. As noted earlier, the alignment of the designation is located away from the support structures themselves. However, the exact location and design of the road, as well as how construction activities are undertaken will need to be discussed with Transpower to ensure that potential adverse effects on the safe and efficient operating of the powerlines is appropriately managed.

### **Construction Effects**

60. The proposed road will involve construction works that will result in temporary effects for the period during which construction works are undertaken. A number of the technical assessments summarised above also consider the potential construction effects.
61. In terms of any temporary adverse effects on traffic resulting from the construction of the proposed road, including any effects on private property access, these can be mitigated through the implementation of a Construction Traffic Management Plan. This will include the use of the land specifically designated for road construction purposes (and expanded on further below). There will also be noise arising from the construction of the proposed road, that will have the potential to cause annoyance and disruption to the community. The Noise Assessment recommends that proactive management is undertaken by preparation of a Construction Noise Management Plan. With the preparation and implementation of such a plan, the construction is expected to avoid significant construction noise effects. Historic contamination may also be discovered during construction works. The Desktop HAIL Review therefore recommends that an accidental or unexpected contamination discovery protocol should be designed and adopted prior



to soil disturbance work commencing. These are all included in the proposed conditions on the designation.

62. During construction there is also a risk that:
- earthworks could expose sediment, which can then be mobilised by rain and wind and enter adjacent waterways, resulting in increased suspended sediments and sedimentation of downstream habitats, which can have adverse ecological effects on these habitats. Any installation of river-edge (scour) protection along the banks that may require excavation of the banks or the bed of the river can have similar adverse effects.
  - Plant movement in and out of site access points established to enable construction work may track mud onto adjacent roads.
  - Concrete slurry and other construction contaminants may be discharged into the river, particularly where concrete structures are poured *in situ*, which can have significant adverse effects on the freshwater environment.
  - If earthworks encroach on the interface between the banks and the water, they may affect in-stream habitat such as undercut banks, which provide habitat for freshwater fish.
  - Fish could be unintentionally killed during any sheet piling or dewatering.
  - Where works are required within or adjacent to the waterway, mortality and disturbance of fish and other in-stream fauna may occur.
  - In-stream works may interfere with migration and spawning of freshwater fishes.
63. The Ecological Report and Stormwater and Flood Risk Assessment identify that these risks can be managed through robust erosion and sediment control measures, such as the implementation of an Erosion and Sediment Control Plan, requiring refilling / refuelling of machinery to be undertaken outside of the riverbed and away from banks, avoiding in-stream activities wherever possible, (and especially during critical periods for fish migration and spawning,) and through engagement of a freshwater ecologist to advise on appropriate and best practice methods to be used during construction. It is noted that these construction effects are all addressed under the CLWRP, but the above demonstrates that they can all be appropriately addressed at the design and construction stage.
64. The land designated for road construction purposes will be used for access to the road corridor during construction and is likely to be required for the full construction period which is anticipated to be up to 24 months. Its purpose is to help ensure the construction works are undertaken as efficiently as possible and disruption during construction is minimised. Firstly, it will provide a route for construction traffic that allows for such traffic to avoid completed works, limiting the risk of damage to the completed works from heavy loads, tracked machines and contamination (for example, mud tracking off construction vehicle tyres onto newly laid unsealed pavement materials). It is also possible that a temporary haul road will be constructed within this portion of the designation which will allow uninterrupted access to any portion of the road corridor for construction traffic.
65. This part of the designation also reflects that the 'ribbon' nature of the road corridor limits the location and number of access points from existing public roads for construction traffic. This can

result in periods of time where a portion of the road corridor is cut off and cannot be accessed due to construction activities affecting the full width of land designated for roading purposes. For example, a bridge construction site can utilise a lot of space during construction and result in the road corridor being severed until the bridge is constructed. The temporary designation for road construction purposes allows the bridge site to be by-passed, through the use of the haul road and low-level temporary bridging, culverting or similar, allowing the free flow of construction traffic to other areas of the corridor. Similarly, severing can also occur where significant areas of contaminated or unsuitable land is discovered which requires full width removal, or where services or culverts cross perpendicular to the road corridor requiring full width excavations.

