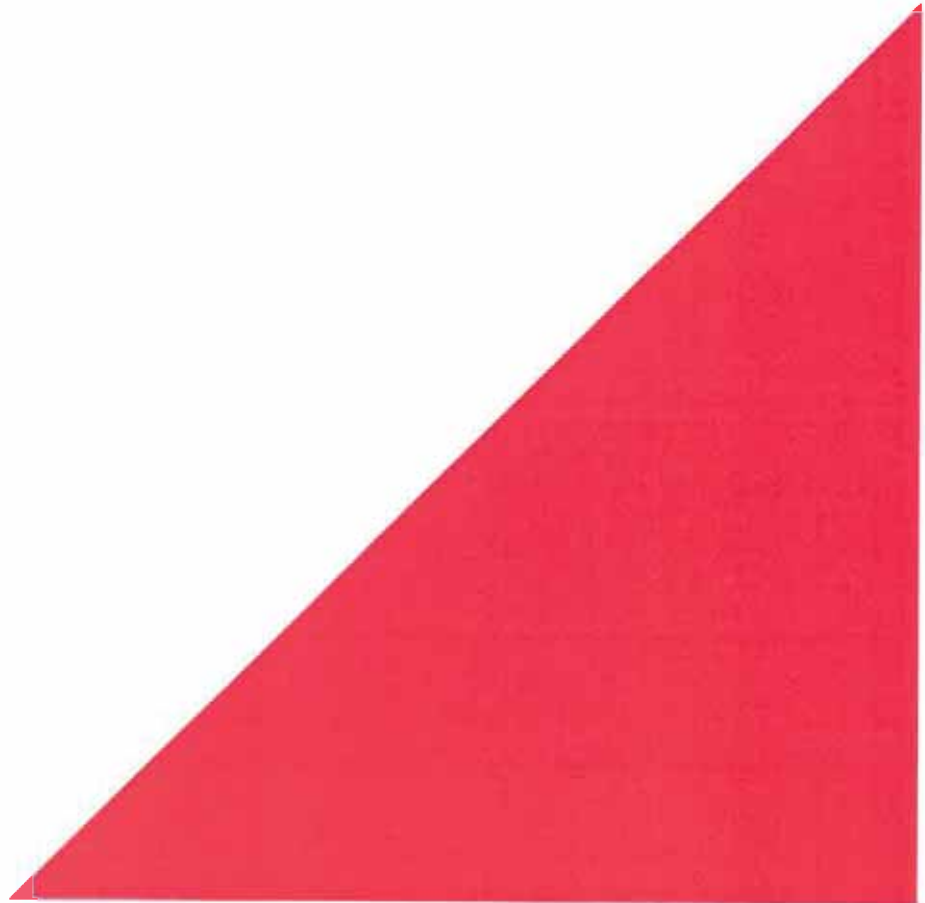




Notice to Wanganui District Council

Notice of Requirement

Cooks Street service lane





Notice to Wanganui District Council

Notice of Requirement

Cooks Street service lane

Prepared By

S. Jones

Susan Jones
Resource Management Planner

Opus International Consultants Ltd
Wanganui Office
Opus House, 104 Guyton Street
PO Box 654, Wanganui Mail Centre, Wanganui
4540
New Zealand

Reviewed By

pp S. Jones

Fleur Lincoln
Work Group Leader- Planning

Telephone: +64 6 349 6600
Facsimile: +64 6 348 4601

Date: October 2012
Reference: 5-WC530.05
Status: FINAL

Contents

Part A	Notice of requirement in accordance with section 168A and clause 4(6) of the First Schedule of the Resource Management Act 1991	1
PART B	Planning Report and Assessment of Environmental Effects.....	1
1	Introduction	1
2	Existing Environments and Site.....	1
3	Description of Work	1
4	Assessment of Environmental Effects.....	1
4.2	Amenity Values	2
4.3	Effects on Built Fabric & Heritage	2
4.4	Effects on Safety.....	2
4.5	Positive Effects.....	2
5	Statutory Framework	2
5.1	Resource Management Act 1991	2
5.2	Wanganui District Plan.....	3
6	Consultation	4
7	Alternatives	4
8	Conclusion.....	4
APPENDIX I- LAND REQUIREMENT PLAN		
APPENDIX II- EVIDENCE OF CONSULTATION		
APPENIDX III- CERTIFICATES OF TITLE		

