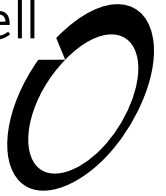


Boffa Miskell






New Plymouth District Council Plan Change Hearing Commissioners

S42A Report on Proposed Private Plan Change 48: Wairau Road, Oakura Rezoning
Prepared for New Plymouth District Council

31 May 2019



Document Quality Assurance

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OFFICER'S REPORT FOR: Independent Commissioners Bill Wasley and Antoine Coffin

SUBJECT: Proposed Private District Plan Change 48 – Rezoning of land at Wairau Road, Ōākura from Rural Environmental Area to Residential Environmental Areas (proposed Residential A, C and Medium Density), proposed Rural Lifestyle Area, Open Space B and C Environment Area and Business C Environment Area with specific provision for subdivision and development of 399 lots.

PREPARED BY: Anna Stevens and Hamish Wesney
Consultant Planners
Boffa Miskell Limited

REVIEWED BY: Juliet Johnson
District Planning Lead
New Plymouth District Council

REPORT DATE: 31 May 2019

HEARING: Commencing 22 July 2019

1.0 Executive Summary

Summary of Process

- 1.1 On 15 March 2018, Oakura Farm Park Limited (Oakura Farm Park or OFPL) lodged a private plan change request with New Plymouth District Council (NPDC), pursuant to clause 21(1) of the First Schedule of the Resource Management Act 1991 (the RMA). Plan Change 48 seeks changes to the zoning of rural land at Wairau Road and to introduce specific provisions and conditions to enable subdivision and housing for approximately 399 lots.
- 1.2 Council determined to accept the private plan change and notify it as a private plan change pursuant to clause 25(2)(b) of the RMA. The process then follows

the private plan change decision-making procedures outlined in Part II of the First Schedule of the RMA.

- 1.3 This report considers the request and submissions received by New Plymouth District Council on Proposed Private Plan Change 48. This report provides recommendations in response to the key issues that have arisen from these submissions, utilising expert advice of Council's technical advisers on open space and parks, transportation, reticulated services/3 waters, and landscape and visual impact.
- 1.4 The proposed private plan change was notified on 29 June 2018, with submissions closing on 10 August 2018. The summary of submissions was notified on 1 October 2018, with further submissions closing on 15 October 2018. An addendum to the summary of submissions was notified on 3 December 2018, with further submissions closing on 14 December 2018.
- 1.5 Council received a total of 436 submissions and 38 further submissions, with 14 submitters supporting the plan change in part and the rest all opposing proposed Private Plan Change 48 and seeking it be declined. Of these submissions, nine submissions were received after the deadline for when submissions had closed and were treated as late submissions. Furthermore, 27 submitters who had submitted on the plan change, had not provided their contact details and were not initially accepted by Council as they were considered incomplete. Council subsequently obtained contact details for several the originally incomplete submissions and notified these as an addendum to the Summary of Submissions.
- 1.6 Five pre-hearing meetings were organised and took place on 28 and 29 January 2019 based on specific topics and potentially affected groups which emerged from the submissions on the private plan change. The purpose of the pre-hearing meetings was to discuss different issues submitters identified in their submissions and explore options to respond to the issues raised. The pre-hearing meeting attendees were submitters that represented a group based on specified topics:
 - Education pre-hearing meeting attended by Oakura Farm Park Ltd, Ministry of Education, Oakura School Board of Trustees, Oakura Playcentre, New Plymouth District Council.
 - Equestrian pre-hearing meeting attended by the Oakura Farm Park Ltd, Taranaki Equestrian Network and New Plymouth District Council.
 - Community pre-hearing meeting attended by the Oakura Farm Park Ltd, Kaitake Community Board, New Plymouth Old Boys Surf Club and New Plymouth District Council
 - Traffic pre-hearing meeting attended by the Oakura Farm Park Ltd, New Zealand Transport Agency, National Road Carriers Association and New Plymouth District Council.
 - Iwi pre-hearing meeting attended by the Oakura Farm Park Ltd, Te Kāhui o Taranaki Iwi, Ngati Tairi/Oakura Pa and New Plymouth District Council.
- 1.7 A hearing of the Private Plan Change 48 is scheduled to commence on 22 July 2019.

- 1.8 The following report contains our overall analysis of Plan Change 48 in terms of:
- The plan change documentation, including all accompanying expert reports;
 - The submissions and further submissions received on the plan change;
 - Expert advice commissioned by the Council
 - The Policy Framework
 - Section 32 of the RMA
 - Part 2 of the RMA.

Primary Issues

- 1.9 From our analysis of the Plan Change and the submissions received the following are the primary issues for determining the Plan Change.
- The appropriateness of rezoning the land and the scale and density of development
 - Traffic, parking and access
 - Landscape values and visual impacts
 - Noise
 - Open Space and Reserves
 - Service Infrastructure and Stormwater
 - Oakura School Capacity and Community Infrastructure
 - Environmental Impacts
 - Historic Heritage
 - Social Impacts
- 1.10 Based on technical advice relating to reticulated infrastructure, there are infrastructure limits on the scale and extent of this expansion. In particular, the aquifer supplying the Oakura water supply system has a limited capacity to meet future demand. Drawing on the Housing Capacity Assessment, additional land for housing is not required to meet the requirements of the NPS-UDC. The landscape and visual impacts of the development are potentially significant, with further consideration of these impacts required.
- 1.11 In response to these conclusions, it is recommended that a limit is placed on the number of lots/dwellings able to be developed within the Wairau Estate Structure Plan Area. A maximum yield of 167 lots/dwellings is applied to the Wairau Estate Structure Plan Area – this yield is based on an allocation of the currently available capacity in the aquifer and has taken into account provision for supplying water to other areas in Oakura zoned for residential development and Future Urban Development Areas.

Recommendations

- 1.12 Overall, at this time, prior to hearing from submitters, I recommend that PPC 48 as lodged by OFPL be approved in part, subject to the amendments that I recommend to the Plan Change and which are set out below. Specifically, I note that at this point of time based on the evidence and reports in front of me, that I do not support the following aspects of PPC48:
- a. The full extent of the area sought for residential zoning
 - b. The medium density area
 - c. The proposed noise attenuation bund
 - d. The proposed access arrangements (roundabout, alternative direct State Highway 45 access)
- 1.13 Regarding the Consent Notice on Lot 29, it is recommended the Consent Notice be amended. The precise wording of the amended Consent Notice would reflect the Structure Plan and lot yield approved by the Plan Change.
- 1.14 That an extension of time under Section 37(1) of the RMA is granted to admit the late submissions listed in Appendix 4.

Acronym table for reference throughout Section 42A report:	
PPC48	Private Plan Change 48
NPDC/ Council	New Plymouth District Council
OFPL	Oakura Farm Park Limited (applicant)
SH45	State Highway 45
FUD	Future Urban Development (Overlay)
District Plan	New Plymouth District Plan
RMA	Resource Management Act 1991
NPS-UDC	National Policy Statement on Urban Development Capacity
RPS	Regional Policy Statement
OL	Outstanding Landscape
TIA	Traffic Impact Assessment

2.0 Purpose of the Report

2.1 The purpose of this report is to:

- a. provide the context and background to Private Plan Change 48 (PPC48), including the statutory framework relevant for considering a request for a private plan change and amendment to a consent notice;
- b. consider and summarise the public submission process including submissions and further submissions received on proposed PPC48;
- c. provide an analysis of PPC48 against the statutory framework, including the submissions and further submissions received; and
- d. drawing on expert advice on the traffic, landscape and visual impact, engineering, reserves and open spaces, assess the implications of PPC48, and make a recommendation to the Hearing Commissioners on the appropriateness of the plan change and its provisions.

2.2 Boffa Miskell Limited was engaged by New Plymouth District Council (**NPDC/Council**) in processing the proposed plan change following the Council's receipt of the draft plan change request documentation in September 2017. This report has been prepared by Anna Stevens and Hamish Wesley (see Appendix 11 for qualifications and experience) and reviewed by Juliet Johnson, District Planning Lead, NPDC. In addition, the following advisors have been relied upon in the preparation of this report:

- a. Graeme Pool and Mark Hall, NPDC – reticulated services/3 waters
- b. Stuart Robertson, NPDC – parks and open spaces
- c. Emma McRae, Boffa Miskell– landscape and visual impact effects
- d. Graeme Doherty, Aecom – traffic effects

Report Structure

2.3 Attached as appendices to this report are:

- Appendix 1 – 'The Paddocks' Subdivision Consent Decision
- Appendix 2 – Zoning Maps
- Appendix 3 – NZTA State Highway Reverse Sensitivity Guidance
- Appendix 4 - Submitter information (map of submitters, late submissions and issues raised in submissions)
- Appendix 5 – Pre-hearing meeting notes
- Appendix 6 – Further information received following pre-hearing meetings
- Appendix 7 – Council Technical Assessment Advice
- Appendix 8 – Statutory Framework

- Appendix 9 – NPS-UDC housing capacity information for Oakura
- Appendix 10 – Recommended District Plan Change Provisions
- Appendix 11 – Authors Qualifications and Experience

3.0 Background

- 3.1 A request for a private plan change was submitted by Comber Consultancy on behalf of OFPL on 15 March 2018.
- 3.2 The request was considered by the Council at its Planning Committee meeting on 2 May 2018 as to whether the request should be adopted, accepted, rejected or converted to a resource consent application process. Council formally resolved to accept the proposed private plan change as received by OFPL and thereby started the statutory process for the private plan change request.

Outline of the Private Plan Change Request

- 3.3 In brief, the private plan change request proposes to:
- Change the zoning from Rural Environment Area to Residential Environment Areas (proposed Residential A, C and Medium Density) where the applicant proposes to create 399 residential lots ranging in size from 300m² to 700m².
 - Change the zoning from Rural Environment Area to a proposed Rural Lifestyle Area where 12 lifestyle sections are proposed to act as a buffer between the residential sections and rural land. The proposal indicates these sections can be for equestrian lifestyle living.
 - Change in zoning from Rural Environment Area to Open Space B and C Environment Area for local parks and natural spaces.
 - Change in zoning from Rural Environment Area to Business 'C' Environment Area for a small business area.
 - Introduction of a proposed structure plan to direct the overall form and layout of subdivision and development.
 - Change the Areas for Future Urban Development provisions and insert additional policies and methods of implementation for the Wairau Estate Structure Plan to enable the application site land to be comprehensively planned for urban development in its entirety and to provide for a safe and efficient road transportation network to meet the long-term needs of the Oakura urban area by planning for the provision of a roundabout.
 - Change the Residential Environment Area provisions to provide for the height, bulk, location and reflectivity of the buildings and structures in the structure plan area.

- Change the Rural Environment Area provisions to provide for the height, bulk, location and reflectivity of the buildings, structures and traffic generation in the structure plan area.
 - Change the Business Environment Area C provisions to provide for the height of the proposed buildings and structures in the structure plan area.
 - Install a roundabout on the intersection of Wairau Road and SH45.
- 3.4 In summary, the primary reason that the requestor seeks the rezoning of the site is that the requestor believes Wairau Estate will be able to deliver a continual supply of serviced residential lots long term, contributing to supporting and sustaining present and future generations at Oakura.
- 3.5 Following pre-hearing meetings held on 28 and 29 January 2019, the applicant put forward modifications to the plan change request as detailed below with these changes outlined in the documents in Appendix 6 to this report:
- Confirmed Bridal Path and signage with added service access and easement (see EQ-01)
 - A new/alternative access via SH45 has been investigated with an alternative for sequencing of development detailed (see possible Super Staging Plan C-10)
 - Possible Super Staging Plan with alternative for sequencing of development with the proposed roundabout linked in with provision of infrastructure (see C-09)
 - Proposed overlay rules relating to staging. Conditions placed on Stages 2-4. Stage 2 is not to proceed until 75% of lots created on subdivision within Stage 1 have been sold. Stages 3 and 4 are not to proceed until the traffic roundabout and pedestrian underpass have been installed (see Attachment C1.3. – Overlay Rules).
- 3.6 For the purposes of this report, we have evaluated the plan change request taking into account these modifications.

4.0 Site and Surroundings

Site Location and context

Site description

- 4.1 The plan change document contains an accurate description of the site, with site description detailed in Parts 1 and 2 which we rely on and do not repeat in this report. Some additional context information is provided below.
- 4.2 The section of land is to the south of the Oakura township, with the main access to the site being provided off Wairau Road. The site is situated on the rural ring plain and is located on the foothills of the Kaitake Ranges, situated to the south of the site and

separated by an adjacent dairy farm which separates the site from the Ranges. Wairau Stream passes through the site along the northern portion of the site, as does its tributary to the south. QEII National Trust covenanted bush runs along the gully of the Wairau Stream in the eastern portion of the site. See Figure 1 below for site features.

