

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 5/0/21/1
DATE: 7 December 2006
REPORT TO: Extraordinary Meeting of Council
FROM: Operations Manager
SUBJECT: Land Designation

3.1 NOTICE OF REQUIREMENT FOR A NEW DESIGNATION FOR ROADING PURPOSES – NORTH PARK ROAD STATE HIGHWAY 1

3.1.1 SUMMARY

The Ashburton District Council is proposing a business park on a 124ha site to the north east of Ashburton.

The area of land is bounded by Company Road, Northpark Road, Works Road and the South Island main trunk railway.

Access to the development will be gained via Company Road (to the local roading network) and Northpark and Works Roads (to State Highway One).

The proposed development will result in increased traffic volumes turning at each of the following intersections:

- SH1 / Northpark Road
- SH1 / Works Road
- Company Road

It is proposed that a staged approach be taken to the upgrading of these intersections. Initial upgrading of the intersections with SH1 and Northpark and Works Roads will be carried out when any approved development commences.

Concepts for a long term upgrading have been developed for the SH1 / Northpark Road intersection and these have been discussed with Transit NZ. This level of upgrading will be required if traffic increases to a point where this intersection is not fit for purpose.

The purpose of this report is to request approval to lodge a notice of requirement for the designation of land for roading purposes to ensure that sufficient land will be available to significantly upgrade this intersection if required in the future.

3.1.2 RECOMMENDATION

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| <p>“1. That Council resolves to construct a grade separated intersection if required, at the intersection of State Highway One and Northpark Road, in accordance with trigger levels and designs that will be finalised through the Notice of Requirement and Plan change processes; and</p> <p>2. That Council approves the lodging of a Notice of Requirement for a new designation for roading purposes in the area of the Northpark Road State Highway One intersection.”</p> |
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3.1.3 BACKGROUND

The Ashburton District Council adopted the “Ashburton District Development Plan” on 30 June 2005. The Plan identified a number of areas within the district for future potential residential, commercial and industrial development.

Council is currently investigating the possibility of establishing a business park located to the North East of the urban area of Ashburton. The area under consideration was identified for potential development in the Ashburton District Development Plan.

A change to the District Plan is currently being prepared for the proposed business park progressing separately but in parallel with the plan change is the conceptual design of the subdivision and infrastructure required as part of the business park.

The major vehicle access to the proposed business park will be through the Northpark Road / SH1 intersection. Works Road will provide a minor secondary access off SH1 to the proposed development. The development will result in increased traffic volumes using these intersections.

We propose undertaking upgrading works at both the Northpark Road and Works Road intersections to address the issue of road safety relative to access to the proposed development. Upgrading works will be staged with stage 1 involving the following:

Stage 1:

Northpark Road/SH 1

- new right turn bay
- new left turn deceleration lane
- new left turn acceleration lane

Works Road/SH 1

- existing right turn bay
- existing left turn out acceleration lane
- new left turn in deceleration lane

Stage 2:

Northpark Road/SH 1

Upgrading works at the Northpark Road intersection will be carried out when and if identified trigger points are reached. The proposed upgrading will include the following:

- SH 1 to remain at its current location and level.
- Local roads crossing the highway will pass underneath the highway.
- On and off ramps will be provided for traffic to and from the south.
- Priority will be given to traffic entering the subdivision from the south.
- Mitcham Road will access SH1 via an on off ramp.

Northpark Road was identified as the primary entry exit intersection because:

- The primary arrival / destination for most traffic is south of the proposed development, initial modelling suggests the following proportions of traffic entering and exiting the development are as follows:
 - Northpark Road 50%
 - Company Road 28%
 - Bremners Road 15%
 - Works Road 7%

- Very few vehicles currently turn right out of Works Road (approximately 10 vehicles per day).
- There is an option to improve future safety by preventing a right turn exit from Works Road which will have little impact on current users.
- The bulk of any significant work can be constructed on Council owned land. Significant land acquisition would be required for upgrading work at the Works Road site.
- Impact on privately owned land (in the construction area) is small.
- Provides an opportunity to improve the Mitcham Road SH1 intersection.