Part A Notice of requirement in accordance with section 168A and clause 4(6) of the First Schedule of the Resource Management Act 1991

To: The Principal Planner
Wanganui District Council
PO Box 637
Wanganui 4540

From: Rui Leitao
Senior Roading Engineer
Wanganui District Council Infrastructure
PO Box 637
Wanganui 4540

1. Wanganui District Council Infrastructure gives notice of a notice of requirement for:

A service lane

2. The site to which the requirement applies is as follows:

Address: To the NW and N of 18 Cooks Street, Wanganui

Legal Description: Lots 1 & 2 DP 25730, Pt Lots 2 & 3 DP 5887 and Pt Lot 4 DP 30996

Site Area: 0.0494ha

Zoning: Outer Commercial Zone in the Wanganui District Plan

3. The nature of the proposed public work is:

To provide for a service lane from Cooks Street to the rear of 18 Cooks Street. The site to be designated is currently used as a service lane and the proposed designation will secure the future use of this land as a service lane. The designation of the area will ensure that a designated service lane will extend around the whole building as it will connect with the existing designation found on the southern side of 18 Cooks Street (D80).

4. The effects that the public work will have on the environment, and the ways in which any adverse effects will be mitigated, are:

Part B provides an assessment of the actual and potential effects that the proposed public work may have on the environment, and the measures proposed to be implemented to provide mitigation of these effects.

5. The actual and potential adverse effects have been assessed in section 4 of this notice, and are summarised as:

- (i) Effects on amenity values;
- (ii) Effects on built fabric & heritage;
- (iii) Effects on safety; and
- (iv) Positive effects

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

The proposal is site specific in that it is not a development proposal that can be accommodated on a different site. This designation makes a clear statement from Council that it wishes for this land to continue to be used in the future as a service lane.

7. The public work and designation are reasonably necessary for achieving the objectives of the requiring authority because:

The Council is required under Part 2 Section 10 of the Local Government Act 2002 to: “...*promote the social, economic, environmental and cultural well-being of communities, in the present and for the future*”. The Local Government Act confers upon the territorial authority the responsibility of undertaking such works as are necessary to ensure a well-planned network of service lanes to provide on-going access to the rear of commercial properties within the CBD of Wanganui.

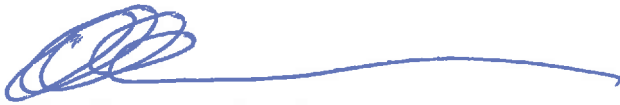
The area is currently used as a service lane and this lane travels right round the building. The service lane area SE of the building is already designated (D80), however Council also wishes to designate the rest of the service lane to ensure that access is available for all those adjacent properties on Cook Street and Guyton Street.

8. The following consultation has been undertaken with parties likely to be affected:

As further detailed in section 7 of this notice, contact has been made with landowners-Wanganui DC. The Council has not objected to the proposed alteration to designation.

9. Wanganui District Council attaches the following information required to be included in this notice by the District Plan, Regional Plan, or any other regulations made under the Resource Management Act 1991:

- (i) Planning Report and Assessment of Environmental Effects
- (ii) Land Requirement Plan
- (iii) Certificates of Title



Rui Leitao
Senior Roading Engineer
Wanganui District Council

PART B Planning Report and Assessment of Environmental Effects

1 Introduction

This report and assessment of environmental effects provides background and supporting information to the Notice of Requirement. It has been prepared in such detail as to correspond to the scale and significance of the actual and potential effects of the environment.

