



## Notice of Requirement – Service Lanes

New Plymouth District Council gives notice of its requirement for the following designations for a public work (*or* in respect of any land, water, subsoil, or airspace where a restriction is necessary for the safe or efficient functioning or operation of a public work) under **Sections 168A, 181(4)** and **Form 20** of the Resource Management Act 1991.

New designations	Yes
Lapsed designations requiring a new designation	NPDC-4, NPDC-5, NPDC-6, NPDC-7, NPDC-8 and NPDC-52

### 1. Introduction

The subject sites include six service lanes within New Plymouth. The Requiring Authority for all designations is the New Plymouth District Council and the designated purpose is 'service lane'. All service lanes listed above were designated within the Operative New Plymouth District however these the designations have not been given effect to and have therefore lapsed.

When establishing whether legal effect has been given to the designations contained within the Operative District Plan the New Plymouth District Council have deemed a designation as having been 'given effect to' where a minimum of 50% of the land has been acquired.

The subject designations have been 'given effect to' in part however are deemed to have lapsed due to less than 50% of the land being acquired. The New Plymouth District Council seeks to reinstate all six service lane designations to ensure the lanes remain should the relevant sites be redeveloped in the future.

A 10-year lapse date is sought as the New Plymouth District Council would only seek to acquire land for the service lane at the time of site re-development. Given this, it is unlikely that a 5-year lapse date would be a sufficient timeframe within which to give effect to the designation.

### 2. The sites to which the requirement applies are as follows:

Reference	Location	Legal Description	Description
NPDC-4	Brougham Street (west side between Devon and Powderham Streets)	Lot 2 DP 20208, Lots 5, 8 & 10 DP 7502 and Lot 1 DP 16164	This land is not in NPDC ownership however this is predominantly used as an existing service lane.
NPDC-5	Currie Street (east side between Gill and Devon Streets)	Pt Lot 1 DP 5884, Area A,B and C DP 448123, Pt Sec 873 Twn of NP and Pt Sec 890 NP Twn.	This land is not in NPDC ownership however this is predominantly used as an existing service lane.
NPDC-6	Currie Street (east side between Devon and Powderham Streets)	Lot 907F DP 888, Sec 908 Twn of NP, Lot 908D DP 1573 and Lot 908C DP 1573	This land is not in NPDC ownership however this is predominantly used as an existing service lane.



NPDC-7	Gill Street (south side between Liardet and Gover Streets)	Lot 1 DP 16265, Allotment 3 DP 4978 and Lot 1 DP 18472	This land is not in NPDC ownership however this is predominantly used as an existing service lane.
NPDC-8	Gill Street (south side between Eliot and Hobson Streets)	Lot 1 DP 16999, Lot 8 DP 20943, Lot 7 DP 20943 and Lot 6 DP 20943	This land is not in NPDC ownership however this is predominantly used as an existing service lane.
NPDC-52	Mueli Lane	Lot 1 DP 18348	This land is not in NPDC ownership. The subject land currently operates as a servicing and parking area for the businesses on the site.

No changes are proposed to designation boundaries from those contained within the Operative District Plan.

**3. The nature of the proposed work is:**

The designations relate to existing service lanes within various commercial areas of New Plymouth.

**4. The nature of the proposed conditions that would apply is:**

No conditions are deemed necessary given the nature of the designations, being existing service lanes.

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

The majority of the sites within which the proposed service lanes are located on are within the Business A Environment Area in the Operative District Plan. The Business A Environment Area is located centrally within New Plymouth and includes the Central Business Area. Meuli Lane (NPDC-52) is located within the Business C Environment Area as it is within the Bell Block shopping area. The existing activities within Bell Block site include a café, bank and retail stores.

The designations relate to service lanes which have been 'given effect to' in part. While the land is not in council ownership, all land which it is proposed to be designated is currently in use as service lanes/parking areas. As a result the designation of the sites will not impact on the character or amenity of the areas as there will be no change to the existing use of the sites.

The purpose of the designations is to ensure the long-term security of these service lanes and ensure adequate visibility and manoeuvring. Should redevelopment of the sites occur in the future the designations will ensure that the service lanes remain post development.