An underpass was selected over a “fly over” because:

- There are better SH 1 sight distances (safety issue)
- Noise impacts are minimal. The change in noise arising from the upgrade is predicted to be less than 1dba.
- Visual impacts are minimal.
- Costs are less.
- Ongoing maintenance costs will be less.
- There are no technical or physical reasons to prevent the construction of an underpass.

It will be necessary to ensure land will be available to enable upgrading works to occur particularly as the significant intersection upgrade works for Stage 2 are a future possibility. Council owns the majority of the land required for the intersection upgrade, however additional land outside Council ownership is also required for Stage 1 and Stage 2 work.

We would like to designate the area of land required for the works as indicated on the attached plan.

Pages

In relation to the existing Transit designation where Northpark Road will pass across the state highway designation (via an underpass) we propose a secondary designation on top of Transit’s primary designation.

The approach to designate now has been adopted to provide certainty to the landowners and occupiers directly affected by the designation to the extent of land ultimately required and to provide both Council and Transit NZ certainty that the future land requirements will be available.

3.1.4 OPTIONS

Stage 1 Upgrading Works

The proposed industrial development will put traffic pressure on the Northpark Road / SH1 intersection, therefore the Stage 1 intersection upgrade works will be required within 12 months of any development occurring.

While the Stage 1 intersection upgrade works are minor in nature, these works cannot be accommodated within either the state highway designation or the local road boundary.

The additional land required is both private land and crown land vested in the Council in trust as reserve.

No alternatives have been considered for the Stage 1 works as they are the minimum required to meet appropriate standards during the early phases of the development.

A “do nothing” approach was considered inappropriate given the changes and nature of the traffic that will be using the intersection.

Stage 2 Upgrading Works

The Stage 2 intersection upgrading works will require a grade separated intersection (underpass under the state highway) at Northpark Road. Alternative designs for the upgrade have had to include consideration of the Mitcham Road / SH 1 intersection as Mitcham Road is located on the western side of SH1 and is not part of the proposed development. The intersection upgrade will extend to the current intersection at Mitcham Road and SH 1.

The following alternative designs for the future intersection have been considered and evaluated.

Options 1 and 2 – Mitcham Road / Northpark Road / SH1 Interchange

Options 1 and 2 considered a major realignment of Mitcham Road to provide a direct link with Northpark Road. The interchange would require either an underpass or overpass of SH1. On ramps and off ramps located either side of the state highway would provide north and south bound vehicle access to Northpark Road and the proposed industrial development.

Estimated cost \$5m - \$10m.

Options 1 and 2 would have the following benefits and disadvantages:

Benefits	Disadvantages
<ul style="list-style-type: none"> • Reduces delays to vehicles entering and leaving the development site via Northpark Road; • Reduces conflicts at the Northpark Road / SH1 intersection and reduces the crash rate; • Provides the opportunity to include Mitcham Road as another entry point to the development site, by connecting directly to Northpark Road. 	<ul style="list-style-type: none"> • Significant land purchase requirements west of SH1 to realign Mitcham Road to connect directly with Northpark Road; • Significant costs required to realign Mitcham Road and to construct the interchange; • Potentially significant adverse effects on the environment in terms of visual effects, noise effects and on rural amenity values would need to be mitigated; • Significant consultation would need to be undertaken with adjoining landowners, particularly with those directly affected parties whose land would be required; and • Major nature and future timing of the works would require a new designation to be applied for.

Option 3 – Northpark Road / State Highway 1 Interchange

Option 3 considered an interchange with SH1 where Northpark Road would cross via either an underpass or overpass. On ramps and off ramps located either side of the state highway would provide north and south bound vehicle access to Northpark Road and the proposed development. Mitcham Road would remain in its current location and would link into the onramp system via a “T” intersection.

Estimated cost \$9.1m.