The Wanganui District Council has a responsibility under the Local Government Act 2002 to promote the social, economic, environmental and cultural wellbeing of its communities within the Wanganui district. This includes responsibility for a well-functioning service lane network within the commercial heart of Wanganui.

2 Existing Environments and Site

The land to be designated consists of five properties which are all owned by Wanganui District Council. The sites to be designated are currently used as a service lane and run along the NE and N boundaries of 18 Cook Street.

3 Description of Work

No works are proposed in relation to the designation as the vehicle access is already in existence.

4 Assessment of Environmental Effects

This assessment accompanies and addresses those actual and potential effects on the environment of the proposed works.

The following effects on the environment are addressed:

- (i) Effects on amenity values;
- (ii) Effects on built fabric and heritage;
- (iii) Effects on safety; and
- (iv) Positive effects.

The level of assessment for each actual or potential effect corresponds to the scale of that effect.

4.2 Amenity Values

The proposed designation will not affect amenity values as the vehicle access is already in existence and used as such. There will be no physical changes as a result of the alteration to designation.

4.3 Effects on Built Fabric & Heritage

The properties where the designation is proposed are currently occupied by sealed road. Therefore the designation will not change the character of the built fabric and heritage of the area.

4.4 Effects on Safety

By ensuring the long term usage of the area as vehicle access, it will ensure that service vehicles can continue to safely load and unload 'off the street', reducing the risk of accidents with moving vehicles on Cook Street.

4.5 Positive Effects

The purpose of this designation is to secure the future of an existing service lane to ensure that goods access continues for users of the buildings that back onto the lane. This in turn will help with their business efficiency and will ensure large vehicles don't have to park on the side of the busy town centre roads.

5 Statutory Framework

5.1 Resource Management Act 1991

The purpose of the Resource Management Act 1991 (RMA) is to promote the sustainable management of natural and physical resources.

In terms of meeting the purpose and principles of the RMA, it is considered that the proposed designation will have negligible adverse effects on natural and physical resources, and will not endanger the life-supporting capacity of air, soil and ecosystems. The proposed designation will in fact provide for the economic and safety needs of the community.

There are no section 6, Matters of National Importance, that are relevant to this proposal.

The section 7 Other Matters of the RMA that are relevant to this proposal is limited to one matter, being:

c) *The maintenance and enhancement of amenity values*

As outlined in section 4.2 above, adverse effects on amenity values are likely to be negligible.

Section 8 of the RMA provides for the Council to take into account the principles of the Treaty of Waitangi. There are no specific Treaty issues arising from the proposed alteration to designation.

Notification

This notice has been prepared and lodged with Council in accordance with Schedule 1 clause 4(6), and section 168A of the RMA. As such, this notice will be notified alongside the rest of the changes proposed as part of the District Plan Review.

5.2 Wanganui District Plan

5.2.1 Objectives and Policies

The Wanganui District Plan sets out a number of objectives and policies that direct how the Plan will manage development for the district. The objectives and policies that are relevant to this proposal are:

Objective O2 To Manage the Effects of Different Urban Activities to Ensure that High Quality Urban Amenities are Sustained.

Policy P11 To define commercial areas where the following characteristics are maintained:

b. a predominance of lower density and vehicle-oriented commercial activities, generally with off-street parking, in the outer commercial area which surrounds the central area;

e. safe urban design (including pedestrian and vehicle safety);

f. retention of natural and cultural heritage features;

g. vibrant commercial areas.

Objective O17 Infrastructure Development Which is Co-ordinated, Effective and Efficient in the Use of Natural and Physical Resources to Meet Present and Foreseeable Future Needs of the District.

Policy P74 Optimise the use of existing infrastructure and ensure the provision of additional infrastructure is timely, logical, affordable and cost-effective.

Policy P80 Protect infrastructure resources in the District from the adverse effects of other land use activities.