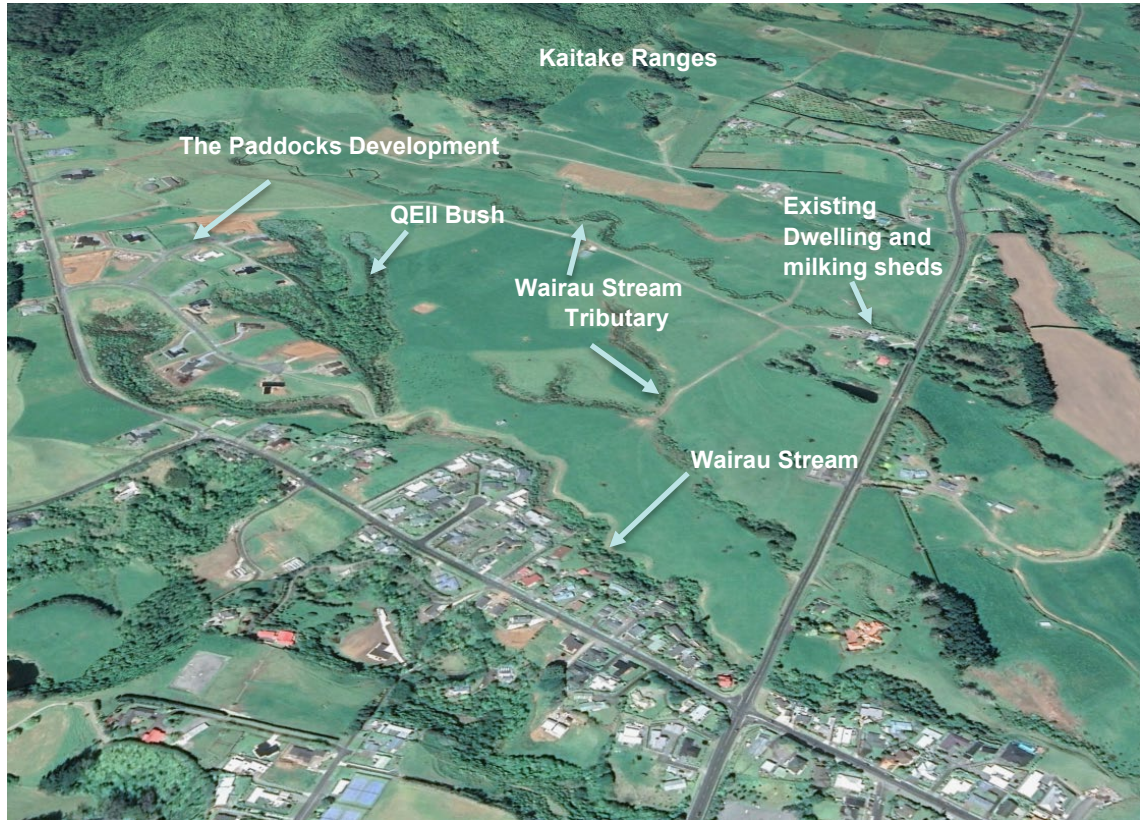


Figure 1: Showing close-up of the subject site from a 3D perspective including the key natural features of the site (Google Earth, 2019).

- 4.3 There are a number of easements affecting the property including an easement for gas and petroleum products for First Gas Ltd, Shell Taranaki Ltd, and Liquigas, who have high pressure gas and LPG pipelines within the plan change area. Powerco electricity and gas assets are also located in the plan change area.

Immediate environment

- 4.4 The Surf Highway (SH45) runs along the western boundary and across the state highway lies large open rural land. The Kaitake Ranges are bush clad ranges which form part of the Egmont National Park. The ranges are considered to be a dominant feature in the immediate environment and the site is located at the foothills of the ranges. The bush clad ranges rise from the site to approximately 682m above sea level.
- 4.5 North east of the site along the lower portion of Upper Wairau Road is the fringe of Oakura township containing Residential C zoning under the District Plan. West of the site is open rural land used for agricultural purposes, mainly dairy farming.



Figure 2: Showing location of site amongst the surrounding environment including key landmarks and services, with site indicated in red (Source: Google Earth, 2019).

- 4.6 Figure 2 above details the surrounding context of the site including key landmarks and sites, such as Oakura School, Oakura River and SH45. Wairau Road and Surrey Hill Road both lead towards the Kaitake Ranges and form the rural fringe of the Oakura township. Oakura River lies to the east of Surrey Hill Road.
- 4.7 The Oakura township to the north, has a population of approximately 1400 and is situated fifteen minutes south west of New Plymouth.
- 4.8 In terms of public transport, the closest public transport link to the subject site is the Route 40 - Oākura/New Plymouth bus service which runs via Wairau Road and South Road near the site with three services a day.

The Paddocks Development and Application to Amend Consent Notice

- 4.9 In 2010 the applicant applied for a 30 lot subdivision with access off Upper Wairau Road – this subdivision later became known as “The Paddocks” development. The proposal included two clusters of large lot residential allotments including 21 large (4,000m²) lot residential allotments in the northern cluster with two cul-de-sac roads. The second ‘south cluster’ was proposed further south along Wairau Road which involved elevated land adjoining the Kaitake Ranges. Five allotments were proposed, generally being one hectare in size.
- 4.10 Lot 29 (this application’s subject site) was the balance farm lot being 66.5ha in size and it was proposed that this land will continue to be used for farming purposes. An 8.5ha bush area was included in this area which was to be protected by a QEII National Trust covenant.

- 4.11 Following a hearing process, a decision was made by an independent commissioner on 8 March 2011 to grant the subdivision consent and creation of 26 lots. The consent was subject to multiple conditions including roading, planting and staging requirements. A key consideration to this plan change request is consent condition 24.2 imposing a consent notice limiting further subdivision of Lot 29. See Appendix 1 for the Hearing Decision Report which includes the consent condition. In conjunction with this plan change request, the applicant has sought to amend this consent notice. This amendment is evaluated in section 12 of this report.

Zoning and Other District Plan Notations

- 4.12 The site is currently zoned Rural Environment Area with a portion of the land, approximately 12 hectares, being subject to a Future Urban Development (FUD) Overlay known as part of the South FUD for Oakura, as shown on District Plan Maps A61 and Rural E2 in Figure 3 and Figure 4 below. As evidenced in Map A61, land to the west of the site, across SH45 is also FUD land being Oakura's West FUD. As evidenced in Figure 3 and Figure 4 below, the site is also subject to a Ponding Area Hazard, and Wairau Stream which straddles the northern boundary of the site being identified as a Priority Water Body. As shown on Map Rural E2, there are existing energy pipelines which traverse the southern side of the subject land (Appendix 2).

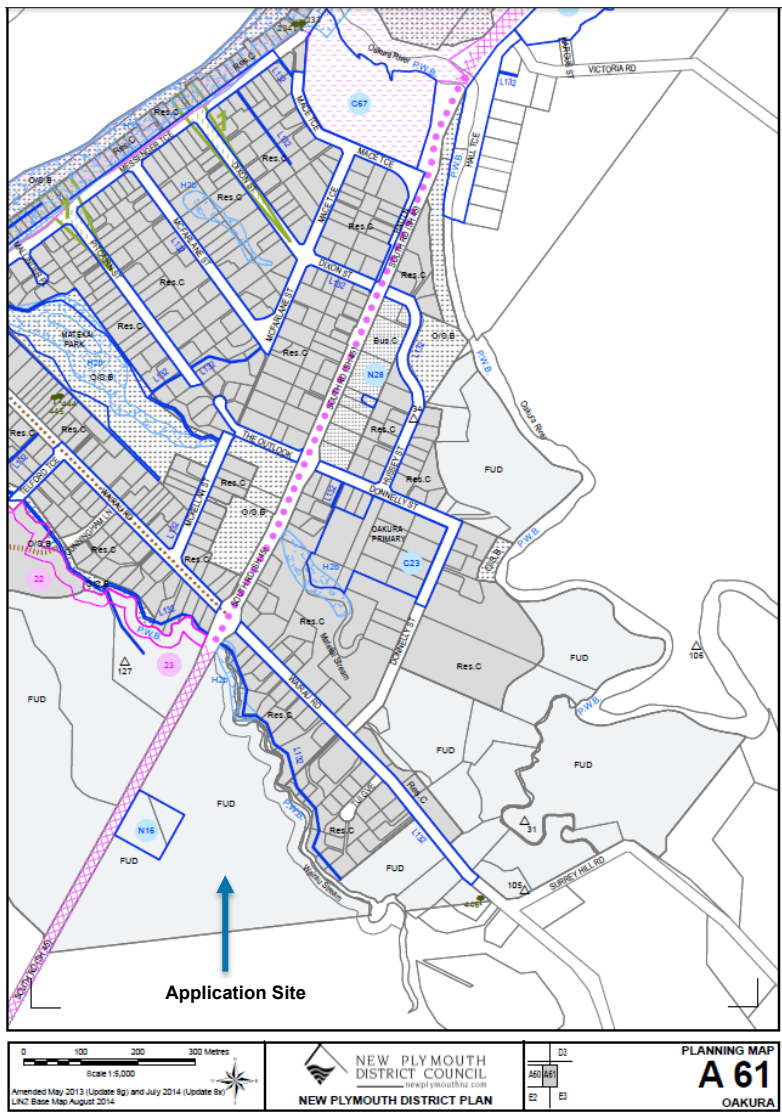


Figure 3: Zoning Map A61 showing the site's zoning context, Operative District Plan

4.13 The site is within the Oakura Structure Plan August 2006, which was derived from community consultation focusing on the future of Oakura's development. Figure 4 below identifies the site as having an Urban Area – (residential development overlay) with other indicative elements including the Wairau Stream, a potential pathway along the street, with a section of the pathway being identified and an indicative new road towards the south of the site. The location and extent of the South FUD (and West FUD) identified in this 'urban areas' in this Structure Plan were added to the District Plan via Plan Change 15 which was notified in 2011 and made operative in 2013.

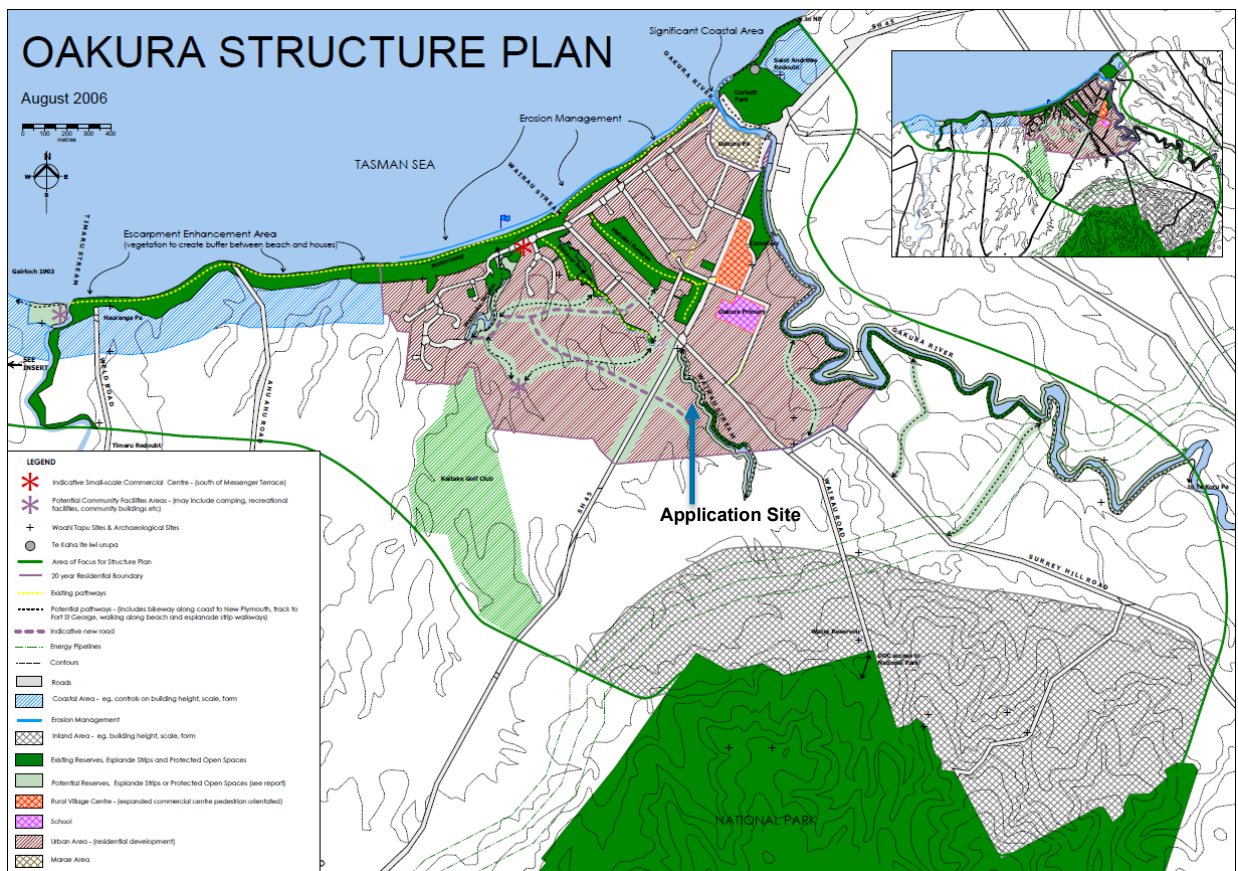


Figure 4: Oakura Structure Plan, August 2006

5.0 Public Consultation Process

Public Consultation before request lodged

- 5.1 It is acknowledged that the applicant undertook engagement with the Oakura community and other stakeholders prior to lodgement of the plan change request in November 2017 onwards. See section 5.3 of the request document for a summary of this engagement.

Public Notification of private plan change request

- 5.2 PPC48 was publicly notified on 29 June 2018. 436 submissions were received before submissions closed on 10 August 2019. Nine submissions were received after the close of submissions and were treated as 'late submissions' and were recorded in the Summary of Submissions. Of the 436 submissions, 385 submissions were 'Pro Forma' in nature, with 232 of the Pro Forma submission also raising other matters and remaining 153 being solely Pro Forma submissions.

- 5.3 27 submissions (all Pro Forma submissions) received on PPC48 contained no submitter contact details. In accordance with the RMA submissions must contain the contact details of the person making the submission, or the name and address of an agent if someone has been employed to act on a submitter's behalf. Given no contact details were provided, these submissions were considered incomplete and were not accepted by Council and were not included in the summary.
- 5.4 One submission was received in which the submitter requested their details be withheld. Given the submitter wished for their details to be withheld, and thus no contact details could be provided, this submission was not accepted by Council and not included in the summary.
- 5.5 A summary of submissions was notified on 1 October 2018 and 38 further submissions were received before the closing date of 15 October 2018.
- 5.6 Following notification of the Summary of Submission document, it was made known to Council that some submitters, who were identified as being some of the 27 submitters who did not provide contact details, had queries as to why their submission was not included in the document. Council endeavoured to contact all 27 submitters who did not provide contact details in their submission and were successful in being able to make contact with 19 of the 27 submitters. These submitters subsequently provided their contact details and requested their submission be accepted. Since the original summary of submissions document was notified, the Council obtained contact details for 19 of the 27 original submitters.
- 5.7 Furthermore, in regard to the one original submission who it was initially believed that the submitters requested their details be withheld, Council subsequently was contacted by this submitter who provided their contact details and wished for their submission to be accepted. The Council has not been contacted by or been able to reach the seven remaining submitters.
- 5.8 The council subsequently notified an addendum to the Summary of Submissions on 30 November 2018 and further submissions on this addendum were open until 14 December 2018. 1 further submission was received on this addendum.
- 5.9 A list of the names of the 436 submitters and 38 further submitters is available in the Summary of Submissions document on NPDC's website detailing all PPC48 information¹.
- 5.10 Of the submissions received:
- 2 are neutral
 - 1 is in support
 - 11 support in part
 - 393 are opposed
 - 3 oppose in part.