Option 3 would have the following benefits and disadvantages:

Benefits	Disadvantages
<ul style="list-style-type: none"> • Reduces delays to vehicles entering and leaving the development site via Northpark Road; • Reduces conflicts at the Northpark Road / SH1 intersection and reduces the crash rate; • Provides the opportunity to include Mitcham Road as another entry point to the development site, by connecting to the onramp; and • The majority of the works required would be on council-owned land on the western side of SH1. Requirement to purchase limited additional land on the eastern side of SH1. 	<ul style="list-style-type: none"> • Significant costs required to construct the interchange; • Potentially significant adverse effects on the environment in terms of visual effects, noise effects and on rural amenity values would need to be mitigated; • Significant consultation would need to be undertaken with adjoining landowners, particularly with those directly affected parties whose land would be required; and • Major nature and future timing of the works would require a new designation to be applied for.

Option 4 – Works Road Right-Turn “Seagull”

Option 4 considered Works Road as the major entry / exit to the proposed industrial development. A “seagull” design was considered rather than a full grade-separated intersection. The Northpark Road intersection with SH1 would be altered to become left-turn-out only for vehicles travelling south towards Ashburton.

Estimated cost \$1m - \$2m.

Option 4 would have the following benefits and disadvantages:

Benefits	Disadvantages
<ul style="list-style-type: none"> • Provides dedicated lanes for left-turn-in and right-turn-in movements from SH1; • Provides dedicated lanes for right-turn-out movements onto SH1; • Reduces delays for vehicles turning right onto SH1; • Land requirements are relatively minor; and • Reasonable cost. 	<ul style="list-style-type: none"> • Right-turn “seagulls” are not common in New Zealand, and motorists are unfamiliar with them, resulting in a comparatively high accident rate; and • A long acceleration lane is required for heavy vehicles merging into SH1 from the right-turn-out. The length of acceleration lane recommended by Austroads would extend the acceleration lane beyond the Fairton Road right-turn bay. • Based on discussions to date Transit do not support “seagull” type intersections.

Option 5 – Works Road Grade Separated Intersection / North Facing Ramps Only

Option 5 considered Works Road as the major entry / exit to the proposed industrial development. A full grade-separated intersection was considered, but with north-facing only. The intersection would preferably be constructed without requiring land to the west of SH1.

Estimated cost \$4m - \$8m.

Option 5 would have the following benefits and disadvantages:

Benefits	Disadvantages
<ul style="list-style-type: none"> • Provides dedicated lanes for left-turn-in and right-turn-in movements from SH1; • Provides dedicated lanes for right-turn-out movements onto SH1; • Reduces delays for vehicles turning right onto SH1; and 	<ul style="list-style-type: none"> • Constructing a grade separated interchange without requiring land to the west of SH1 would require an extensive realignment of SH1; and • Not providing south-facing ramps would prevent access to Works Road from the south.

Option 3 is the recommended option with an underpass.

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3.1.5 STATUTORY IMPLICATIONS

Section 168(1) of the RMA provides that a local authority, which has financial responsibility for a public work, may at any time give notice for a designation

- a) for a public work
- b) in respect of any land, water, subsoil or air space when a restriction is necessary for the safe or efficient functioning of such a project or work.

The Ashburton District Council is approved as a requiring authority, and will have financial responsibility for the project.

Where a territorial authority proposes to issue notice of a requirement for a designation it shall publicly notify the requirement in accordance with the RMA.

Council will be required to consider the effects on the environment.

3.1.6 CONSULTATION

Consultation has been initiated with the following:

- Transit New Zealand
- Department of Conservation
- Directly affected parties
- Adjacent landowners
- Other parties

A letter providing information on the proposed upgrading works, the designation process and inviting feedback was sent to interested/affected parties. Information was presented to a meeting held at the Celtic Rugby Clubrooms on 13 November. Individual meetings have been held with landowners immediately adjacent to the proposed site for designation with only minor issues around access to their properties being of concern.

A letter has been sent to the original recipients of the previous letter providing additional information requested at the meeting.

Set out below is a summary of the feedback requested:

- 120 letters sent out to interested/affected parties
- 12 feedback forms received, a response rate of 10%.

- The main issues of concern were:
 - Noise
 - Devaluing of property
 - Increase in traffic levels
 - Entry to the industrial park off Northpark Road.
- The most frequently made comments were:
 - Works Road should be the main entry point off SH1.
 - Buffer distances should be at least 100m.