Assessment

The proposed designation is, in my opinion, consistent with the above objectives and policies.

The designation will ensure that an existing service lane to service the side and rear of properties on Cook Street will be protected for the future. As previously noted in the Assessment of Effects section of this report, the service lane will likely ensure that service

vehicles can safely load and unload 'off street', provide appropriate connections within the central city, and will not impact on amenity values or built fabric characteristics.

5.2.2 Rules Assessment

Although it is not proposed to do any work on the service lane at this time, if the service lane was not designated, maintenance would be subject to the following rule:

R15 General Rule – Utilities

1. Permitted activities

- g. Road, bridge, culvert and drain construction, upgrading and maintenance, traffic management and control structures, street lighting and street furniture, provided that the above is undertaken within road reserve or, if outside road reserve, that it is in accordance with an approved designation, subdivision* or resource consent.

Given that this service lane would be contained within a designation for this purpose, it would be considered a permitted activity.

6 Consultation

A letter confirming what was proposed was sent to the land owner-Wanganui District Council and they indicated that they had no objections to the proposal.

7 Alternatives

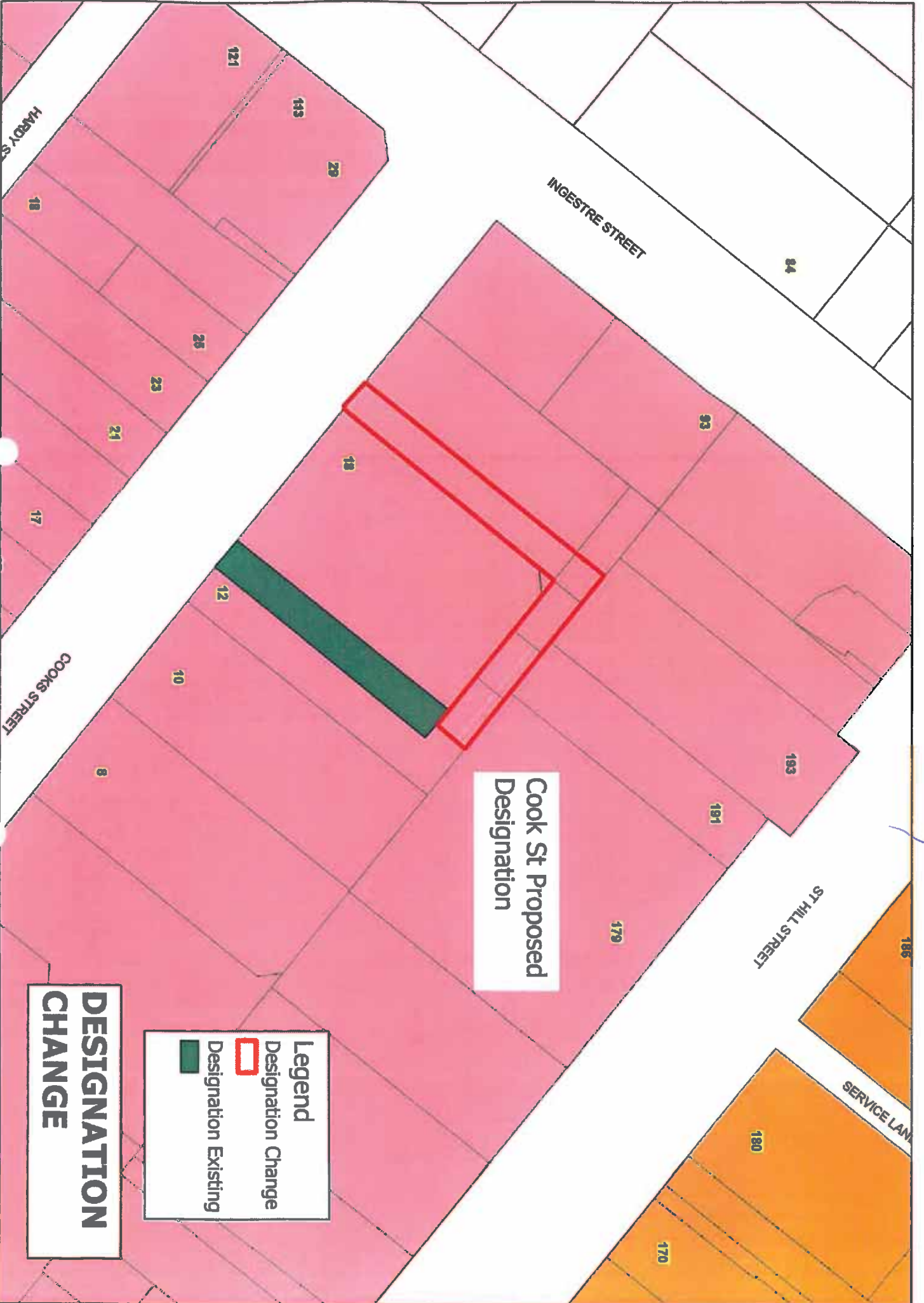
No alternatives were considered for the site as the service lane is already in existence. This designation will ensure that a fully designated service lane will travel right round 18 Cooks Street as it will link up with the area along the SE boundary of 18 Cook Street which is already designated (D80).