¹ <https://www.newplymouthnz.com/Council/Council-Documents/Plans-and-Strategies/District-Plan/Operative-District-Plan/Plan-Changes-and-Private-Plan-Changes>

Late Submissions

- 5.11 There were nine late submissions on PPC48 which were received after the closing date for submissions. Under Section 37 of the RMA, the Commissioners have the ability to recommend whether or not to waive a failure to comply with a set timeframe. Council can decide to waive the failure to comply with a timeframe only after taking into account:
- the interests of any person, who in its opinion, may be directly affected by the waiver;
 - the interests of the community in achieving adequate assessment of the effects of the Plan Change; and
 - its duty under Section 21 of the RMA to avoid unreasonable delay.
- 5.12 In considering whether to waive the failure to comply with the timeframe for the nine late submissions, the Commissioners may wish to take into account the following:
- The late submissions were received shortly after the submissions closed and were included in the summary.
 - The plan change process has not been held up in any way to date by these submissions.
 - The late submissions mainly raise issues that have been addressed by other submitters and do not seek any new decisions from Council which would compromise its ability to fairly assess the effects of the Plan Change.
- 5.13 For these reasons, we recommend the Commissioners waive the requirement to comply with the timeframe for these late submissions.
- 5.14 Appendix 4 contains a map showing the location of submitters on PPC48². The majority of submitters live in the Oakura area including in the surrounding streets of Wairau Road, Surrey Hill Road, South Road, Dixon Street, Messenger Terrace, Kaitake Road and MacFarlane Street. Other submitters reside further away from Oakura in New Plymouth or Okato with submitters also being as dispersed as Inglewood, Waitara, Rotorua, Wellington, Palmerston North or Stratford. All further submitters were located in Oakura or the New Plymouth area.

6.0 Statutory Framework

- 6.1 Once an application for a private plan change has been accepted by the Council under Clause 25(2)(b), Part 2 of the First Schedule applies.
- 6.2 Under this clause, because the plan change is a private request, Council is able to, and is obliged to, consider PPC 48 in its entirety and is not restricted to considering

² The map included in Appendix 4 includes all submitters who provided NPDC with their physical address. Some submitters are not included as they did not include their address. All submitters' contact details are included in the Summary of Submissions document on Council's Plan Change website:
<https://www.newplymouthnz.com/Council/Council-Documents/Plans-and-Strategies/District-Plan/Operative-District-Plan/Plan-Changes-and-Private-Plan-Changes>

just those matters raised in submissions. The reason for this difference from Council initiated plan changes is that a private plan change is not a Council agreed position. There is also no legal requirement for the Council to respond to submissions directly as a result (clause 29(4) vs clause 10) although the submissions received are a relevant matter for the Council to consider as part of the decision making process.

- 6.3 After reaching a decision, Council must publicly notify the decision. Public notice of Council's decision will be given as soon as practicable, following completion of all administrative tasks.

7.0 Matters to be considered by the Council

- 7.1 Section 74 of the RMA states that the Council shall prepare and change the District Plan in accordance with its functions under s31, the provisions of Part 2 and its duty under s32.

- 7.2 Under s74, when preparing or changing a plan, a territorial authority is required to have regard to:

“(b) any –

(i) management plans and strategies prepared under other Acts,”

I consider the Oakura Structure Plan and Kaitake Community Board Plan are relevant strategies, prepared under the Local Government Act.

- 7.3 Under s74 (2A) a territorial authority:

“must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of a region”.

- 7.4 For this plan change a relevant iwi management plan is the Taiao, Taiora Taranaki Iwi Environmental Management Plan. This iwi management plan has been considered below in this report.

- 7.5 Section 75 (3) of the RMA requires that district plans must give effect to –

“(a) any national policy statement; and

(b) any New Zealand coastal policy statement; and

(c) any regional policy statement”

and under s75 (4), district plans must not be inconsistent with –

“(b) a regional plan for any matter specified in section 30(1)”.

- 7.6 The decision in Long Bay Okura Great Parks Society Incorporated v North Shore City Council (Decision A 078/2008), and amended in High Country Rosehip Orchards Ltd and Ors v Mackenzie DC ([2011] NZEnvC 387) at pages 17-18 to reflect the changes made by the Resource Management Amendment Act 2005, sets out the mandatory requirements for district plan (changes), as outlined in Appendix 8.

8.0 Part 2 and Section 32 of the Act

- 8.1 Part 2 of the Act is overarching and the detailed considerations and assessments under other sections are subject to it. In order to make a decision on the request, the Commissioners must decide whether the request will promote the sustainable management of natural and physical resources in an efficient and effective way.

Section 5

- 8.2 The purpose of the Act is to “*promote the sustainable management of natural and physical resources*”. Sustainable management is defined under the Act as:
- “Managing the use, development and protection of natural and physical resources in a way or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –*
- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) safeguarding the life supporting capacity of air, water, soil, and ecosystems; and*
 - (c) avoiding, remedying or mitigating any adverse effects of activities on the environment”.*
- 8.3 The Operative New Plymouth District Plan (the District Plan) was developed under the Act and meets its purpose. The Council is required to ensure that all proposed changes to the District Plan will also result in outcomes that meet the purpose of the Act.

Section 6 – Matters of National Importance

- 8.4 Section 6 sets out a number of matters of national importance to be recognised and provided for.
- “(a) the preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development:*
 - (b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:*
 - (d) the maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers:*
 - (e) the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga:*
- 8.5 In accordance with the Oakura Structure Plan 2006 and Oakura – A Growing Community Report 2014/2016, Oakura is considered to be a coastal village and PPC48 is situated within reasonably close proximity to the coast. In addition, it is situated on the foothills of the Kaitake Ranges (an Outstanding Natural Landscape) and has the Wairau Stream and its tributary crossing the site.
- 8.6 Whether the proposal has recognised and provided for these matters is addressed in the report.

Section 7 – Other Matters

Section 7 of the Act sets out a number of other matters that must be had particular regard to. Of these, I consider the following are relevant:

- “(b) the efficient use and development of natural and physical resources;*
- (c) the maintenance and enhancement of amenity values;*
- (f) maintenance and enhancement of the quality of the environment.”*

- 8.7 Whether the proposal has particular regard to these matters is addressed in this report.

Section 8 – Treaty of Waitangi

Section 8 of the Act requires the Council to take into account the principles of the Treaty of Waitangi.

- 8.8 I note that the submission by Ngati Tairi, Oakura Pa opposes the proposed development on the basis that they are concerned with the ecological effects of stormwater being disposed via a series of small dams along the waterways and the concerns for existing habitats and ecosystems. I understand Ngati Tairi, Oakura Pa are in discussions with the applicant (OFPL) regarding this matter.
- 8.9 Te Kāhui o Taranaki (Taranaki Iwi) oppose the proposed development on the basis they will not support any action that results in degradation of the mouri of Papatūanuku; subdivision and land use that cannot demonstrate there will be no adverse effects on Ranginui, Papatūanuku, Taranaki Mounga, Tāne, Tangaroa-ki-Tai and Tangaroa-ki-Uta; loss of access to sites of significance; and adverse impacts on cultural values.
- 8.10 A pre-hearing meeting was held with the hapu, iwi and the applicant to discuss these issues. Actions resulted from this meeting. I address these actions and matters later in the Section 42A report.

Section 32 – Consideration of Appropriateness

- 8.11 Section 32 of the Act requires the Council to evaluate the proposed change and decide whether it is the most appropriate way to achieve the purpose of the Act, and, whether having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives of the Plan.
- 8.12 Section 32(1) requires that, before the Council publicly notifies a proposed district plan, it must:
- “(a) examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act; and*
 - (b) examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—*
 - (i) identifying other reasonably practicable options for achieving the objectives; and*
 - (ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and*
 - (iii) summarising the reasons for deciding on the provisions;”*

- 8.13 The evaluation report must also contain a level of detail that
“(c) corresponds to the scale and significance of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the proposal.”
- 8.14 When assessing efficiency and effectiveness of the provisions in achieving the objectives of the proposed plan change the report must under s32(2):
“(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—
(i) economic growth that are anticipated to be provided or reduced; and
(ii) employment that are anticipated to be provided or reduced; and
(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and
(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.”
- 8.15 Where a plan change proposes to amend a District Plan, the examination under s32(1)(b) must relate to:
“(a) The provisions and objectives of the amending proposal; and
(b) The objectives of the existing proposal to the extent that those objectives –
(i) are relevant to the objectives of the amending proposal; and
(ii) would remain if the amending proposal were to take effect.”
- 8.16 In the above, the term “existing proposal” refers to the existing plan provisions.
- 8.17 The requestor submitted a section 32 evaluation as part of the request, which was subsequently amended through a further information request.
- 8.18 The Council is required to undertake a further evaluation of the plan change in accordance with s32AA before making a decision under clause 29(4) of Schedule 1 of the RMA. S32AA is set out below:
“(1) A further evaluation required under this Act—
(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and
(b) must be undertaken in accordance with section 32(1) to (4); and
(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and
(d) must—
(i) be published in an evaluation report that is made available for public inspection at the same time as the ... decision on the proposal, is publicly notified; or
(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii)."

- 8.19 In this instance, the requestor does not propose to amend any of the objectives in the District Plan, but does seek to add two new policies and introduce new rules. The requestor does not propose to amend an issue, but does propose new definitions.
- 8.20 In order to assist the Commissioners in respect of a further evaluation, this s42A report also includes an evaluation under s32AA. Specifically, this s42A report sets out my evaluation of the request and includes consideration of:
- The matters raised in submissions;
 - The Council expert evidence commissioned as part of the assessment of the request; and
 - The wider statutory and non-statutory policy framework.

9.0 Form of the Proposed Plan Change

- 9.1 Refer to Section 1.5 of the plan change request in terms of the application to vary Consent Notice and Appendix 11 of the request document for requested changes to the Operative District Plan.

Wairau Estate Oakura Structure Plan

- 9.2 PPC48 entails a comprehensive structure plan detailing the proposed zoning, services, road and pedestrian networks and vegetation. The structure plan shows the location of the proposed zoning and lot and development density across the site. The density of proposed development has been spread from the more compact Medium Density Residential A zoning by existing development to then proposed Residential A and Residential C zonings back towards the site.
- 9.3 The 'Proposed Rural Lifestyle Area' has been placed along the southern portion of the site to allow a transition from the proposed residential development and zoning to a more separated, less dense rural lifestyle area. The proposed bridle track forms part of this residential to rural transition interface.

10.0 Matters raised in submissions and for evaluation

- 10.1 When assessing a proposed private plan change, while Council has no obligation under Clause 10 of Schedule 1 of the Act to make decisions on individual submissions, it is considered appropriate and necessary to consider the matters

raised in submissions. It is noted that under clause 29(6), any person who made a submission has a right of appeal to the Environment Court.

10.2 Various issues were raised in submissions, and a number of submitters requested specific changes to the Private Plan Change. The issues submitters raised are listed below. I consider that the matters raised in the submissions encompass all relevant matters for evaluation.

10.3 General themes raised in submissions:

- Appropriateness of Rezoning
- Traffic, Parking and Access
- Landscape Values and Visual
- Noise
- Service Infrastructure and Stormwater
- Oakura School Capacity and Community Infrastructure
- Environmental Impacts
- Historic Heritage
- Social Impacts

11.0 Relevant Policy Framework

11.1 In assessing the appropriateness of PPC48, national, regional, district and local level policies are to be considered.

11.2 The New Plymouth District Plan sits within a wider framework of both statutory and non-statutory policy documents. The request document includes a policy evaluation in Section 4.3.9. I consider that this policy evaluation is reasonably robust and rely on it in this evaluation of the policy framework. However, I consider there are few additional relevant policies from the National Policy Statement Urban Development Capacity (NPS-UDC) and the Taranaki Regional Policy Statement (RPS), and I reach different conclusions on a few matters as outlined below.

National Policy Statement on Urban Development 2016

11.3 The request document refers to the New Plymouth district as a 'medium growth area'. Since the request document was prepared, New Plymouth district is now classified as a 'high growth area' under the NPS-UDC. There are no additional or different matters in evaluating this plan change with this change in classification.

11.4 The applicant's evaluation has assessed Objectives OA1 – OA3. I generally concur with the applicant's evaluation of these objectives. However, in regard to Objective OA2 and provision of sufficient opportunities and housing choices, this objective should be evaluated in the overall context of Oakura and the district. We understand that provision for more intensive housing within the existing urban area of Oakura is being evaluated as part of the Proposed District Plan. In addition, other greenfield

areas in Oakura which are already zoned residential under the Operative Plan would contribute to housing capacity in Oakura.

- 11.5 Under the policies implementing these objectives in the NPS-UDC, Council is to ensure there is sufficient housing land to meet short, medium and long term needs. As documented in the attached capacity assessment for Oakura, there is currently sufficient capacity to meet the short and medium term needs. Therefore, the rezoning of land via this plan change is not needed to meet the NPS-UDC requirements. Notwithstanding the land is not needed for these requirements, the NPS-UDC does not preclude Council from rezoning additional land.
- 11.6 I also consider Objective OD1 'coordinated planning evidence and decision making' is relevant given the proposed scale of the development and the pressure it places on infrastructure. Decision-making on rezoning needs to ensure there is integration between land use, development, development infrastructure and other infrastructure. To achieve this objective, for reasons set out later in this report, we suggest changes to the scale and extent of the rezoning to achieve this integration.

