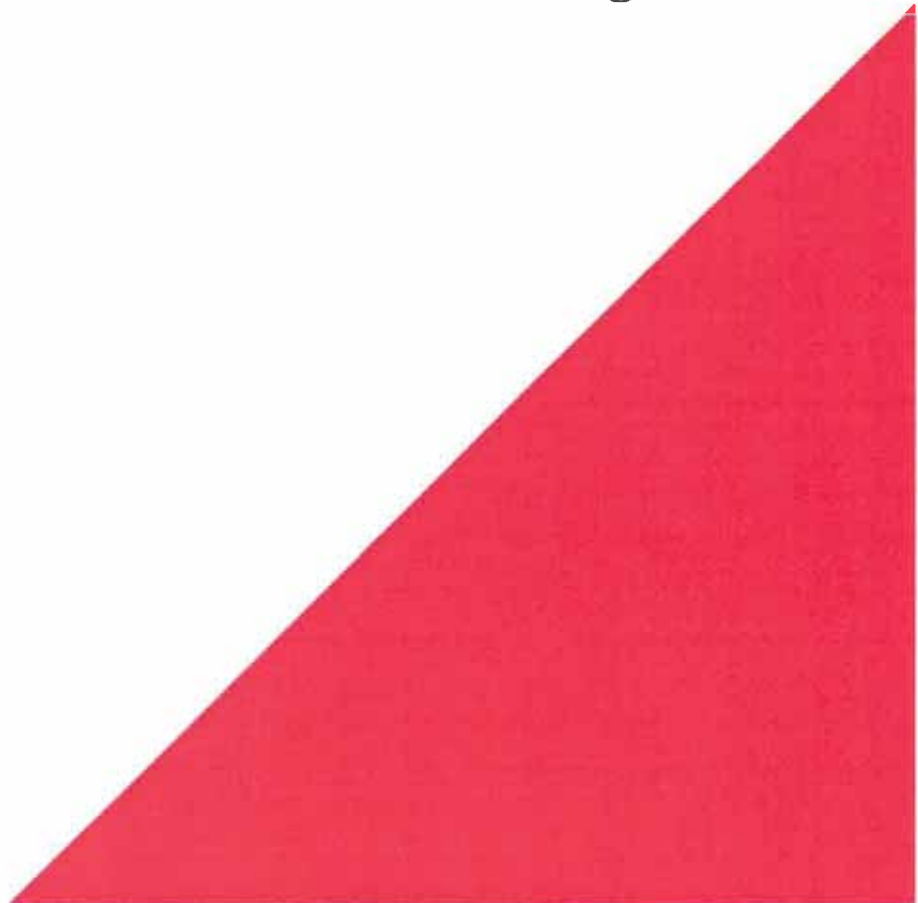




Notice to Wanganui District Council

Notice of Requirement for an Alteration to Existing Designation

178 Mosston Road – road widening





Notice to Wanganui District Council

Notice of Requirement for an Alteration to Existing Designation

Prepared By

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Part A Notice of requirement for an alteration to an existing designation under section 181(3) 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 an alteration to an existing designation for:

A road widening

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

Address: 178 Mosston Road, Wanganui

Legal Description: Pt Lot 3 Application Plan 70

Total Site Area: 1.3313 hectares

Area of Designation: Approximately 30.5m²

Zoning: Restricted Services Residential Zone in the Wanganui District Plan

3. The nature of the proposed public work is:

To correct an error in the extent of the existing designation to widen Mosston Road. The extent of the designation is currently not contiguous with the neighbouring property at 174 Mosston Road.

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; and
- (ii) 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. Alternative methods are restricted to outright land purchase. The widening of this section of Mosston Road is not yet necessary and therefore immediate purchase is not required. Land will be appropriately acquired at the time of development.

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 safe and efficient road network.

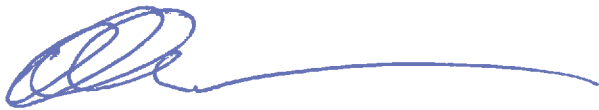
The existing designation provides for the future widening of Mosston Road. Adjoining properties also contain designated areas for the purpose of road widening, and in most cases, the extent of these designations are contiguous from one property to another. An exception to this is the designation line between 174 and 178 Mosston Road. Here the designation lines on each property do not connect. It is desirable that the extent of the designations across all properties is contiguous for practical reasons.

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

The landowner, C & R Dookia, has been sent two letters; the first to 178 Mosston Road, and the second to their alternative address at 11 Longbeach Drive. No comment has been received from either of these letters. Unfortunately access to the landowner’s telephone number is not available via the white pages of the telephone book or through Council’s rates system.

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) Evidence of Consultation
- (iv) Certificate 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 safe and efficient roading network.