It appears that some of the concerns and comments also relate to the proposed plan change.

Consultation will continue through out the designation process and will not be confined to the formal process.

3.1.7 STRATEGIC LINKS

The recommendation in this report is consistent with the outcomes and strategic objectives outlined in the LTCCP, in particular the following:

- *A thriving and diverse local economy that provides the foundation for a quality lifestyle.*
- *Natural and developed environments are sustained for the enjoyment of current and future generations.*

The recommendation is also consistent with Ashburton Districts Development Plan (fig 2) and related narrative which identifies the area to the NE of Ashburton for development.

3.1.8 FINANCIAL

The professional services costs to prepare the notice of requirement for the new designation are included in the site development costs. The estimated cost of the recommended physical works if they are required is \$9.1m.

R S ROUSE
Operations Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: Project File
DATE: 4 December 2006
REPORT TO: Ashburton District Council
FROM: Environmental Services Manager
SUBJECT: Proposed Plan Change - North East Ashburton Business Area

3.2 PROPOSED NORTH EAST ASHBURTON BUSINESS AREA

3.2.1 SUMMARY

This report provides the draft text of the proposed Plan Change for the North East Ashburton Business Park, (attached). Tabled is the important Section 32 Assessment of alternatives, benefits and costs that the Resource Management Act 1991 requires the Council to conduct before instigating a change to the District Plan. Once adopted, the proposed Plan Change will involve a statutory process involving submissions and a hearing before an Independent Hearing Commissioner recommends the final decision to the Council for adoption.

The Council has been investigating and assessing the development of a Business Park in the vicinity of Northpark Road, Works Road and Company Road on the North East side of the Ashburton community. The area of land involved is approximately 120 hectares, the land is owned by the Council. There are complex issues relating to the possible development of this area that relate to the need to change the District Plan, provide significant infrastructure to support the proposed business activity fund the development to a stage where the land can be developed, subdivided and sold for the intended use. It is proposed that the development would meet a demand for much needed commercial use land, in a carefully planned manner that can address the potentially adverse effects of such a development and return a profit to the Council.

The Council has carefully conducted a process of evaluation and consultation on issues related to the development of a business park in this location. Two workshops have been conducted by Council, with staff and consultants to develop policy for an appropriate proposed Plan Change. The outcome of that process is embodied in the text accompanying this report.

3.2.2 RECOMMENDATION

- “1. That the report be received.
2. That pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, the Ashburton District Council resolves to publicly notify proposed Plan Change No 2, (as per attached text), to its District Plan on 13 December 2006, with the closing date for submissions being 2 February 2007.
3. That pursuant to Section 32 of the Resource Management Act 1991, the Ashburton District Council:
 - (i) has had regard to the matters specified in that Section;

- (ii) has carried out an evaluation, which it is satisfied is appropriate to the circumstances, of the matters specified in subsections (3) and (4) of that Section; and
- (iii) is satisfied that the rules and other methods contained in Proposed Plan Change 2 are the most appropriate means of achieving the District Plan objectives, and thereby the purpose of the Resource Management Act, having regard to efficiency and effectiveness relative to other means.”

3.2.3 BACKGROUND

This matter has arisen from the demand for available commercial land for business activity in Ashburton. The buoyant local economy has placed demands on the community for land resources. The Council has responded to these needs and recognised the importance of future planning to deal with the effects of growth by carrying out a Development Planning exercise. The Council is now giving effect to the adopted Ashburton District Development Plan by providing for the future demands of the wider community for land zoned for business activity. Furthermore, the Council is providing a package of land and infrastructure that will enable business activity to occur in this location in a planned manner that will comprehensively address potentially adverse effects.

Extensive infrastructure investigation has been carried out in advance of this decision to ensure feasibility and costing of the project is available at the time of the decision being made.