Taranaki Regional Policy Statement

- 11.7 The Taranaki Regional Policy Statement (RPS) has been addressed by the applicant through an analysis of Section 15 - Built Environment. Whilst the plan change request provides linkages to how it addresses each element raised in Section 15, specifically SUD Policy 1 Sustainable Urban Development, I consider that the plan change does not fully give effect to this policy. The reasons for this are summarised below:
- The policy assessment does not explain how each element of Policy SUD1 is met or will be achieved, with no examples given it is not clear how the intentions of the policy will be met in practice i.e. for exactly how the development will promote energy efficiency in urban forms, site layout and building design.
 - It is assumed within the request and accompanying expert reports that local infrastructure wastewater, water reticulation and stormwater capacity will be able to supply the plan change area. As detailed in Council's engineering report in Appendix 7, there are some areas of concern not included in the applicant's calculations.
 - In regard to integrating transport networks, connections and modes to enable the sustainable movement of people, goods and services, the request notes that PPC48 can readily integrate into these networks and that the additional population will add to the sustainability of existing public transport services. As discussed later in the report, more clarity and information is required to concluded whether this integration is achieved.
- 11.8 I also consider additional objectives and associated policies are relevant in the RPS beyond the built environment. These objectives and policies relate to fresh water, natural features, amenity and resource management issues of significance to iwi. Given the natural features on site including Wairau Stream, the rural nature of the property and the consultation with local Iwi and Hapu these matters should be addressed. The following policies and objectives have not been addressed:
- Section 6 Fresh Water – WAL Objective 2, WAL Policy 3
 - Section 10 Natural features and landscapes, historic heritage and amenity value – AMY Objective 1, NFL Policy 2 and AMY Policy 1

- Section 16 Statement of resource management issues of significance to iwi authorities – TOW Objective 1, TOW Policy 1, TOW Policy 2, KTA Objective 1, KTA Policy 1, CSV Objective 1, CSV Policy 1, CSV Policy 3.
- 11.9 Stormwater effects from the development on the Wairau Stream and tributary are relevant considerations, noting these effects have been raised by submitters. WAL Objective 2 and WAL Policy 3 relate to maintaining in-stream values and life-supporting capacity and maintaining and protecting these and their margins from inappropriate subdivision, use and development. Potential stream bed and bank erosion is also raised in Council’s expert assessments (Appendix 7). The request details stormwater management to control run-off and also details proposed planting and measures within the stream banks. Subject to these measures being confirmed as effectively maintaining in-stream values, the plan change would not be contrary to this objective and policy.
- 11.10 AMY Objective 1 and Policy 1 relate to the adverse effects of resource use and development on rural and urban amenity values and the positive effects on amenity values promoted. The request notes that uncoordinated development or insufficient or poor-quality development can result in reduced amenity values. Further the request details that:
- “A change to local amenity is inevitable when a change in land use from rural to urban is contemplated. However, the Structure Plan for Wairau Estate together with its proposed development controls will help to ensure a high standard of urban amenity is achieved within the proposed development and that it integrates well with the level of amenity in the wider environment.”*
- 11.11 NFL Policy 1 relates to the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. As discussed later in the report, further consideration of the impacts on the development in relationship to the views of the Kaitake Ranges.
- 11.12 Objectives and policies in Section 16 relate to taking into account the Treaty of Waitangi, Kaitiakitanga, the relationship of Māori with land and cultural and spiritual values of tangata whenua. Consultation has been undertaken with Tangata Whenua but in light of the submission from Taranaki Iwi, further consideration of these matters is required.
- 11.13 Overall, at this time, I consider that the Proposed Plan Change partially gives effect to the Taranaki RPS.
- Taiao, Taiora
- 11.14 The applicant’s consultation with Tangata Whenua is detailed in section 4.3.9.9 of their report. The original request document does not provide an assessment of Taranaki Iwi’s Iwi Environmental Management Plan ‘Taiao, Taiora’ as the document was released after notification of the request. Taiao, Taiora has statutory weighting, and under the RMA Councils when preparing or changing a district plan, must take into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority, to the extent that its content has a bearing on the resource management issues of the district under Section 74(2A).
- 11.15 A pre-hearing meeting was held on 29 January 2019 between the applicant, Taranaki Iwi and Ngati Tairi Oakura Pa where Taranaki Iwi and Ngati Tairi submissions and concerns were discussed. The meeting resulted in actions for the applicant and Taranaki Iwi including that the applicant was to prepare an assessment table

comparing the relevant parts of Taiao Taiora with the proposed mitigation measures in the plan change. Taranaki Iwi were to then review this table and advise of any other matters or gaps.

- 11.16 After completing the table, the applicant and Taranaki Iwi met to go through the table. Taranaki Iwi formally concluded that they approve of the applicant's mitigation measures set out in their Taiao Taiora Assessment Report. However, overall, Taranaki Iwi do not approve of the plan change and they resolved that they would maintain their original submission to continue in their opposition to the Oākura Rezoning. Supporting their final stance on the Plan Change, Taranaki Iwi noted that they are clear on their positions under Section 11.8.7 and 11.8.4 of Taiao Taiora:

Taranaki Mounga - Section 11.8.7

Taranaki Iwi will not support any residential subdivision and development within 5km of the National Park Boundaries.

Taranaki Mounga - Section 11.8.4

Taranaki Iwi supports Project Mounga and will be prominently involved in that project at governance and operations level.

- 11.17 Overall, following the applicant preparing a Taiao Taiora Assessment Report and Taranaki Iwi approving of the mitigation measures set out, I consider that the proposal takes into account the relevant matters in Taiao, Taiora.

Operative New Plymouth District Plan

- 11.18 A reasonably robust assessment has been provided by the applicant in regard to the assessment of objectives and policies under the Operative District Plan. However, I consider that there is a lack of detail to fully comprehend the efficiency and effectiveness of the plan change in achieving the objectives and implementing the policies in the Operative District Plan.
- 11.19 Objective 1 relates to ensuring activities (which includes subdivision and development) do not adversely effects other environmental and amenity values within the district or adversely affected existing activities. To achieve this objective, the policies are:
- Policy 1.1: Activities should be located in areas where their effects are compatible with the character of the area.
 - Policy 1.2: Activities within an area should not have adverse effects that diminish the amenity of neighbouring areas, having regard to the character of the receiving environment and cumulative effects.
 - Policy 1.3: New activities that are sensitive to the elements that define the character of the area in which they intend to locate should be designed and/or located to avoid conflict.
- 11.20 To implement these policies, the methods are the zone framework and associated rules, as well as the application of the Future Development Area Overlay. The overall concept informing the Structure exhibits many of the elements which implement the above policies, such as the transition from more intensive development in the centre to rural-lifestyle on the southern side. However, as discussed later in this report, the compatibility of the proposed residential areas, including the medium density area, with the character of Oakura is questioned.

11.21 Overall, at this time, I consider that plan change is mostly efficient and effective in achieving the objectives in the Operative District Plan objectives, apart from those elements discussed later in this report.

Draft New Plymouth District Plan

11.22 Council has been reviewing the Operative District Plan and prepared a new Proposed District Plan. As part of this review process, a Draft District Plan was prepared and publicly released in 2018 for feedback. The Proposed District Plan is anticipated to be publicly notified in mid-2019.

11.23 Although the Draft District Plan has no statutory weighting, I consider that the objectives and policies contained in the document are a relevant consideration as it represents the Council's latest thinking. The relevant chapters are the Living and Working Environment Chapters, District Wide Activities Chapters, the Residential Zone, Open Space Zone and the Rural Zones.

11.24 Overall, I consider that a robust analysis under the Draft District Plan 2016 and Draft District Plan 2018 has been provided and I generally concur with the conclusions. However, as per the Operative District Plan objectives and policies assessment and discussed later in this report, further consideration of the landscape and visual impacts, and adjusting the scale of development due to water supply constraints.

11.25 The proposal does support the provision of a range of housing choices are available across the district. However, the scale and density of development proposed is not necessarily in accordance with the surrounding environment and expectations for the area. General residential living is also noted to be in established residential neighbourhoods that are predominantly characterised by low density housing and traditional housing forms. The proposed density is not in keeping with this provision.

Oakura – A Growing Community 2014/2016

11.26 Oakura – A Growing Community is a report detailing the findings of an Oakura community engagement project following identification of the FUD in the District Plan. Part of the community engagement project entailed testing the appropriateness of growing the village to the extent shown in the FUD Overlay.

11.27 The project found that there was a strong sense of growing Oakura in a sustainable manner, through improving linkages between the beach, urban and rural areas and to the National Park, while retaining the character and quality of the environment of Oakura. The community feedback was that the village is:

- Not ready to grow to that size (of the FUDs) in the short or medium term, or in the foreseeable future
- There was a demonstrated need for staged growth
- The community preferred smart and targeted growth that takes into consideration the limitations on growth including: changes to the character of Oakura, the size and location of the school and current school roll and traffic and parking issues on SH 45 and the CBD.

11.28 The applicant has provided an assessment against this report, including an assessment against the main themes of this report which include: Environment, Destination, Growth/ Industry/Talent, Community/Citizens and Centres. I consider the themes and direction in this report in evaluating the plan change below, particularly in relation to the appropriateness of the rezoning.

Kaitake Community Board Plan: A Thirty Year Vision 2017

- 11.29 The Kaitake Community Board Plan: A Thirty Year Vision 2017 sets out the visions and aspirations for Oakura, Okato and Omata, with the plan being developed with the community. The Plan provides an indication to NPDC about the matters important to the Board, where investment and action is required and a Blueprint for the communities to shape future growth and development. In the Plan the Board stresses, Oakura requires managed, staged and targeted growth. It is believed rapid and wide spread expansion would negatively affect the special character of Oakura and adversely impact on matters such as education services, traffic and environmental assets.

In the Plan, the Board have organised their priorities to align with the eight areas of the Blueprint and thus community feedback is organised in regard to: Environment, Communities, Citizens, Growth, Industry, Talent, Central City and Destination, to guide Council in its decision making for Oakura. I consider the directions and priorities in this report in evaluating the plan change below, particularly in relation to the appropriateness of the rezoning.

Oakura Structure Plan 2006

- 11.30 An assessment against certain Issues and Actions and Implementation of the Oakura Structure Plan 2006 is provided in the request document which I consider it identifies the key relevant aspects of this document. However, overall, I consider the plan change is not fully consistent with the direction set out in the Oakura Structure Plan. The Oakura Structure Plan notes that new development needs to recognise the uniqueness and special values of Oakura including the views from the sea to the Kaitake Ranges. It is recognised that the proposed development will create a landscape change to the site and will alter the view towards the Kaitake Ranges. It is also recognised under the Structure Plan that there is a need to integrate the existing road network and existing utilities with any new residential development. However, as detailed later in this report, there is a constraint on water supply in Oakura.

12.0 Evaluation of Variation to Consent Notice

- 12.1 Under Section 221 (3) of the RMA, the owner of land may apply to Council to vary or cancel any condition specified in a consent notice. In assessing such an application, Council is to apply Sections 88 to 121 and 127(4) to 132 of the RMA, which are effectively the sections for processing resource consent applications. The considerations in these sections have been applied in the evaluation that follows.

The Paddocks Subdivision Consent Decision

- 12.2 In 2010 the applicant OFPL applied for a 31 lot subdivision at 1215 South Road, Oakura. The consent notice and decision is described in section 0 of this report. As discussed in the Decision Report in Appendix 1 it was clear both during the hearing and in the conditions attached to the decision, that Lot 29, the balance allotment was not to be further subdivided while the land remains in the Rural Environment Area. This outcome was reflected in Condition 24.2 detailed below:

“24. Limitations as to Further Subdivision

24.1 The balance area that incorporates Stage two, Lots 16 -27, shall be shown as lots on the plan separate from the balance allotment (Lot 29)

24.2 Lot 29 shall not be further subdivided while the land remains in the Rural Environment Area.

This condition shall be imposed by way of a consent notice registered against each of the new computer freehold registers for the area of Lot 29 of Part Section 14 Oakura District, Part Section 13 Oakura District, Lots 3 and 4 DP 336578, Lot 2 DP400540 and Part Section 30 Oakura District”

- 12.3 The purpose of the consent notice as identified by the Independent Commissioner was to ensure that open space is retained over the balance lot as per below:

“The condition with regard to future subdivision of the Lot 29, relating to the no further subdivision of the property as long as it remains in the Rural Environment Area, has been retained as originally proposed. This condition will ensure that open space is retained over the balance allotment. It is also noted that the applicant expressed the intention during the hearing of retaining this lot with a ‘Protected Farm’ status in the longer term, regardless of the zoning.”

- 12.4 As identified in the above quote from the Decision Report, the evidence presented by the applicant at that time was that the balance allotment of this proposed subdivision would be able to be retained as a productive farming unit. In granting consent to The Paddocks subdivision, it is apparent weight was placed on this proposition, including by experts in evidence. The following extracts from the Decision Report are relevant in this regard:

“Mr Bain in his evidence refers to the overall design and notes that the opens space of the farm or balance lot will create an open rural foreground for views from SH45 to the ONL, and notes that it was therefore appropriate to limit the extent of development by restricting allotments to the proposed area. (para 63)”.

- 12.5 Mr Twigley, planner for the applicant, agreed with Mr Bain, but noted that “the subdivision will result in visual change to a relatively small part of the applicant’s land, but makes the point that the much greater area, and that part most visible from SH45 will remain as open farm land.”. The Commissioner agreed with Mr Bain and Mr Twigley and noted that the retention of the farm area will maintain an open green area that generally slopes up to the Kaitake Ranges, especially when viewed from SH45.