2 Existing Environments and Site

The land to be designated is an extension of the existing designation on the front of the property at 178 Mosston Road, Wanganui. The designated strip extends to almost the entire frontage of this property and varies in width, with the widest point being approximately 2.9 metres. The purpose of the existing designation is to allow for the planned widening of Mosston Road.

The property at 178 Mosston Road is located within a rural-residential environment, opposite Mosston School, and contains an average-sized dwelling, a number of outbuildings, gardens, and a field of pasture. Adjoining properties are similar in nature.

Mosston Road is a Secondary Arterial route and a heavy vehicle route through to the industrial areas of Castlecliff. The site is zoned Restricted Services Residential in the Wanganui District Plan.



Image 1
View of site

Source
Google Earth Pro

3 Description of Work

At this stage, no works are proposed in relation to this alteration to designation. The purpose of the designation is 'road widening'. Several engineers' reports have reported that the width and design of Mosston Road is insufficient for the volume and size of vehicles using the road. A number of years ago, sections of private property were identified and designated for road widening, and Mosston Road has gradually been widened in these areas as budgets and priorities allow.

In reviewing these designations, it was identified that the extent of the designation on 178 Mosston Road did not match up with the designation extent on the adjoining property at 174 Mosston Road. This notice of requirement will correct this error, and take the extent of the designation an additional approximately 2.9 metres into the front of the property at the westerly boundary, tapering in to meet the extent of the existing designation. The total area of land to be designated under this notice is approximately 30.5m².

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; and
- (ii) 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 alteration to designation will not, on its own accord, affect amenity values. It is only when the opportunity arises to widen this section of Mosston Road that the visual appearance of this site will alter. Any widening in accordance with the existing and proposed designation, will remove a sliver of land off the corner. It is still likely that Mosston Road will have grassed verges between the carriageway and property boundary, however this will be subject to final design. Once established, visual effects will be negligible. And the environment will not appear much different to how it appears today. No large trees or significant vegetation, gardens or buildings will be removed in association with the development of the area of land proposed to be designated by this notice.

In relation to noise, it is likely that the Mosston Road carriageway will advance inward of this property. At present, no dwelling is located where the designation is proposed, and therefore there will be no increase in noise or vibrations from the road as a result of this designation.

4.3 Positive Effects

The positive outcomes of strategically widening Mosston Road to improve motorist, cyclist, and pedestrian safety have been well documented. The purpose of the proposed designation is to amend an error that was made when these sections were first designated, to align the extent of the designation as it passes between two properties.

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 181(3) 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. Those objectives and policies that are relevant to this proposal are:

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 P77 Encourage an efficient use of land for infrastructure development.

Policy P79 Manage roads in the District, consistent with their transportation functions, according to the following criteria:

4. Secondary arterials

Secondary (district) arterials are roads forming links between residential, commercial, industrial or recreational land use activities and which :

- a. serve as links of strategic district importance within or between districts, and in particular provide 'commuter' routes for car traffic from the suburbs to the town centre;
- b. are a significant element in the local economy;
- c. often also serve as local roads.

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

Policy P83 Enable the use of the road corridor for a variety of purposes, while protecting its transportation function and managing conflicts.

Assessment

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

The existing designation will provide for the widening of Mosston Road at some time in the future. The proposed alteration to this designation will correctly align the extent of this designation with that of the neighbouring road widening designation at 174 Mosston Road. Ultimately, the widened carriageway will better provide for the safety of motorists, cyclists, and pedestrians using this stretch of road.

5.2.2 Rules Assessment

Although it is not proposed to widen Mosston Road at this time, this activity 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 portion of property would be contained within a designation for this purpose, it would be considered a permitted activity.

6 Consultation

The affected landowners C & R Dookia were first contacted by letter on the 20th of September 2012 at the site address. No response was received and a further residential address in Castlecliff was sourced, and a second letter sent in October, advising them of the proposal and requesting feedback. Again no feedback was received. The landowners do not appear to be listed in the phone book, and the phone number Wanganui District Council lists for these landowners is unallocated.