3.2.4 OPTIONS

- a. Do nothing and allow private enterprise to react as circumstances dictate. This option will require considerable resource planning and infrastructure planning by the Council to react to proposals as they arise. Optimum environmental results are unlikely to be achieved, plus the option is in direct conflict with the principles of the Development Plan.
- b. Zone the land and do nothing more. Once again, the Council will be left to react to the situation. Optimum environmental results are unlikely to be achieved if an integrated mitigation package is not put in place from the outset and funded in part from land sales.
- c. Zone the land and carefully plan the development to best mitigate adverse environmental effects. Integrate infrastructure development with existing infrastructure, eg road / traffic issues. Ensure a planned development occurs with a high environmental standard that enhances the built environment and presents the least threat to neighbouring ratepayers and residents.
- d. Consider a public / private partnership. This would be appropriate to meet any funding difficulties. Infrastructure development is core business activity for the Council. It is considered that the Council has the ability to fund this development.

3.2.5 STATUTORY IMPLICATIONS

There are distinct statutory issues that the Council should be aware of in making a decision on this matter –

A. Local Government Act 2002

This act places considerable obligations on a Council when making decisions and prescribes the process that decisions must be made by, the following sections are relevant –

- Section 76 Decision making can only be carried out in accordance with the process prescribed in this act.
- Section 77 A local authority must identify all reasonably practicable options for the achievement of the objective of a decision and assess the options including the costs and benefits of each option, the extent to which they achieve community outcomes in an integrated and efficient manner, and their impact on the capacity of the local authority to meet its statutory obligations.
- Section 78 Involve consideration of the views and preferences of the persons likely to be affected by or have an interest in the matter at all stages of the decision making process.
- Section 79 It is the responsibility of the local authority to make judgements on the extent that different options will be considered, the degree to which benefits and costs are to be quantified. The extent and detail of the information to be considered and the extent and nature of any written record is to be kept of the manner in which it complied with this process.
- Section 80 A local authority is to identify and explain any inconsistency between the decision and any policy or plan adopted by the local authority.
- Section 81 A local authority must establish and maintain processes to provide opportunities for Maori to contribute to the decision making processes of the local authority; and consider ways in which it may foster the development of Maori capacity to contribute to the decision making process and the local authority; and provide relevant information to Maori for the purposes of this section.

B. Resource Management Act 1991

- A change to the District Plan will be required. Plan Changes are a statutory process that involve careful assessment of environmental effects, alternatives, costs and benefits. Consultation, submissions and a hearing before an Independent Hearing Commissioner will also be involved.
- There is likely to be a structure plan to control development that could require further resource consents to control subdivision and development in accordance with the resultant Plan Change.
- A Notice of Requirement will be lodged with the Council as a planning authority, by the Council as a roading authority, for significant intersection upgrading at the Northpark Road / State Highway One intersection. This process will involve public consultation, submissions and a hearing before an Independent Hearing Commissioner.

- Resource consents for infrastructural issues from Environment Canterbury will be required in accordance with the Natural Resources Regional Plan; such consents could relate to development and construction of the subdivision, eg dust discharge to atmosphere, installation of reticulated systems; plus treatment and discharge of stormwater.
- Decision making in the above Resource Management Act 1991 matters will be beyond the control of the Council. An Independent Hearing Commissioner will recommend the final decision on the Plan Change to the Council. Submitters will have the right of appeal to the Environment Court.

3.2.6 CONSULTATION

The Ashburton District Development Plan that was adopted by the Council on 30 June 2005, included a Business Zone in this location. Considerable publicity, and some consultation when the District Development Plan was being prepared, commenced at this time with the immediately affected community.

Since adoption, further consultation has been carried out with the immediate community, this has involved personal visits to neighbouring properties, written material and also 'Open Days' held in April / March 2005 as this project developed. A North East Residents meeting took place on 13 November 2006, where this proposal was presented.

A statutory process involving consultation and two submission rounds will follow if the recommendation contained in this report is adopted.

3.2.7 STRATEGIC LINKS

- a. The recommendations are consistent with the adopted the Ashburton District Development Plan.
- b. Long Term Council Community Plan comment here – Community Outcomes.

3.2.8 FINANCIAL

Detailed financial assessment has previously been provided to the Council that has provided sufficient confidence to the Council to proceed with the development of the Plan Change.

JOHN MCKENZIE
Environmental Services Manager