- 12.6 It is interesting to note that in the Decision Report, the Commissioner discusses the establishment of a precedent and notes how the features of the proposal when taken as a whole made it unlikely to be replicated as per below:

“in her opinion there are a number of features about the present proposed development, when taken as a whole, make it unlikely to be replicated. In particular this relates to the overall design of the development, the inclusion and enhancement of the gully vegetation and ecology, the historic pa site, and the integration of these features – which were noted in evidence to be unusual if not unique - into a coherent whole.”

Applicant's request to amend the consent notice

- 12.7 To enable the now proposed development, as sought in the plan change request, OFPL is also seeking to vary this consent notice as follows:
- '4. Subdivision of Lot 29 is permitted subject to such subdivision being in accord with the Structure Plan incorporated within Plan Change XX as approved by the New Plymouth District Council on xxx and subsequently incorporated in the Operative District Plan as Plan Change No.xx.'*
- 12.8 The applicant provides their reasoning for this request in section 1.5 of the request document and gives guidance for varying the consent notice in their request in accordance with the RMA.

Submissions regarding the proposed amendment to the consent notice

- 12.9 Eight submissions (in opposition) specifically refer to amending the consent notice. The points raised in opposition included:
- The proposed development is in complete contradiction to the intention of the consent notice. The consent notice was put in place to preserve the view and rural setting to offset the effects of the subdivision (S99.01, S104.1, S108.1).
 - In the previous 'The Paddocks' application, particular reference was made by the Hearing Commissioner for Lot 29 to remain as rural land and the applicant stated they intended to retain Lot 29 with "protected farm status" in the long term, regardless of zoning of the site (S106.1, S21.01, S61.01, S99.01, S153.1, S175.1).
 - If the development is to go ahead, it is sought that the intention of the consent notice is upheld, and the rural feel of the area is retained (S104.2, S104.3).

Evaluation of Amendment to Consent Notice

- 12.10 I consider there are three facets to amending the consent notice and enabling subdivision:
- Loss of rural land and rural buffer to offset subdivision effects
 - Impact upon view preservation
 - Loss of productive farming land.
- 12.11 These three matters are evaluated below in the evaluation of the overall proposal. I observe as this point it is evident that amending the consent notice as sought is in contradiction to the original purpose of the consent condition as detailed above by the Commissioner and for the reasons listed above. I also acknowledge that plans can change with the passing of time and that any landowner is entitled to apply to change a consent notice. I also acknowledge that what might have been considered appropriate at the time of The Paddocks Decision, may not be the case now and vice versa.

13.0 Evaluation of Proposed Plan Change

- 13.1 This section of the report provides an overall analysis of Private Plan Change 48 in terms of:
- The plan change documentation, including all accompanying expert reports
 - The submissions and further submissions made on the plan change
 - Technical review comments
 - The policy framework, as set out earlier
 - Section 32 of the RMA
 - Part 2 of the RMA
- 13.2 Having considered all of the above matters, I consider the key issues in respect of the plan change request and consent notice are:
- The appropriateness of rezoning the Rural Environment Area land to a mixture of zonings;
 - The environmental effects resulting from the Private Plan Change:
 - a. Traffic, parking and access
 - b. Landscape value and Rural amenity
 - c. Noise
 - d. Open Space and Reserves
 - e. Service Infrastructure and Stormwater
 - f. Oakura School Capacity and Community Infrastructure
 - g. Environmental Impacts
 - h. Historic Heritage
 - i. Social Impacts
 - Tangata Whenua matters

The appropriateness of rezoning the Rural Environment Area land to a mixture of zoning

- 13.3 The appropriateness of rezoning the land from Rural Environment Area to a mixture of new zones including Residential Environment Areas (proposed Residential A, C and Medium Density), proposed Rural Lifestyle Area, Open Space B and C Environment Area and Business C Environment Area needs to be considered in terms of objectives and policies of the Operative District Plan, the Draft District Plan, Regional Policy Statement, Council's Urban Development Capacity Assessments and the Oakura Structure Plan.

- 13.4 The applicant has provided reasoning for the appropriateness of the rezoning in Section 2 of the request document. In summary these reasons are:
- The land is available for development with a willing landowner. Also, as the land is in single ownership, provides ability to easily plan and develop in an integrated and holistic way;
 - Currently limited available vacant residential land in Oakura, and no other landowners within FUD areas currently proposing development;
 - Strategically located in relation to community facilities and transport access;
 - Logical extension to the existing urban form of Oakura, and extent, form and layout of proposed development applies a logical and effective plan;
 - Land is suitable for residential development, taking into account topography and previous use of the land;
 - Provides a long-term plan for the future and opportunity to address community needs;
 - Staging provides for a cost-efficient approach.

Submissions

- 13.5 Private Plan Change 48 received a number of submissions in respect to the appropriateness of rezoning the land. The key themes and issues raised in submissions included:
- Sufficient amount of land already allocated for development and subdivision in Oakura
 - The ring plain is a significant landscape and its uniqueness must be protected, and concern with the loss of rural amenity.
 - The proposed plan change to rezone rural land to residential is not necessary and it overrides the generations of planning and community input that make up the existing district plan and other documents (e.g. The Oakura Structure Plan). Both Operative and Draft District Plans show this land zoned for rural use.
 - Concern about the loss of village/small town character, and becoming a larger/suburban environment.
 - Development of the rest of Lot 29 (not in FUD) must remain in the Rural Environment Area as outlined in the conditions of the earlier subdivision consent.
 - The 1-2ha lot size is very suitable for equestrians and, together with the bridle trail and arena, will be in hot demand.

Oakura's residential/housing development capacity

- 13.6 One of the key questions in evaluating this request is the capacity for additional housing in Oakura. This capacity relates to whether current or proposed land supply would meet the anticipated future demand. To evaluate this matter, I firstly summarise

the existing and current future planned housing land demand and supply. Secondly, I evaluate the effect PPC48 has on this demand and supply.

- 13.7 Council is currently in the process of finalising its first Housing and Business Development Capacity Assessment under the NPS-UDC, and anticipates publicly releasing the assessment in the near future. As the subject matter of this assessment is directly relevant to evaluating this plan change, an advanced copy of the Oakura components are contained in this report - see Appendix 9 for the relevant extracts from this draft report.
- 13.8 The assessment report sets out the estimated demand for dwellings in Oakura and the supply of land available (capacity) for housing. Table 1 below contains the estimated projected household growth (demand) in Oakura. This demand includes projections in the short, medium and long term as well as total anticipated growth.

Table 1: Estimated Housing Demand in Oakura (NPDC, 2019)

	Projected Household Growth	Total Increase Between Growth Time Periods	NPS-UDC Margin	Projected household growth	Total Increase between Growth Time Periods
2018 (existing)	549			549	
Short Term (2018 – 2021)	599	50	20%	609	60
Medium Term (2021 – 2028)	662	63	20%	685	76
Long Term (2028 – 2048)	759	97	15%	796	112
TOTAL		210			247

- 13.9 Table 2 below contains the assessed capacity (supply) for housing in Oakura. This assessment includes the Oakura South FUD, Oakura West FUD and undeveloped residential land. As detailed in the report the identified growth areas are currently zoned rural but enabled by FUD overlays under the Operative District Plan and are assumed to be adequately serviced by infrastructure at the time of release.

Table 2: Showing Oakura Growth Area Yield (NPDC, 2019)

	Zone under current DP	Total Area (ha)	Future Yield (lots)	Proposed Start Year	Grade	Feasibility	Feasible future yield
Undeveloped Residential Land Oakura	Res	18.1	158	2018	2	99%	157
Oakura South	Rural/FUD	13.0	117	2020	3	100%	117
Oakura West	Rural/FUD	39.5	355	2032	3	100%	355
Total		70.6	630		2.5	100%	629

- 13.10 The numbers in Table 2 are based on the areas shown as solid and hatched yellow in Figure 5 below.

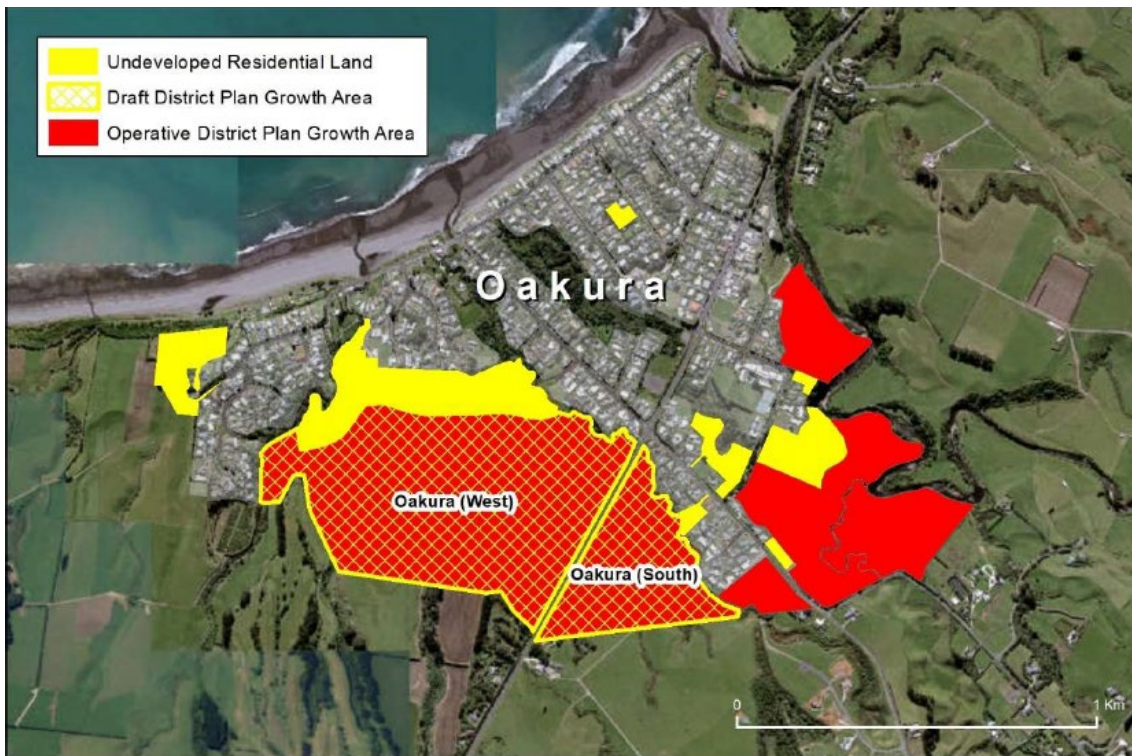


Figure 5: Map showing growth areas in Oakura (New Plymouth District Council, 2019).

- 13.11 In addition to the supply provided by greenfield land, Council has evaluated the potential capacity for infill as part of the District Plan Review. This work has identified potential for approximately 127 infill sections.
- 13.12 Based on this assessment, the total anticipated demand for new housing in Oakura in the next 30 years is 210 dwellings and the assessed supply is 630 lots. Therefore, it is assessed there is currently sufficient supply to meet projected demand for housing.

Oakura's business development capacity

- 13.13 The Housing and Business Development Capacity Assessment report does not assess the business development capacity in Oakura due to the small size of business land. A small area of business land is proposed under Business C Environment Area zoning in PPC48. This proposed business land is proposed to cater for the needs of local community and not the wider town or district. I consider the provision of a small area of business land is appropriate to service the immediate neighbourhood without detracting from efficient use and development of other business land in Oakura or the wider district. The Business C Environment Area is applied to local/neighbourhood shopping areas, and I consider the existing Plan provisions would effectively and efficiently manage the effects arising from the use and development of this land.

Three Waters capacity:

- 13.14 The next element to consider is the ability for Oakura's existing 3 waters infrastructure (i.e. water supply, wastewater and stormwater) to cater for the increased

development. Appendix 7 details the current Oakura Wastewater and Water schemes, which compares both current capacity and ultimate capacity including the capacity and population equivalent. Detailed in this assessment is the point at which known upgrades or additional costs would be required.

Water capacity

- 13.15 Council's engineers have advised that the maximum proven aquifer capacity is 2506m³/day, which is sufficient water to meet Peak Day Demand for a total of 1279 lots based on current estimates of demand. This total number of lots has been calculated using a demand analysis report in relation to NPDC's water masterplan which was based on historical water use data. Table 3 involves taking information and projecting the peak day demands as additional lots are developed. 1279 lots generates a peak day demand equal to the proven aquifer yield of 2506m³/d. The proven aquifer yield was sourced from data collected when the 2nd production bore hole was constructed, following testing in monitoring bores.
- 13.16 Table 3 below summarises the number of lots in various areas with the cumulative total in the right hand column, assuming the areas are developed in the order listed.

Table 3: Showing the number of anticipated lots (NPDC, 2019)

	NPDC Future Yield (lots)	NPDC cumulative no of lots
Existing lots	660	660
Infill	127	787
Existing Vacant Zoned Residential	158	945
South FUD	117	1,062
West FUD	355	1,417
Plus PC 48 INCLUDED	282	1,699

- 13.17 As can be seen in the above table, the total number of lots in the existing zoned areas and current two FUD areas exceed the total capacity of the aquifer. The demand created by the additional 282 lots in the additional area for PPC48 would further exceed the aquifer capacity. We note Council's engineers comment that future testing of the aquifer capacity is planned. However, at this time, we are reliant on the existing information.
- 13.18 Given this situation, we consider all existing zoned land should be apportioned the available capacity in the aquifer in the first instance. For the remaining available supply (i.e. 334 lots), to provide flexibility for future development and fairness to landowners, a fair distribution would be a 50/50 split of this supply between the West FUD and South FUD (i.e. 167 lots for each FUD). Hence, for the area of PPC48 (including the South FUD), a maximum yield of 167 lots is considered fair and reasonable.
- 13.19 Council's technical review of the applicant's engineering report notes that it appears to overlook the need for the water main trunk to supply the township and its firefighting demand. Additionally, the engineering report does not take into account the friction

losses within the reticulation and a head loss due to increased flow and higher elevation will likely lead to low pressure issues in the PPC48 area. While the aquifer capacity is a major constraint on supplying water to the proposed development area, the applicant may wish to provide more information at the hearing regarding the trunk main issues identified in Council's technical review.