7 Alternatives

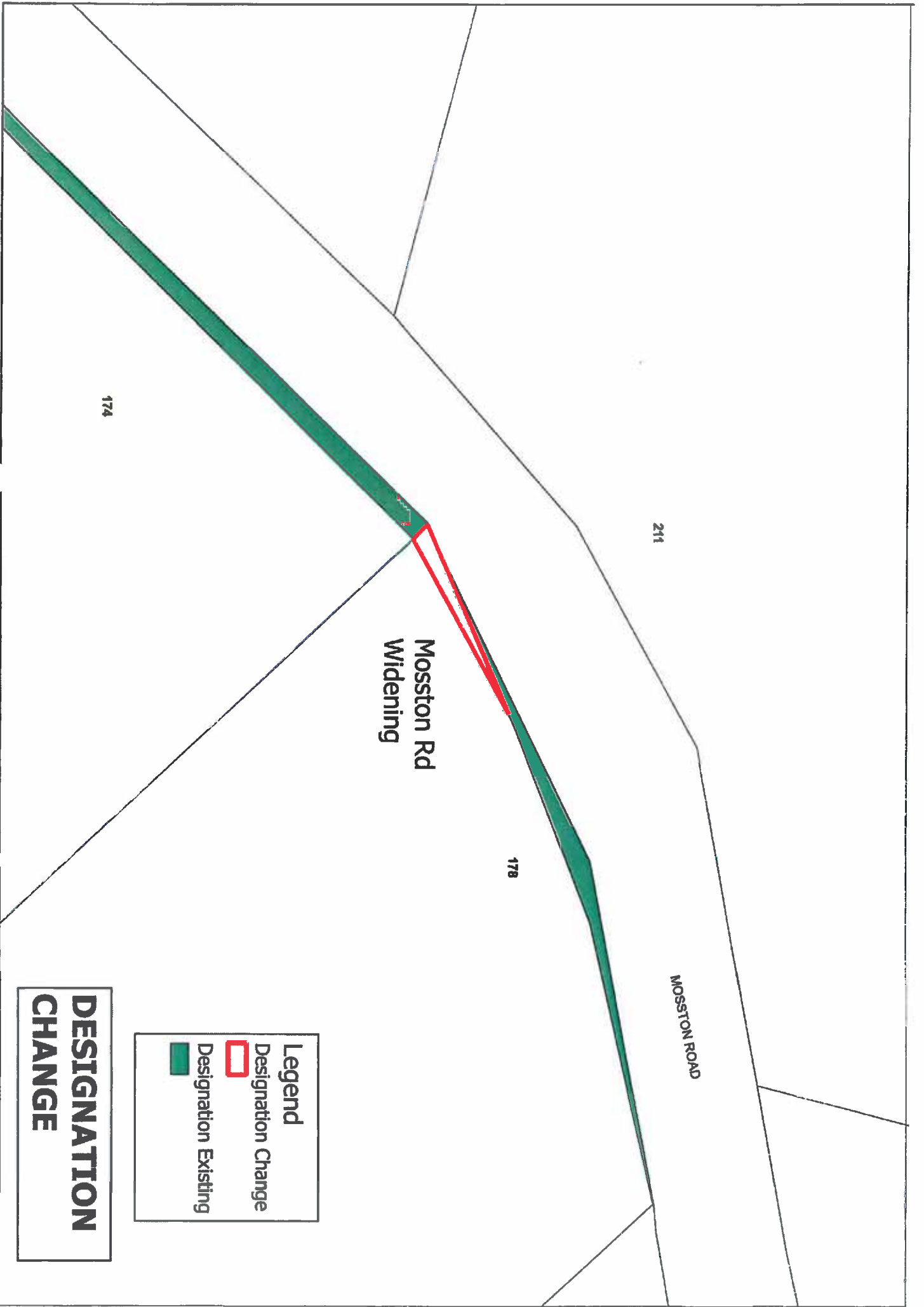
As outlined in Part A of this report, the alteration of this designation is site specific and it is not possible to identify and target alternative sites for designation. Alternative methods are restricted to outright purchase or landowner negotiations. Designation is seen as the most effective method of identifying the intended future purpose of an area of land, and securing the protection of it from development, whilst allowing for landowners use and enjoyment of their land until such time presents itself.

8 Conclusion

Wanganui District Council Infrastructure Group's proposal to alter the existing designation for the road widening of Mosston Road to incorporate an additional 30.5m² of land, will have minor adverse effects on the surrounding environment, and will provide positive outcomes for the safety of motorists, cyclists, and pedestrians using Mosston Road, as well as the economic benefits realised by a more efficient freight route for businesses in the Castlecliff manufacturing area.

The proposal is consistent with the objectives and policies of the Wanganui District Plan. Unfortunately, Wanganui District Council has so far been able to make contact with the affected landowners, however efforts to make contact will continue.

Appendix 1
Land Requirement Plan



174

211

Mosston Rd
Widening

178

MOSSTON ROAD

Legend
Designation Change
Designation Existing

**DESIGNATION
CHANGE**

Appendix 2

Evidence of Consultation

20 September 2012

C & R Dookia
180 Mosston Road
Wanganui 4501

Dear C & R Dookia,

Review of Roding 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 designation for sections of Mosston Road where they have identified future widening. Although there is an existing designation strip along the front of your property, the extent of this designation does not line up with the designation on the neighbouring property. As a result, should Council widen this section of Mosston Road in the future, Council may need more land along the frontage of your property than you had anticipated. To correct this, Council would like to widen this designation so that it follows the same alignment as the neighbouring property. The attached plan shows where this proposed area of designation would be.