66. The potential noise effects associated with activities within the construction designation are noted above and can be managed through preparation and implementation of a Construction Noise Management Plan.
67. Other uses for the land designated for road construction purposes could include temporary stockpiling of materials, plant and equipment so that these can be stored clear of the construction activities. There may be some visual effects associated with this, but they will be temporary only, limited to the duration of the construction period.

### **Overall Summary of Effects**

68. The assessment of effects set out above, and expanded on in each of the technical assessments appended to this application, identify, at a broad level, the likely effects to arise from the construction and operation of the proposed roading. The technical assessments also identify, where it is considered necessary, measures that are available to avoid or mitigate any adverse effects. No adverse effects have been identified through any of the technical assessments that are unable to be managed appropriately, or which indicate that there are major constraints to the designation being able to be implemented. This takes into account that additional authorisations will be required, such as regional council resource consents, and that prior to the construction of the proposed road, an outline plan will also need to be submitted to the Council to outline detailed aspects of the road construction and any specific mitigation measures proposed in response to that detailed design.
69. Overall, the adverse effects on the environment resulting from the construction and operation of the road are able to be appropriately managed, and the positive effects resulting from provision of an additional route in eastern Rangiora are considered to outweigh any adverse effects.

### **Statutory considerations**

70. Section 171(1) of the RMA sets out that when considering a NOR, 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

71. There are five National Policy Statements and four of these are not considered to be relevant at all to this NOR. The area to which the proposed designation applies is not located in the Coastal Environment and therefore the New Zealand Coastal Policy Statement is also not relevant.
72. The National Policy Statement for Freshwater Management 2020 (NPSFM) provides direction on how freshwater is to be managed, and is predominately relevant to regional councils who are required to give effect to the direction in the NPSFM in their regional plans. It has relevance because the construction of the road proposed by this application will require consents from the regional council and those consents will need to be considered against the NPSFM. This includes ensuring that freshwater is managed in a way that gives effect to Te Mana o te Wai, which requires that the health and well-being of water bodies and freshwater ecosystems is prioritised, ahead of the health needs of people, which in turn is prioritised above the ability of people and communities to provide for their wellbeing (Objective 1 and Policy 1). Also of relevance is the requirement for no further loss of the extent of natural inland wetlands and protection of their values (Policy 6). The NPSFM also requires that the freshwater and land use and development is managed in an integrated way that avoids, remedies, or mitigate adverse effects on the health and well-being of water bodies (Policy 3.5(1)).
73. The Ecological Report and Stormwater and Flood Risk Assessment both consider the potential effects of the construction and operation of the road on the health and well-being of the waterbodies affected by this application. As outlined above in the assessment of effects, they identify ways in which the potential effects can be appropriately avoided or mitigated, including through regional consenting requirements. As such, there is nothing about the proposed road that is considered to be inconsistent with the NPSFM.

#### Canterbury Regional Policy Statement

74. 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 land use and infrastructure framework that achieves a number of outcomes. This includes protecting and enhancing indigenous biodiversity; maintaining or improving the quality of water in groundwater aquifers and surface waterbodies; integrating strategic and other infrastructure and services with land use development; and optimising use of existing infrastructure. The assessment of environmental effects, and in particular the Ecological Report and Stormwater and Flood Risk Assessment consider the potential effects of the proposed road connection on indigenous biodiversity and water quality. They conclude that the effects can be appropriately avoided or mitigated. The proposed road connection is also part of a roading link that has been identified as appropriate to provide greater integration between transport infrastructure and residential growth in Rangiora township, and aligns with existing or proposed roads. Overall, it will contribute towards optimisation of the transport network and better integration of the transport network with urban land uses.