Wastewater

- 13.20 Under the Stats NZ population growth scenario peak dry weather flow can be met within the existing pump capacity limitations until 2054/55. Peak wet weather flow could be managed within the original design concept of diverting up to 12.5l/s to storage until 2041/42. At this point an upgrade to the pumping stations would be needed to provide sufficient pumping capacity to meet wet weather demands through to 2064/65.
- 13.21 For the existing zoned residential land (127 infill lots and 175 new lots), the average dry weather flow and peak dry weather flow remain well within capacity of the existing pump installation and peak wet weather flows would require buffering up to 9l/s emergency storage. In terms of PPC48's anticipated 399 lots (151 within South FUD and 282 additional), using a 2.28 person per lot occupancy rate, the peak day dry weather flow from existing zoned undeveloped land and the South FUD would be able to be met, but peak wet weather flows would result in flow buffering requirements in excess of 12.5l/s.
- 13.22 Rezoning of the additional 282 lots beyond South FUD increases the peak dry weather flow to near the existing installed pump capacity and increase peak wet weather flow to a point where a pump upgrade would be required. If the pump upgrades triggered by the additional lots provides sufficient additional capacity, this would allow rezoning of the West FUD. However, if the additional 282 lots did not get rezoned, West FUD rezoning would trigger a required pump upgrade.

Stormwater

- 13.23 There are currently a small number of areas in Oakura where stormwater capacity is limited, with the most relevant one for this plan change being beneath SH45 by the Wairau Road intersection. This culvert is undersized which causes localised ponding during heavy rain. Increased urban development reduces permeable areas and increases the rate and volume of run off to streams, which in turn leads to peak flow in streams which can lead to increased flooding if channel capacity is limited. There is also the potential effect of increased erosion of the stream bed and banks.
- 13.24 Council requires individual lots to direct stormwater to ground through on-site soakage, and stormwater attenuation to control peak flow in the surrounding environment. The applicant has noted that ground conditions are suitable for soakage for stormwater disposal from individual lots with proposed retaining stream channels and areas to be utilised to provide stormwater attenuation. Based on calculations the volume available in the downstream pond is sufficient to attenuate flow.
- 13.25 Council's technical review of the applicant's stormwater assessment generally concurs with the findings. In particular, with the proposed attenuation within the development, it is considered unlikely that properties located downstream of SH45 crossing will be affected by any increased flooding from the plan change area.

- 13.26 However, one matter identified in Council's technical review and raised in submissions (and at the Community pre-hearing meeting with the New Plymouth Old Boys Swimming and Surf Club and Kaitake Community Board) were risks of erosion of the existing stream bed and bank. Further information was sought from the applicant, and OFPL's civil engineering experts have provided the following statement:

“Our initial response is that post development attenuated flows will not be of a greater velocity than pre development and as such the receiving environment will have no increase in flow velocity. The risk of erosion will not be increased as the existing stream environment is stable and the risk of erosion is primarily a factor of velocity not flow time.”

- 13.27 Based on this technical advice, I am satisfied the stormwater issues associated with the plan change can be effectively managed.

Staging

- 13.28 The request document details that the underlying urban design of the structure plan provides for the staging of development in an orderly manner and for a logical extension of services. The applicant provided an initial staged concept plan. The original staging plan including 15 stages, with each residential stage ranging in size from 15 – 31 lots and the rural lifestyle lots being spread over two stages of 6-8 lots.
- 13.29 At the pre-hearing meetings in January 2019, the applicant tabled two Super Staged Concept Plans (C-09 and C-10 of Appendix 6). These staging plans both entail four stages, and the number of lots and areas of each stage differ, with Concept Plan C-10 being designed for the proposed alternative access onto State Highway 45.
- 13.30 Both staging concept plans entail developing the north-western portion of the medium density lots as stage two and the rural-lifestyle lots as stage four. However, C-09 entails developing the Wairau Road access and Residential A lots first, whilst C-10 entails developing the southern portion of the medium density development and western Residential A portion first aligning with development of the SH45 access. Of particular interest from the latest staging plans is the significant reduction in proposed overall lot numbers reducing the originally proposed 375 lots to 275 lots in C-09 and 277 lots in C-10.
- 13.31 Staging a development of this scale is an efficient and effective method as it enables land and infrastructure resources to be utilised efficiently. Staging also provides flexibility for development to be undertaken in response to market demand, which is economically efficient. To be effective, staging relies on measurable and enforceable triggers or thresholds. For example, the number of lots created/connected to the reticulated services would be an effective measure for staging.
- 13.32 In response to concerns from submitters about the rate and scale of development, particularly a significant amount of development over a short period of time, the applicant has proposed a new rule restricting development for the next stage until 75% of the lots in the current stage are sold. I consider such a regulatory approach would be inefficient and introduce administration and compliance costs with limited benefits. In addition, if there was significant demand for sections and high volume of section sales in a short period of time, such a control would be ineffective and not address the concerns of submitters about the scale and rate of development.

- 13.33 Based on feedback from Council officers with regard to implementation of larger-scale developments which have been staged, there can be a lack of integration and comprehensive planning at the time of consenting and development. For example, the detailed design for stormwater infrastructure relates to a single stage and does not take into account future stages. In response to this feedback and to ensure efficient and effective implementation of the outcomes for this proposal, it is recommended that conceptual details for the overall development be required as part of Stage 1. This approach ensures there is an integrated and comprehensive design which provides certainty for the developer, community and Council.

Overall assessment on proposed zoning and scale

- 13.34 In evaluating the appropriateness of the proposed zoning and scale of development, the benefits and costs are to be evaluated. Part 4 of the request document contains an evaluation of the benefits and costs which I rely on, and supplement with the following matters for the proposed rezoning:
- (a) A significant supply of residential land would be created by this rezoning, on top of the current high level of assessed supply. This supply would have the benefit of providing land to meet projected housing demand. However, this land supply exceeds the available capacity in the water supply aquifer.
 - (b) Significant community concern about the scale of development and loss of village/small town character of Oakura. Increase in population and associated 'busy-ness' detracts from some village/small town character.
 - (c) Consideration of the most effective and efficient methods to achieve the objectives in the Operative District Plan, namely:
 - Objective 1: Ensure activities do not adversely affect the environmental and amenity values of areas within the district.
 - Objective 1A: Ensure that activities within and adjacent to the Future Urban Development Overlay do not adversely affect the ability to rezone and subsequently develop areas identified as Future Urban Growth Areas.
 - Objective 4: Ensure subdivision, use and development of land maintains the elements of rural character.
 - Objective 5: Maintain and enhance the character and coherence of the urban areas of the New Plymouth District.
 - Objective 6: Ensure sufficient space is available to protect residential amenity; visual and aural amenity is protected; and traffic generation is consistent with the character of the residential area.
 - Objective 22: Avoid the adverse effects of subdivision, use and development by ensuring appropriate and sufficient infrastructure, community facilities and new areas of open space are provided.
 - Objective 23: That land identified for future urban use is comprehensively planned to facilitate an integrated approach to land development while addressing site specific issues to provide for accessible, connected, efficient, liveable communities and coherent urban spaces.

- 13.35 Taking all these factors into account, I consider it is appropriate to rezone part of the subject land from rural to residential. I concur with the reasons set out in Section 2 of the request document for why this land in general is appropriate for rezoning and housing. However, I consider that the scale and density of the proposed development sought in the plan change is too great to an extent that the proposed development cannot be supported by the existing and planned future infrastructure without compromising other growth areas. In addition, the extent of development would change the nature and character of Oakura as a small town/village, and is beyond the scale of development planned through previous planning studies the community supported.
- 13.36 Should the proposed plan change be approved, I recommend that the scale of the development be limited to a level that is in accordance with both anticipated infrastructure and NPDC's anticipated urban development capacity for future housing in Oakura to ensure an effective level of supply in accordance with demand. I suggest that:
- A maximum yield in terms of the number of lots for land to be rezoned residential. This maximum yield is 167 which has been informed by recommendations regarding anticipated water reticulation and wastewater capacity to allow 167 to be developed under current capacity allowance, whilst still allowing anticipated development in other growth areas. Other growth areas include the West FUD, infill development and anticipated residential zoned greenfield sites. This number has also been informed by anticipated future housing capacity requirements in Oakura.
 - The remainder of the land is to be retained as Rural or Rural Lifestyle (un-serviced).
 - The use of Residential A and Residential C Environment Areas are appropriate for the site. Residential C in particular would be in keeping with surrounding residential zoning.
 - The proposed Rural Lifestyle Area is appropriate, subject to tighter development controls as detailed later in the report.
 - The proposed Business 'C' Environment Area is rezoned.
 - I suggest that in their evidence at the hearing, the applicant is to identify the location and extent of land to be rezoned to achieve this maximum yield along with the other elements of the Structure Plan.

Traffic, parking and access

- 13.37 Given the significant number of proposed lots and the consequent increase in population from the proposed development, it is a given that there will be some form of traffic generation effect from proposed plan change. The assessment of traffic effects and proposed transport measures has evolved through the plan change process. In particular, alternative transport measures were explored at and following the pre-hearing meeting. For completeness, this section of the report documents the assessment of traffic effects and transport measures as it has evolved during the process.

Original Traffic Proposal and Assessment by Applicant

- 13.38 The applicant originally proposed the following traffic and access details:
- A proposed roundabout for the intersection of SH45 and Wairau Road with an accompanying pedestrian underpass under SH45. The applicant details that this will facilitate traffic efficiency and safety at the intersection as Wairau Estate is settled while at the same time addressing a long-standing traffic safety concern for Oakura residents.
 - Proposed internal collector road and local roads to cater for the scale of the proposed development within the site.
 - Proposed access onto Wairau Road through the Thurman's property.
- 13.39 The main themes that were drawn from the submissions regarding traffic, parking and access are:
- Concerns regarding increased traffic volumes anticipated from the plan change and increase adverse effect on safety and efficiency of transport network, particularly regarding congestion through main street and traffic safety for school children.
 - The influx of traffic would escalate the safety surrounding the Donnelly Street crossing and on-street parking for school drop-offs and pickups would be adversely affected. Lack of safe crossing at intersection of Wairau Road/ South Road, nearest pedestrian crossing is Donnelly Street.
 - Concerns regarding a future lack of parking, both in town and at the beach.
 - Increased traffic safety issues due to increased pedestrian and vehicle movements at the beach.
 - Having the access onto Wairau Road will create significant traffic volumes on Wairau Road which cannot cope, and flow on effects to village and beach, with difficulty getting onto SH45 already.
- 13.40 Council's traffic advisor undertook an assessment of the original transport details and assessment in the request document, included as Appendix 7, which considered the following matters:
1. The increased traffic volumes on Upper Wairau Road from the proposed subdivision and other traffic growth factors;
 2. Internal subdivision roads and cross-sectional elements;
 3. Proposed stormwater treatment methods and roading infrastructure;
 4. Proposed roundabout design on SH45.
- 13.41 These matters are evaluated below:

The increased traffic volumes on Upper Wairau Road

- 13.42 Increased traffic volumes on Upper Wairau Road will result from the proposal and other traffic growth factors. The Council's traffic advisor details that the road is likely to carry over 5,000 vpd north of the proposed subdivision intersection within 10 years.

Council's advisor notes that the existing layout of this section of Wairau Road does not comply with Council's adopted infrastructure standard NZS 4404 standard and an upgrade will be required to meet the standard .

- 13.43 Council's advisor also recommended that given the location of Oakura Primary School, it is recommended that the extension of Donnelly Street to Wairau Road is not constructed (note, the plan change does not propose to construct this road extension – no change is proposed) as it will likely become an alternative route for vehicles wanting to access the state highway from Upper Wairau Road. Furthermore, they note that the existing formed section of Donnelly Street is not of the standard or road type that enables it to function as a potential link road. Overall, I consider that to mitigate increased traffic volumes on Wairau Road the proposed mitigation measures are required and are to be implemented at the time of subdivision.

Proposed Roundabout on SH45

- 13.44 Council's traffic advisor reviewed the proposed roundabout at the intersection of SH45 and Wairau Road, including initial layout and costs in relation to Austroads standards. He advises that the diameter of the central island meets the minimum Austroads standard within 50 km/hr speed environment, but the width of the circulating carriageway is not provided and based on the aerial sketch, appears to be deficient in width for the truck and trailer units that currently utilise the state highway.
- 13.45 Council's traffic advisor also noted that the repositioning of the footpath in the eastern quadrant is not shown and it does not appear that sight distance criteria for vehicles exiting upper Wairau Road are able to be provided based on the location of the existing cut batter. It is recommended to address the above, that it is likely land from private property adjacent to the eastern quadrant of the roundabout is required, with the owners being directly affected parties. In the request document, no drawings are provided for the proposed underpass or its location near the intersection of Wairau Road and SH45. Further definition of the roundabout and underpass is recommended to understand if there are any directly affected landowners.
- 13.46 In terms of the estimated costs of the roundabout provided in the request document, Council's traffic advisor believes that the Preliminary and General items have been underestimated when correlated to recent similar projects constructed over the last two years. They would expect the base estimate for traffic management to be approximately \$100,000 and the overheads and profits to be 20 to 25% of the sum of all the other priced items. In addition, it would be expected that the base estimate for the construction to be approximately \$800,000. Furthermore, when considering the likely changes to the design to incorporate the construction costs of the proposed underpass and contingencies of 25%, it is estimated that the construction cost to be in the range of \$1.5 – 1.7 million.