So what does this mean for my land?

As you are no doubt well aware, designation over private land interests introduces some restrictions on how you can use this land in the future. As such, I am particularly interested to hear if you have any future plans for this land, and whether you would be willing to enter into an agreement with Council on the future use of this land. I am keen to meet with you to discuss what these restrictions are, and what your options are.

Please contact me on 06 349 001, or our consultant Fleur Lincoln on 06 349 6612 if you wish to arrange a meeting. Alternatively, Fleur would be happy to speak about what this might mean for you via telephone, or via email at fleur.lincoln@opus.co.nz.

If I do not hear from you by 28 September 2012, I will provide you with additional information on the designation process, and whether Council are looking to proceed via mail.

Yours sincerely,

Rui Leitao
Roding Manager
Wanganui District Council Infrastructure

20 September 2012

C & R Dookia
180 Mosston Road
Wanganui 4501

Dear C & R Dookia,

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 designation for sections of Mosston Road where they have identified future widening. Although there is an existing designation strip along the front of your property, the extent of this designation does not line up with the designation on the neighbouring property. As a result, should Council widen this section of Mosston Road in the future, Council may need more land along the frontage of your property than you had anticipated. To correct this, Council would like to widen this designation so that it follows the same alignment as the neighbouring property. The attached plan shows where this proposed area of designation would be.

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If I do not hear from you by 28 September 2012, I will provide you with additional information on the designation process, and whether Council are looking to proceed via mail.

Yours sincerely,

Rui Leitao
Roading Manager
Wanganui District Council Infrastructure

Appendix 3
Certificates of Title



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



Search Copy


R. W. Muir
Registrar-General
of Land

Identifier **WN41A/383**
Land Registration District **Wellington**
Date Issued 15 April 1992

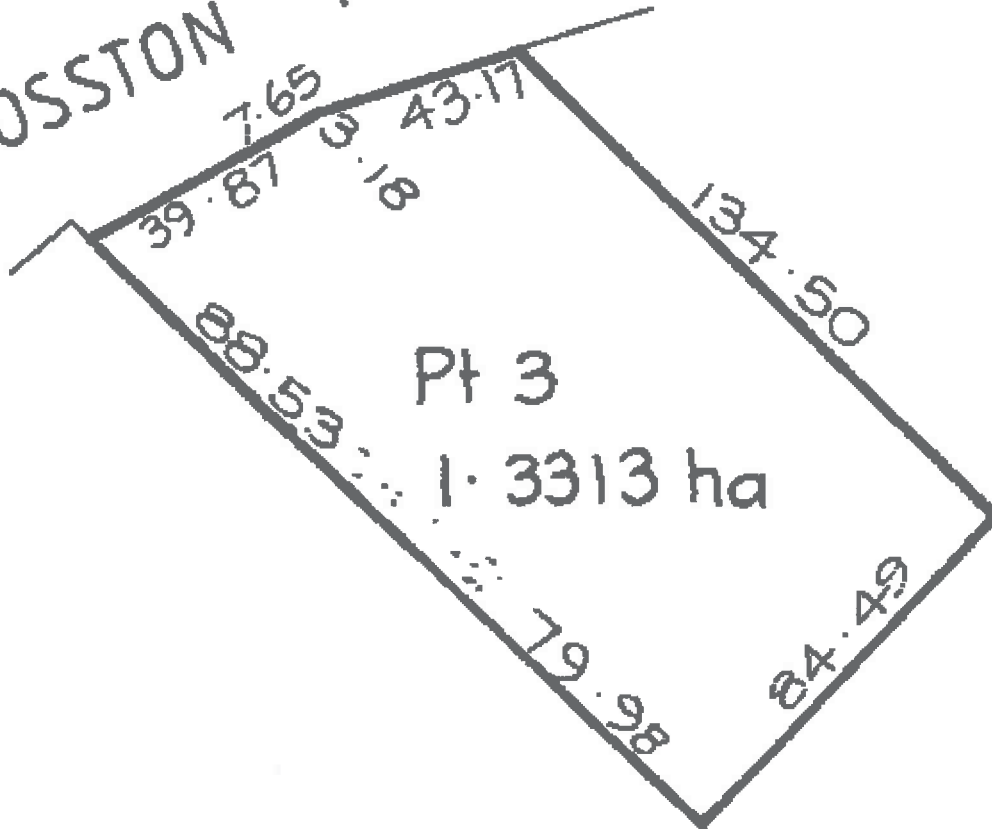
Prior References
WN87/213

Estate Fee Simple
Area 1.3313 hectares more or less
Legal Description Part Lot 3 Application Plan 770

Proprietors
Chandranath Dookia and Rajmun Dookia

Interests

MOSSTON RD



Scale 1:1000