The proposed designations will not be inconsistent with the Government Policy Statement on Land Transport, Regional Policy Statement or Proposed Regional Policy Statement, District Plan



or Proposed District Plan. An assessment against the relevant objectives and policies of the District Plan is included below.

Of particular relevance, the proposed designations will be consistent with the following objectives and policies of the Operative District Plan:

- *Objective 20: To ensure that the road transportation network will be able to operate safely and efficiently.*
- *Policy 20.1: The movement of traffic to and from a site should not adversely affect the safe and efficient movement of vehicles, both on-site, onto and along the road transportation network.*
- *Policy 20.3: Potential conflict between vehicles, pedestrians and cyclists moving on the road transportation network should be minimised to protect the safety and efficiency of road and footpath users.*

Designation of the service lanes will enable New Plymouth District Council to ensure appropriate access to these properties will continue to be provided and to ensure the safe and efficient movement of vehicles within these sites. Providing for these works would be consistent with the above objectives and policies of the Operative District Plan.

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

No alternative sites, routes or methods have been considered as these designations relate to existing service lanes that are yet to be fully acquired by New Plymouth District Council.

**7. The public work and designation (or alteration) are reasonably necessary for achieving the objectives of the territorial authority because:**

Consideration must be given as to whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority.

The reason for the designations is to secure the service lanes should the sites be redeveloped in the future. The service lanes are currently predominantly within private ownership. Inclusion of the designations would provide long term security of the service lanes ensuring adequate and safe access and servicing of the surrounding commercial activities is maintained.

Retaining these designations will clearly indicate the intended use of the land restraining land uses and/or development that might otherwise impact adversely on these service lanes.

For the above reasons, the proposed designations are considered to be reasonably necessary for achieving the objectives of the New Plymouth District Council.

**8. The following resource consents are needed for the proposed activity and have (or have not) been applied for:**

No resource consents are required for the proposed activity.



**9. The following consultation (or No consultation) has been undertaken with parties that are likely to be affected:**

The following parties being the landowners of the service lanes are considered to be affected by the proposed designations:

Reference	Landowner	Legal Description
NPDC-4	MAYFAIR NEW PLYMOUTH LTD, ACROPOLIS HOLDINGS LTD, WESTWILL PROPERTIES LIMITE	Lot 2 DP 20208, Lots 5, 8 & 10 DP 7502 and Lot 1 DP 16164
NPDC-5	CURRIES STREET NEW PLYMO, HELLENIC SUPPLIERS WHOLE	Pt Lot 1 DP 5884, Area A,B and C DP 448123, Pt Sec 873 Twn of NP and Pt Sec 890 NP Twn.
NPDC-6	URBAN ASPECT LTD	Lot 907F DP 888, Sec 908 Twn of NP, Lot 908D DP 1573 and Lot 908C DP 1573
NPDC-7	Mr William Murray HUGHES, Mrs Elizabeth May HUGHES, VOLUMEX NOMINEES LIMITED	Lot 1 DP 16265, Allotment 3 DP 4978 and Lot 1 DP 18472
NPDC-8	WETILE PROPERTIES LIMITE, BEETLE N WOODS LIMITED, Mr Garry Victor MALCOLM, Mrs Maree Patricia MALCOLM, Mr Brent Alan MALCOLM, Mr Tray SENG, Mrs Guek Heang TAING	Lot 1 DP 16999, Lot 8 DP 20943, Lot 7 DP 20943 and Lot 6 DP 20943
NPDC-52	Mr Rodney Desmond SLATER, Mrs Lesley Barbara SLATER	Lot 1 DP 18348

**10. The New Plymouth District Council attaches the following information required to be included in this notice by the district plan, regional plan, or any regulations made under the [Resource Management Act 1991](#).**