75. Objective 6.2.2 seeks that the urban form and settlement pattern in Greater Christchurch is managed to provide sufficient land for rebuilding and recovery needs and set a foundation for future growth, with an urban form that achieves consolidation and intensification of urban areas, and avoids unplanned expansion of urban areas. In terms of Rangiora, this is to be achieved by encouraging its sustainable and self-sufficient growth. The proposed roading connection is part of ensuring that the transport network is appropriate to service anticipated and planned growth.
76. 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 managing network congestion and optimising use of existing capacity within the network. The proposed road is specifically intended to improve the transport network to reduce congestion on other roads, and will integrate with existing roads that have capacity.
77. Policy 6.3.4 relates to ensuring an efficient and effective transport network, to maintain and improve movement of people and goods. The proposed designation is consistent with this direction as it seeks to optimise the efficiency of the overall transport network for the Rangiora Township.
78. Chapter 6 also includes 'Map A', which sets out the urban form that is planned for the Greater Christchurch area, through identifying the location and extent of urban development and future growth, with Policy 6.3.1 directing that urban activities only occur within areas identified on Map A. The methods then direct that local authorities provide for sequencing, provision and funding of infrastructure that support the pattern of settlement in Map A. As shown in the figure below, which is that part of Map A applying to Rangiora, urban expansion is anticipated in the east of Rangiora. The proposed road is therefore consistent with the direction to ensure the provision of infrastructure to support this settlement pattern.



**Figure 2: Excerpt from Map A – Greenfield Priority Area (Chapter 6 of the CRPS).**

#### Regional Plans

79. The Canterbury Land and Water Regional Plan and the Waimakariri River Regional Plan both apply in the Waimakariri District. There is nothing in this NOR that is considered to be inconsistent with these plans.

#### District Plan

80. 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; integrating with existing utilities; meeting accepted design standards; and requiring all new roads to be sealed; and protecting aquatic ecosystems from the adverse effects of roading. Objective 15.1.3 seeks that transport networks are safe, sustainable, efficient and facilitate connected communities and a choice of travel modes. This NOR 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.

81. Objective 15.1.1 seeks that the District’s urban environment maintain and enhance the form and function, the rural setting, character and amenity values of urban areas. Policy 15.1.1.2 directs that within the urban environment subdivision, land use, development and protection should avoid, or mitigate adverse effects on: the rural setting of the District’s towns and settlements;

efficient and effective functioning of roads; ease and efficiency of access; urban water bodies, and downstream effects on rural water bodies; quiet and safe environments; cycleways and the individual character of the settlement. The various technical assessments appended to this NOR have considered the potential for adverse effects arising from the road on these matters and concluded that potential adverse effects can be appropriately managed to achieve these outcomes.

82. Objective 18.1.1 seeks the sustainable management of natural and physical resources recognises and provides for changes in the environment of an area as a result of land use development and subdivision; changes in the resource management expectations the community holds for the area; and the actual and potential effects on subdivision, use and development. Policy 18.1.1.1 directs that growth and development proposals provide an assessment of resources affected by a proposal and how any adverse effects will be addressed. The policy also specifically identifies matters to be demonstrated by proposals, including: maintenance and enhancement of the environmental characteristics of the surrounding area and adjoining zones; maintenance and enhancement of the form and function of the District's towns; provision of access to and along rivers, open spaces and reserves; ensuring the efficient and effective integration of any new infrastructure into the existing network; and protecting groundwater and surface water quality. These are all matters that have been addressed in the technical assessments prepared to assess the effects of this proposed NOR application.
83. Also relevant to this proposal are Objective 6.1.1 which seeks to safeguard indigenous biological diversity, and Policy 6.1.1.5 which directs the avoidance, remediation or mitigation of the adverse effects of activities on the intrinsic values of indigenous ecosystems, including integrity, form, functioning and resilience; and indigenous vegetation, habitats and indigenous fauna. The proposed NOR is also located near wetlands. Objective 6.2.1 seeks to maintain, enhance and, where appropriate, restore wetland ecosystems and Policy 6.2.1.1 directs that the ecological integrity and natural functioning of wetlands are safeguarded. The potential adverse effects of the proposed roading on indigenous biodiversity and wetlands are considered in the Ecological Report, which demonstrates how these effects can be appropriately managed.
84. Objective 6.3.1 seeks the maintenance, enhancement, and restoration of waterways and roadsides as areas of indigenous vegetation, mahinga kai and habitats of indigenous fauna. Policy 6.3.1.2 directs that roadsides are developed as areas of indigenous vegetation, and habitats for indigenous fauna, whilst having regard to road safety and the operation and maintenance of the drainage, irrigation and stock water networks. The LVA has considered the opportunities to integrate landscape planting with the proposed road.
85. Objective 4.1.1 seeks to maintain and enhance the life-supporting capacity of the land resource in the District. Policy 4.1.1.3 directs that land use activities should avoid, remedy, or mitigate adverse effects on environments susceptible to degradation such as river and stream margins and aquatic habitats. These potential effects are identified and considered in the Ecological Report and Stormwater and Flood Risk Assessment, with identification of measures that can be used to avoid, remedy or mitigate the identified potential effects. Policy 4.1.1.4 also directs that