Pre-hearing meeting agreement and further proposed traffic and equestrian outcomes

- 13.47 A pre-hearing meeting was held on 29 January 2019 between the Applicant, Council, New Zealand Transport Agency (NZTA) and the National Road Carriers Association (NRCA), see Appendix 3. Three issues were discussed, points agreed and actions

identified. These issues included: the proposed roundabout, State Highway alternative access and the noise attenuation bund and Policy 23.8:

- The applicant identified the existing tensions at the Wairau Road and SH45 intersection and contended that there was sufficient space to fit the roundabout although full design had not been carried out or a preliminary design plan for the roundabout and underpass. The concern with the roundabout being at the crest of the hill was raised by the NRCA as heavy vehicles coming from the south would have to stop and restart on an incline, as well as the concern from a high use of the road by cyclists utilising local trails. NZTA identified that their only concern with the roundabout was the funding requirements and at what stage in subdivision the roundabout would be required.
- The applicant proposed that no further development was to happen until 75% of lots in Stage One and Stage Two are sold. NZTA were supportive of the staged approach in principle but required a timeline.
- NPDC advised that they required a general layout of the roundabout to ensure sightlines could be achieved, and queried whether there was sufficient land area for a roundabout as raised in their expert report. The applicant believed there was sufficient room for the roundabout and that the design could potentially move to the west and south.
- The applicant then raised that they had done some preliminary work on alternative access from SH45, noting that the Wairau Road roundabout was not popular. The applicant investigated a new road access point in the location of the existing farm access off SH45, as it provides a second access and could be easily upgraded to a future roundabout (to service Wairau Estate and (when developed) the Oakura West FUD land opposite). See alternate Plans C-09 and C-10 in Appendix 6.
- The NRCA identified that they would likely support this alternative State Highway access concept, with NZTA querying whether the roundabout would still be included and identified that traffic volumes would need to be considered and safety concerns addressed. When queried by NZTA re traffic calming measures the applicant identified there would be a 60-80 km speed restriction. NPDC queried whether the FUD on the western side would have access, to which the applicant suggested that work had been done for the Western FUD which included 450 potential lots and showed access onto SH45 immediately opposite the applicant's alternative staging. Staging would be factored into the alternative access.

Alternative SH45 access and underpass detail

- 13.48 Further information has been provided by the applicant assessing the SH45 alternative access and the underpass, see Appendix 6. Figure 6 below identifies the proposed location of the SH 45 alternative access. Traffic volumes were calculated based on the maximum theoretical yield of 399 lots, although during the pre-hearing meeting a yield of 277 lots was considered to be more likely given the site's topography. It was adjusted to give a 60:40 split of traffic utilising Wairau Road versus that onto SH45. Traffic generation is discussed in Appendix 6. The applicant advises that it would be prudent to implement an 80kmph speed limit just west of the intersection to reduce speed of vehicles entering the Wairau Road intersection. It also

detailed the alternative access would: provide better circulation around the subdivision reducing km travelled, better access to the equestrian blocks and improved emergency access.



Figure 6: Showing the proposed location of the alternate access onto SH45 (AMTANZ, 2019).

Review of further information provision

13.49 Council's traffic advisor has provided a response to the applicant's traffic further information addendum including the applicant's Super Staging Plans, SH45 Access Assessment, Oakura School traffic commentary and Pedestrian Underpass detail. This response and Council's traffic advisor's final conclusions and recommendations are summarised below (see Appendix 7 for full comments):

- Council's traffic advisor raises the lack of detail showing full configuration of the proposed new roundabout and underpass together as well as highlighting that, the supplementary information states that a new access point to/from SH45 to the south of the proposed roundabout negates the need for the new roundabout.
- Council's traffic advisor details that in regard to the Oakura School Traffic commentary, the Siidra analysis referenced is not provided. Furthermore, it is advised that a trip generation of 10.4 should be utilised. Council's advisor disagrees with the proportion of traffic on SH45 which will turn into Donnelly Street and raises concerns with the traffic generation expectations regarding this. Council's advisor agrees with the alternative use of Hussey Street but does not believe Butlers Lane is currently suitable for through traffic.

13.50 In addition, inconsistencies between the application documents and the supplementary information are raised. Council's traffic advisor requests a fully revised Traffic Impact Assessment (TIA) report needs to be provided that is correlated to the amended proposal, in particular Sections 4, 5 and 6 and all Appendices from Appendix D onwards.

- 13.51 Notwithstanding the additional information sought, Council's traffic advisor has assessed the traffic effects based on the available information. As the proposed transport measures have changed through the plan change process, Council's traffic advisor has firstly assessed the original proposal (called 'Scenario 1: New Roundabout at the Wairau Road/SH45 intersection') and then secondly assessed the revised/alternative proposal in the latest information received from the applicant (called 'Scenario 2: New access off State Highway 45'). These two assessments are summarised below.

Scenario 1: New Roundabout at the Wairau Road/SH45 intersection

- 13.52 Council's advisor reconfirmed their previous concerns regarding the width of the circulating carriageway and lack of sight distance criteria for vehicles exiting Upper Wairau Road as well of the likelihood of directly affected parties. Council's advisor notes that given the ramp requirements of the underpass and safety clearances, it is likely land from adjacent properties will be needed.
- 13.53 Council's advisor advises that based on supplementary plans C.1.1 and C1.2, the internal height of the underpass of 3m is not suitable for horses and there is a lack of information to understand whether a roundabout and underpass designed to appropriate standards can be installed in the existing road reserve. Thus the effects are anticipated to be more significant than presented by the applicant. Council's advisor re-affirms their view that the proposed roundabout cost have been underestimated.
- 13.54 Council's advisor reaffirms that the definition of Upper Wairau Road will correlate to Figure E13 from Table 3.2 of NZS4404. However, the existing layout of this road section does not meet the standard and an upgrade is needed.

Scenario 2: New Access off State Highway 45

- 13.55 Council's traffic advisor analysed the further information and concluded that there was a lack of information and set out a series of points to understand the safety and efficiency of alternative State Highway access
- 13.56 Notwithstanding this conclusion, Council's traffic advisor comments if the development was to proceed, they conclude that the alternative State Highway access could manage all traffic generated from the proposed development provided certain matters were addressed (e.g. lowered speed restriction, sight distances rectified and appropriate safe intersection treatment). In addition, they comment that the State Highway access would be a preferred location for all traffic from the proposed development, with active modes utilising access to Upper Wairau Road with some minor works relating to footpaths and safe crossing points.

Overall assessment of traffic, parking and access

- 13.57 In evaluating the appropriateness of the proposed traffic, parking and access arrangement, the benefits and costs, including effects, are to be evaluated. Section 5.4.5 of the request document contains an assessment of the effects of traffic. I consider the following matters are also relevant:

- (a) To manage the increase in traffic movements from proposed development, upgrades to the roading network will be required. These upgrades will be Wairau Road, Wairau Road/State Highway 45 intersection, and/or new access of State Highway 45.
- (b) Significant community concern about the safety from the increase in traffic movements, with particular concern about children travelling to/from school.
- (c) Consideration of the most effective and efficient methods to achieve the objectives in the Operative District Plan, namely:
 - Objective 20: Ensure that the road transportation network will be able to operate safely and efficiently.
 - Objective 23: That land identified for future urban use is comprehensively planned to facilitate an integrated approach to land development while addressing site specific issues to provide for accessible, connected, efficient, liveable communities and coherent urban spaces.

13.58 Taking all these factors into account, overall, I consider the traffic, parking and access effects can be effectively managed through the implementation of various methods. I consider splitting access from the proposed development between SH45 and Wairau Road to be an appropriate response to the issues raised in submissions and technical advice. In addition, creating a through road which connects with State Highway 45 and Wairau Road is a more resilient transport network than a single (Wairau Road) access point.

13.59 At the time of subdivision consent application, greater detail is needed around proposed internal roads, cross-sections and safety aspects in consideration with NZS4404 and AUSTRROADS standards. This further detail can be subject to consent conditions. Should the proposed plan change be approved, I recommend the following matters are incorporated into the Plan provisions to manage the traffic effects:

- Detailed design of the proposed roundabout and/or the State Highway 45 access including modelling and assurance that the roundabout can fit in the road reserve and provide adequate sight lines in accordance with Council's traffic advisor's comments in Appendix 7.
- Safety measures and detailed design to ensure the proposed underpass can accommodate walkers, cyclists and horse riders through separation and safety design features.
- Reduction speed restrictions near the roundabout and/or SH45 access to enable safety measures agreed with the applicant, NZTA and NPDC.
- Staged requirements for subdivision in accordance with installation of subdivision roads, the proposed roundabout/ SH45 access and triggers for improvements to Wairau Road and safe school access provision.

13.60 I consider the proposed policy provision provided by the applicant to be an effective means of giving effect to the required roundabout and pedestrian underpass and the shared responsibility for this. However, I consider that this will need to be amended depending on the final solution presented for the proposed access as well as the overall extent and scale of development. In addition, further policy provision could be made to separate the proposed roundabout/ access and the underpass to provide for all users and their health and safety.

Landscape and Visual Impact

13.61 The applicant engaged a Landscape and Visual Impact expert to assess the landscape and visual impact effects that would be anticipated from the proposed development. This report concluded that:

13.62 Landscape Effects

- There will be a change in landscape character as the site changes from rural to predominately residential. These effects will be permanent.
- There will also be a change to landscape character through land modification. Earthworks will occur with the creation of roads and allotments, although these are anticipated to be minimal given the flat nature of the land, and the maintenance of the existing gully system for stormwater retention and walkway.
- Amenity and riparian vegetation will also soften the modified landscape.
- While the overall landscape change is significant, the effect of this change is appropriate and justifiable, given the site's proximity to Oakura. Urban Oakura needs land to expand into, and this site presents a logical and necessary resource for that purpose. However, careful consideration must be given to how the Structure Plan area integrates with its receiving environment, in particular in order that the urban/rural interface is commensurate with existing landscape qualities.
- Urban Oakura will be perceived as larger, but the much broader and more expansive rural landscape will appear only marginally impacted upon.

13.63 Visual Effects

- The receptors most likely to experience change in visual amenity are the properties that look across the site from the Paddocks subdivision. Structures within the Structure Plan area will be visible within their primary line of sight and may appear dominant against the skyline.
- With mitigation, the effects of structures along the edges of the subdivision can be managed to ensure that the character of the landscape interface is integrated harmoniously. Planting of native trees and shrubs along the gullies of the Structure Plan area will soften views for rural receptors, integrating the subject site into the broader area landscape. Building height control, recessive roof colours, and controls on fencing location and heights will assist with visual integration, as these structures will appear less dominant than otherwise without these controls.
- From other viewpoints, the site sits within a residential context. Residential dwellings on Wairau Road will view the Structure Plan area as an extension of their existing environment.
- Those who experience an open rural outlook across the Wairau Stream will experience a loss of rural outlook.
- Mitigation measures are proposed in the form of: subdivision controls for lot sizes, maximum habitable building numbers, building height restrictions, roof colour and cladding colour controls, restriction on solid fencing, planting trees

and shrubs along streams and gullies, gentle cut and fill batters, buffer zone, walkways, amenity vegetation within lots and the proposed SH45 bund.

13.64 The primary landscape and visual impacts of concern raised by submitters are:

- Concern that the area's amenity values will be seriously compromised by the plan change. The scale of the development is disproportionate to existing size and scale of Oakura.
- The Kaitake Ranges viewshaft will be affected by housing.
- Concern over loss of privacy, property value and rural outlook for existing properties on Wairau Road and The Paddocks development, amplified by Medium Density Housing along Wairau Stream.
- The loss of the rural outlook from the village towards the ranges takes away amenity value and replaces it with a suburban view in the middle of a village.
- The development will degrade the site's landscape values, including the loss of open space, the loss of rural southern entrance corridor to Oakura, and will cause potential loss of views to the Kaitake Ranges caused by the noise attenuation bund along the SH45 and site interface.
- There will be a reduction of residential amenity due to increased traffic, density of development and percentage of coverage changes.

13.65 A review of the landscape and visual impact has been undertaken which sought additional information from the applicant (See Appendix 7). The applicant's Landscape and Visual Impact expert's response is summarised below:

- In regard to landscape resource (which includes biophysical features) the applicant's advisor concludes that the site will change from rural to urban for most of the site, with 44% being 'equestrian rural' (Rural E Environment Area). Drainage patterns and processes around the existing gully system will remain intact and legible, as will the overall sloping site from mountain to sea. The Applicant's advisor also notes that the "*The dominance of the Kaitake Ranges will also remain legible by way of proximity and scale, and the sense of place - Oakura on the flanks of the Kaitake Ranges, will remain intact.*"
- In regard to resulting loss of rural land, the applicant's advisor concludes that the loss is small in both the local and regional context, and taking the FUD into consideration, the landscape change is largely anticipated.
- The applicant's advisor considers that through the use of the FUD status, Council have considered the site to be an important future urban resource and thus anticipated a potential landscape change due to the future urban use of the land. The applicant's advisor also details that the Structure Plan has been comprehensively designed around biophysical elements including landforms and topography and that the Structure Plan is not located within the OL. In respect of the OL, the applicant's advisor notes:

"While dominant, views of the ONL vary from place to place, the most open views are from approximately 5 kms north of Oakura on SH45. The Structure Plan may reduce views from a small section of SH45 where a roadside bund will be located. This does not in my opinion constitute an adverse effect on the ONL. Permitted activity (such as a shelter belt) could easily create the same

loss of view, and its importance in the context of other views of the ONL from throughout the area should not be exaggerated. Simply put, the ONL will continue to be the dominant landscape feature to the Oakura environs.”

- The applicant’s advisor also acknowledges that each viewpoint will be altered by the consequent landscape and visual changes from the Structure Plan.
- The applicant addresses the landscape and visual effects from the proposed landscape by detailing that:

“The roundabout will also provide a strong visual cue for drivers entering and leaving the village as it will help to demarcate the southern urban extent of residential settlement. The landscape and visual effects are insignificant, assuming the roundabout is attractive. It is assumed that its design will be determined by NZTA, but the council could potentially have input to ensure an attractive outcome consistent with the existing Oakura landscape.”

- In regard to potential visual and landscape effects of the noise bund the applicant’s advisor notes that:

“The proposed bund will be 2-4 metres high with side batters sufficiently shallow to accommodate planting. This will provide a potentially attractive green entrance/exit to Oakura. The main potential landscape effect will be the introduction of a landform that could appear unnatural. Planting will assist in disguising its underlying shape, but it will nonetheless be a new landscape element. The main potential visual effect is that there will be a loss of spaciousness, and the road could appear as a corridor. The spacious area that currently exists at the western end of Oakura will in effect be pushed 600m west”.