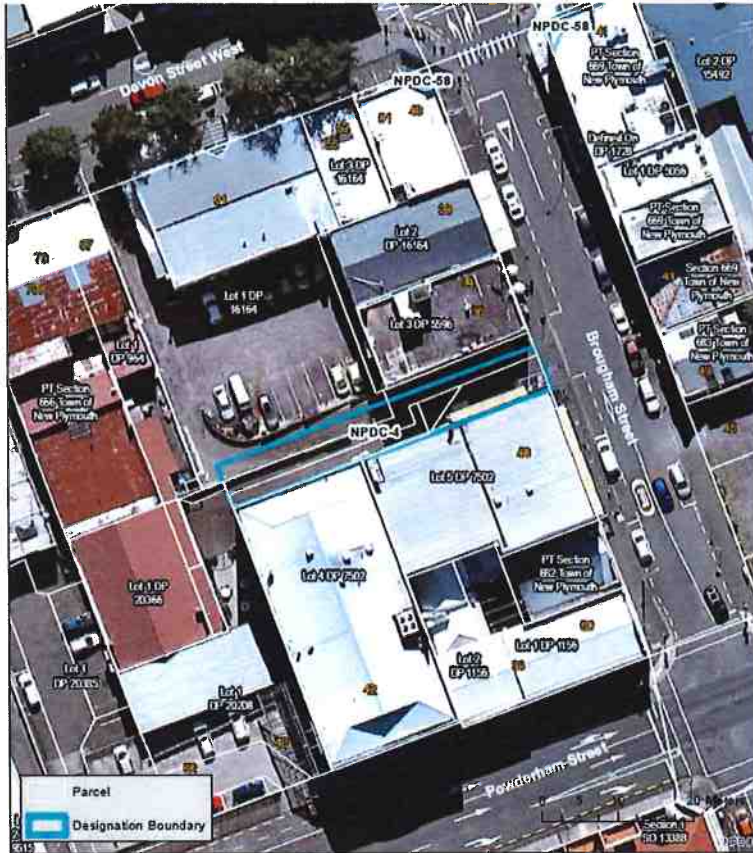


Figure 1: NPDC-4 Designation Boundaries (Light Blue Lines)

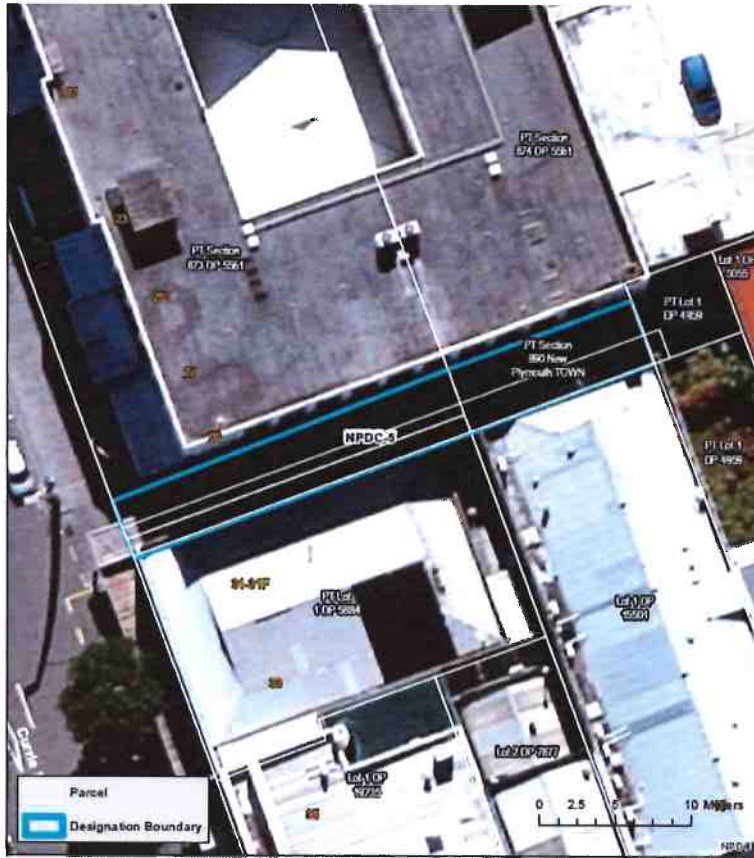


Figure 2: NPDC-5 Designation Boundaries (Light Blue Lines)



Figure 3: NPDC-6 Designation Boundaries (Light Blue Lines)



Figure 4: NPDC-7 Designation Boundaries (Light Blue Lines)





Figure 5: NPDC-8 Designation Boundaries (Light Blue Lines)



Figure 6: NPDC-52 Designation Boundaries (Light Blue Lines)

Authorised by

David Langford (Infrastructure Manager)  
on behalf of New Plymouth District Council

Date 12/8/19