contaminated sites are managed to prevent or mitigate effects in a manner appropriate for the level of risk associated with the site. The Desktop HAIL Review provides an assessment of whether it is more likely than not that HAIL activities have occurred, or are occurring within the designation area, and identifies mitigation measures to address potential contamination identified.

***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.”***

86. This NOR applies to sites that are not in the Council’s ownership. This triggers the requirement to consider alternative sites, routes or methods of undertaking the work.
87. As noted earlier, the full Rangiora Eastern Link was originally identified in the Rangiora Transport Study (Beca, September 2001) and alignment options and preliminary details for the selected alignment were identified in a subsequent Scheme Assessment Report (Opus, February 2005).
88. In order to provide a connection from Lineside Road through to Northbrook Road, there are limited alternative sites available for consideration, with all of the land that is not owned by the Council being owned by one landowner. The specific alignment proposed in this NOR between Boys Road and Northbrook Road has taken into account landowner preference, while still ensuring that the objectives sought by the NOR can be achieved.
89. The alternatives to the use of a designation that have been considered, are relying on the resource consent process (under the district plan) to authorise the works; or relying on authorisation for the construction of the road through the structure plan process. Overall, a designation is considered to provide the most appropriate level of certainty to the Council, community and affected landowners regarding the proposed road.
90. Relying on a resource consent process is considered to be less certain, as the construction of the road would be considered against the relevant zoning provisions. These provisions are likely to be more focussed on the predominant type of land use anticipated over a wider area (for example, residential development, or rural land uses). Relying on a resource consent would also not provide any signal to the landowner or community that the road connection is anticipated in this area.
91. Conversely, a designation was considered for that proportion of the overall link connecting Kippenberger Avenue and Coldstream Road, and was not considered necessary because the road is expected to be identified in the Structure Plan for that area, and developed as part of the development of that area of land. While a portion of the link between Lineside Road and Northbrook Road will also be included in the Structure Plan, it has been determined that designating the whole link is most appropriate as that portion of the road will be constructed as one project, rather than the portion of it within the Structure Plan area being completed as a separate project in conjunction with any surrounding development.

***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.”***

92. The proposed roading and its designation are considered reasonably necessary to allow Waimakariri District Council as the Requiring Authority to improve the safety and efficient of the roading network. This includes: providing an alternative route into Rangiora; reducing congestion on the main north-to-south strategic route through Rangiora, easing the pressure on the existing Percival Street/Southbrook Road route; servicing expected growth in the east of the township. The designation also protects that part of the overall Rangiora Eastern Link that is not already built or otherwise provided for under a Structure Plan, and therefore provides a clear signal of what the Council intends in future in respect to its roading network. 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 and therefore risk achievement of the aforementioned objectives.

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

93. There are no other matters considered reasonably necessary to make a decision on this NOR.

## **Consultation**

94. As noted above, there are only two affected landowners associated with this designation – the Council, and a private landowner that owns all of the remaining land.