8 Conclusion

This application for a notice of requirement outlines the area of land Council wishes to have designated by 18 Cooks Street, Wanganui. Consultation has been undertaken with the affected landowners and they have indicated that they are happy for the proposal to proceed.

An assessment was made against the relevant objectives and policies of the District Plan and it was found that the proposal meets those requirements. As the service lane is already physically in existence, this designation is only required to ensure that the access is legally protected into the future and will ensure that the service lane travels around the whole building as it links with the current designation (D80). No physical works are proposed.

APPENDIX I
LAND REQUIREMENT PLAN



Cook St Proposed
Designation

**DESIGNATION
CHANGE**

Legend

-  Designation Change
-  Designation Existing

APPENDIX II
EVIDENCE OF CONSULTATION

20 September 2012

Mr Rowan McGregor
Wanganui District Council- Property
PO Box 637
Wanganui 4540

Dear Mr McGregor,

Review of Roading Designations – Wanganui District Plan Review

As part of the District Plan review, Wanganui District Council Infrastructure are considering the existing designations they hold in relation to roading, including car parks, services lane and road widening, and identifying where changes are needed or new ones included.

Council holds an existing designated service lane from Cooks Street between 12 and 18 Cooks Street. 12 Cooks Street and the number of properties that run along the rear of these properties are currently owned by Council. WDC Infrastructure is keen to extend the existing designation so that it encompasses the entire Council-owned land as shown on the attached plan. The purpose of this designation would be 'service lane'.

I understand there are no right-of-way or easements interests in these sites.

Our consultant Fleur Lincoln would be keen to meet with you to discuss what is proposed, and address any questions you might have. She will be in touch shortly to arrange a time. In the meantime, if you have any questions, please do not hesitate to contact Fleur on 06 349 6612.

Yours sincerely,

Rui Leitao
Roading Manager
Wanganui District Council Infrastructure

APPENDIX III
CERTIFICATES OF TITLE



**COMPUTER FREEHOLD REGISTER
UNDER LAND TRANSFER ACT 1952**



Search Copy

R. W. Muir
Registrar-General
of Land

Identifier **WN14A/973**
Land Registration District **Wellington**
Date Issued 12 February 1975

Prior References
PROC 110353.1 PROC A033177 WN8B/306

State Fee Simple
Area 498 square metres more or less
Legal Description Lot 1-2 and Lot 4 Deposited Plan 25730,
Part Lot 2-3 Deposited Plan 5887 and Part
Lot 4 Deposited Plan 30996

Proprietors
The Wanganui City Council

Interests