95. The Council, as a requiring authority, has advised the affected land owner of the intention to designate the land. Two meetings have been held with the landowner, along with email exchanges and phone calls. A detailed letter on the proposal has been received from the landowner’s lawyer, and been responded to. In general, the landowners have indicated support for the concept, in terms of being the right thing for the District and the community. However they have also raised a number of issues, because of the significant effect on their land and farming operation. Some of these concerns have been addressed in this application, while others are acknowledged as matters to be resolved as part of the further design works, and the final compensation.

96. The designation was also discussed at the joint Te Ngai Tuahuriri and Council meeting on 11<sup>th</sup> March 2021. The main issue of concern related to the protection of both the Northbrook Stream, and the small spring-fed drain alongside Sparks Lane. It was generally agreed at this meeting that prior to a decision being made on how best to protect these environments, further discussions will be held between the parties. The meeting didn’t not express any concern about the potential for historical cultural discoveries, noting that this was unlikely, and that the usual discovery protocols would suffice.

97. In addition, there have been discussions across the council Unit Managers regarding the effects of the designation on Council land and utilities. These discussions include the effects on the



drainage associated with Sparks Lane, the stormwater treatment and retention ponds in 141 Marsh Rd, the wastewater treatment facilities at 141 Marsh Rd, and the water unit offices and facilities at 141 Marsh Rd. This has resulted in a number of amendments to the original proposal, and a recognition that there will be a range of impacts to consider as part of the final alignment and design of the road.

98. Discussions will also be required with Waka Kotahi and KiwiRail regarding the layout of the intersection with Lineside Road. Similarly, discussions will also be required with Transpower as part of the final alignment and design of the road, given the presence of overhead powerlines across a portion of the proposed designation. However, the designation as it stands is appropriate to allow the issues to be properly mitigated at the time of design and construction.

## Conditions

99. As noted in the assessment of effects section of this report, various technical assessments include recommended measures to appropriately avoid, remedy or mitigate potential effects of the construction of the proposed road connection. These broadly fall into three categories:
- i. Measures that can be undertaken to manage effects, and which can be identified and applied at the designation stage, i.e. they are not dependent on the detailed design. These measures have been included as conditions within the designation table in Appendix B.
  - ii. Measures that can be undertaken to manage effects, but the detail of which needs to be considered and determined as part of the detailed design phase. These measures are matters that will require further consideration as part of the outline plan phase under s 176A of the RMA, and in particular, the requirement under s 176A(3)(f) to show how any adverse effects on the environment are to be avoided, remedied or mitigated. These measures are considered to demonstrate that there are no impediments to the designation, but are not included as recommended conditions, given their detail is dependent on specific design details.
  - iii. Measures that are important to note as part of the overall way that effects from the proposed road connection can be addressed, but which are managed under separate processes. This includes:
    - o Matters that the council, as the road controlling authority need to address as part of their planning and funding processes.
    - o Matters that are managed under regional council plan processes (either through permitted activity conditions, or through the requirement for a resource consent to be obtained). These measures are considered to demonstrate that there are no impediments to the designation, but will ultimately be 'imposed' through the regional plan processes.
    - o Matters that are managed under the NESCS, including likely resource consent requirements.
    - o Other separate authorisations that may be required outside the RMA, for example, under the Heritage New Zealand Pouhere Taonga Act 2014.

## Conclusion

100. Waimakariri District Council gives notice of its requirement to designate land at 141 Marsh Road, 162, 234 and 259 Boys Road, 151 and 187 Northbrook Road, and parts of the unformed legal road reserve between the southern end of the formed portion of Spark Lane and Boys Road, for roading purposes. The preceding assessment of effects concludes that the effects associated with the improvements are able to be appropriately mitigated, with specific mitigation addressed through the future planning stages, including any subsequent outline plan process, regional council consents and other authorisations. The proposed designation is consistent with the Operative District Plan and CRPS.

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