13.66 A key concern raised by many submitters is the loss of rural land and rural landscape, particularly when viewed from SH45 when entering/existing Oakura. In addition, rural outlook and viewshafts to the Kaitake Ranges are also an element raised by a number of submitters.

13.67 Council’s landscape and visual impact advisor has provided a response to the applicant’s Landscape and Visual Impact addendum and has provided some final conclusions and recommendations (see Appendix 7) which I summarise below:

- From the information provided it can be determined that the site is capable of absorbing some development, but the suitable scale, location and density needs to be determined through a thorough assessment of the site’s landscape character including what site areas can absorb greater development and how landscape effects on the OL can be minimised.
- With reference to the landscape character analysis, further consideration needs to be given to the development layout, its staging, integral mitigation measures such as planting and development layout, and examples of how differing densities or character areas will assist with mitigation. The current location of the medium density zoning, positioned on rising land, has the potential for significant adverse landscape and visual effects.
- Further understanding is sought on the landscape structure proposed to be incorporated into the development
- Concern with development creeping up the lower slopes of the ranges

- The proposed bund has the potential to be out of scale and character with the surrounding landscape, and details should be provided of its design and detailing or order to demonstrate that it can be satisfactorily accommodated without adverse effects on existing character. A planted bund of the size and mass proposed has the potential to be at odds with the existing landscape character and therefore create greater landscape effects.

13.68 In relation to the noise bund, I consider there is a tension between the need for the noise attenuation bund for noise reasons and adverse landscape and visual effects, particularly on views of the Kaitake Ranges when viewed from State Highway 45. In addition, with the proposed potential new intersection/access point to the development from State Highway 45, the location, extent and configuration and overall effectiveness of the bund for noise mitigation purposes needs to be considered. Given all these considerations (noise, landscape/visual and traffic), I suggest the applicant considers option for how the bund can be appropriately located and designed.

13.69 In evaluating the appropriateness of the plan change and the landscape and visual effects, as summarised earlier, Section 5.4.2 of the request document contains an assessment of these effects of landscape and visual impact I consider the following matters are also relevant:

- (a) Whether the medium density area maintains and enhances the character of Oakura.
- (b) Significant community concern about the loss of rural landscape and rural outlook on the southern entrance to Oakura.
- (c) Consideration of the most effective and efficient methods to achieve the objectives in the Operative District Plan, namely:
 - Objective 4: Ensure subdivision, use and development of land maintains the elements of rural character.
 - Objective 5: Maintain and enhance the character and coherence of the urban areas of the New Plymouth District.
 - Objective 15: Protect and enhance Outstanding Landscapes and Regionally Significant Landscapes within the district.
 - Objective 23: That land identified for future urban use is comprehensively planned to facilitate an integrated approach to land development while addressing site specific issues to provide for accessible, connected, efficient, liveable communities and coherent urban spaces.

13.70 Taking all these factors into account, overall, I consider the landscape and visual impacts would be significant. To some degree, these impacts are anticipated by the Operative District Plan by identifying part of the plan change area a FUD. However, the extent of the proposed development is much larger than the FUD area and will change the local character in the immediate area. These landscape and visual impacts also need to be considered in the overall evaluation of the plan change, including benefits of the provision of additional housing and open space.

13.71 At this time, drawing on the landscape and visual impact advice received, to more definitively determine whether the landscape and visual outcomes achieve the objectives of the District Plan, the applicant may wish to address the following matters in evidence:

- A thorough assessment of the existing site's landscape character, to give an understanding of which areas of the site have a greater capability to absorb development and to demonstrate how the design proposes to protect the landscape values of the Kaitake Ranges OL and maintain and enhance the character and coherence of the Oakura urban area.
- A robust and detailed landscape structure plan should be provided by the applicant either in expert evidence. This plan should be based on the above assessment. The landscape structure plan may wish to consider additional areas of open space and strategic planting to break up the mass of the development, considering views of the development in the context of the Kaitake OL and the southern approach to Oakura and consideration of the location and extent of the differing development densities.
- Consideration of the landscape effects of the development at each stage, so that each stage as constricted is mitigated within itself and does not rely on a subsequent stage of development to achieve mitigation
- The range of development densities within the site has not been clearly demonstrated. Examples of what development layouts in each of these areas should be provided to understand the potential long-term landscape and visual effects of the proposed development.
- Appropriate visualisations which demonstrate the massing of the proposed development and proposed mitigation from SH45 to demonstrate how the proposed development can be accommodated into the landscape without significant effects on the OL or rural character (including avoiding the appearance of development creeping up the slopes towards the OL).

Noise

- 13.72 The principal noise issue with the proposal is noise from traffic on State Highway 45 and the sensitivity of future residents in the proposed development to this noise. To manage the effects of noise from SH45 upon the proposed development and to avoid reverse sensitivity effects, the applicant has proposed a noise attenuation bund which will be *'some 2-4m in height and would visually occupy the immediate foreground when viewed from the SH45 from the Wairau Rd intersection for a distanced of approx.600m.'* The applicant details, *'the alternative of not providing an attenuation bund and setting development back a minimum of 80m from the SH would severally impact the economics of such development as the lot yield would be significantly reduced'*.

13.73 Submissions in regard to noise and the proposed bund are:

- Concerns regarding additional noise during construction (which is to be phased and therefore be of significant duration) and thereafter will have a permanent negative effect on existing and future residents and their lifestyles.
- Concerns regarding traffic noise from development, particularly on Wairau Road.
- Need to avoid effects of reverse sensitivity associated with traffic noise from State Highway 45.

13.74 The applicant engaged an acoustics specialist who concluded that:

- Not having a noise barrier option will result in noise levels within the development site that exceed the recommended outdoor amenity criterion which is based on the World Health Organisation guidance and NZS6802:2008 Assessment of Environmental Sound. The 2m high barrier option provides good “bang for buck” noise attenuation and the modest difference between a 2m and 3m high barrier is anticipated and may be favoured to minimise noise within the development site regardless of NZTA requirements. Figure 7 below identifies the noise barrier location.
- The applicant’s advisors’ detail that the installation of a suitably constructed acoustic barrier, with return sections will have little implication on the building materials that can be used for houses within 80m of SH45. Equally, if the outside amenity criteria (55dB LAeq) were set aside, and only compliance with NZTA internal requirement was required, then considerable upgrading of new house design would be required. This additional cost would fall on the homeowner, and likely will detract from achieving a premium housing development.
- Should the NZTA standard acoustic design requirement be adopted into the Private Plan Change, it is considered that any reverse sensitivity effects regarding noise received from SH45 would be adequately addressed.



Figure 7: Showing the proposed noise barrier location (Marshall Day, 2018).

13.75 As seen in Appendix 3, NZTA have specific recommendations for developments near State Highways under their 'Guide to the management of effects on noise sensitive land use near to the state highway network' (2015). This guide describes how the NZ Transport Agency, working together with local authorities and landowners/developers, manages reverse sensitivity effects from noise and vibration sensitive activities. As seen in Figure 8 of the guide, NZTA have a buffer and effects area which includes the buffer area from the state highway of 40m and the effects area of up to 100 metres from the traffic lane.

13.76 NZTA requirements include:

- Internal noise level for buildings in buffer and effects area for residential buildings being 40 dB
- Maximum external design noise level for residential development in rural areas being 57 dB LAeq(24h)
- Ventilation must be provided to meet clause G4 of the New Zealand Building Code. At the same time as meeting this minimum provision, the sound of the system shall not exceed 30 dB LAeq(30s) when measured 1 m away from any grille or diffuser.
- The extent of the buffer area and the effects area depend on the noise level from the highway, with the dominant factors being the traffic flow, vehicle speed and percentage of heavy vehicles. Noise levels can be calculated using a road traffic noise model, such as the calculation of road-traffic noise (see Equation 1 for extent of buffer and effects area calculation).

13.77 The proposed noise bund and noise from the SH45 on future development along the SH45 boundary was discussed in the traffic pre-hearing meeting on 29 January 2019. The applicant identified in the meeting that the proposed alternative access on to SH45 would change the proposed noise attenuation bund. The applicant also

identified that the proposed rural-lifestyle lots are sufficiently large to meet the 80 metre setback requirement and a condition could be included requiring noise insulation if this separation distance could not be achieved.

- 13.78 A number of submitters are concerned about noise associated with construction activities, particularly given the potential duration of construction over a number of years. The Operative District Plan adopts the New Zealand Standard for managing construction noise (NZS6803:1999). This standard recognises that construction activities can be noisier than normal activities, are of limited/finite duration and are necessary part of developing communities. In addition, the standard seeks to find a balance between the necessity of the construction works and the amenity of residents. The standard contains upper limits for construction noise received in residential areas and dwellings in rural areas based on time of week, time of day and duration of the construction work. The longer the duration of construction work, the lower the noise level under the standard.

Overall assessment of noise

- 13.79 In evaluating the appropriateness of the plan change and the noise effects, as summarised earlier, Section 5.4.6 of the request document contains an assessment of the traffic noise effects. I consider the following matters are also relevant:

- (a) Consideration of the effectiveness of the proposed noise bund for mitigating the traffic noise and the landscape and visual effects of the noise bund.
- (b) Community concern about construction noise.
- (c) Consideration of the most effective and efficient methods to achieve the objectives in the Operative District Plan, namely:
 - Objective 2: Avoid, remedy or mitigate the adverse effects of light overspill and glare, noise, and the consumption of liquor on amenity values and health.
 - Objective 20: Ensure that the road transportation network will be able to operate safely and efficiently.
 - Objective 23: That land identified for future urban use is comprehensively planned to facilitate an integrated approach to land development while addressing site specific issues to provide for accessible, connected, efficient, liveable communities and coherent urban spaces.

- 13.80 Taking all these factors into account, overall, I consider the noise effects can be effectively managed through the implementation of various methods as follows.

- Should the plan change be approved, an effective solution is needed to mitigate traffic noise effects which both reduces noise effects on future residents but also is carefully considered to minimise landscape and visual impacts upon the surrounding environment.
- Construction noise is to managed by compliance with NZS6803:1999 which is required under the Operative District Plan.
- In line with section 9 of NZTA's guidance (Appendix 3), the requirements suggested by NZTA should be incorporated into the plan change if it is approved.

Open Space and Reserves

- 13.81 The development contains open space and reserves in the form of a proposed neighbourhood park (Proposed Open Space B Environment Area zoning) and gully areas with associated tracks (Proposed Open Space C Environment Area zoning). The neighbourhood park is designed to cater for the new residents in the development. The gully reserves would form part of the wider network of open space corridors and track network in Oakura.
- 13.82 A few submissions raised open space and reserve matters, particularly the use of the tracks within reserves for horse riding.
- 13.83 A pre-hearing meeting was held on 28 January 2019 between the applicant, Taranaki Equestrian Network and Council's Open Space and Reserves team. The purpose of the meeting was to discuss a Bridle track, equestrian access and esplanade reserves. There were many points agreed upon during the meeting, including:
- That the applicant's suggested bridle path on the site was an effective means of providing for equestrian access throughout the site.
 - That the formation standard of the bridle track could be relatively simple in nature.
 - That the underpass would be a shared path and provisions were required to allow for safe passage and ease of transition for all users.
 - Whether the Wairau tributary and Wairau stream were to become an esplanade reserve and be in NPDC's control was up to NPDC, as well as who could access it.
- 13.84 Only one matter was not resolved which related to the resolution for how to manage the shared use of the Wairau Tributary and Wairau Stream esplanade reserves and potential conflict between horse riders and cyclists.
- 13.85 Following the meeting, the applicant was to confirm an amendment to the Structure Plan showing the bridle track along SH45 frontage and NPDC was to consider the appropriateness of Wairau Stream tributary open space to change from 'esplanade strip' to 'esplanade reserve'.
- 13.86 Following the meeting NPDC's Open Space and Reserves team has recommended taking an esplanade reserve along the Wairau Stream (which is detailed in the draft District Plan as a priority waterbody). Council's Open Space and Reserves team have also confirmed that they are comfortable with the width of the current esplanade strip on the property to become a reserve. They believe the strip is sufficient to form a shared pathway network. Council's Open Space and Reserves team recommend that this strip be transferred to an esplanade reserve owned and maintained by NPDC to allow Council to form a shared pathway.
- 13.87 In addition, Council's Open Space and Reserves team have advised that the size and location of the proposed open space (neighbourhood park and gully reserves) is consistent with NPDC Open Space Sports and Recreation Strategy and New Zealand Recreation Association 'Natural New Zealand Park Categories and Levels of Service' document. However, Council's Open Space and Reserves team do not support a walkway alongside the State Highway.

- 13.88 Following the pre-hearing meeting, the applicant has added the bridle trails and included a link through to SH45/ Wairau Road intersection as shown in concept plans EQ-01 and EQ-02 (Appendix 6).
- 13.89 Overall, I consider that the proposed Open Space of 2400m² is a necessary aspect of the plan change to provide sufficient open space for future residents of the plan change area as well as for other Oakura residents. I consider that the proposed bridle track provides for safe access across the site for horse riders away from the risks of on-road riding as well as for the recreational benefit. I agree with Council's parks and open space advisors conclusions regarding the esplanade strip and open space provision. The recommended Plan provisions in Appendix 10 would implement these conclusions and recommendations.

Service Infrastructure and stormwater

- 13.90 It is proposed that water supply and wastewater would be connected to the existing reticulated networks and systems in Oakura and that stormwater will be managed on-site through a combination of methods. These stormwater methods include soakage within lots such as conventional soak holes of up to 5.0m depth and piped stormwater from roofs to storage tanks with overflow directed to soakage.
- 13.91 For stormwater generated from road ways it is proposed that a combination of rain gardens for immediate subsurface stormwater soakage with the overflow going into the gully systems via attenuated low impact discharges and detention areas. The design objective for the stormwater system is to achieve hydraulic neutrality.
- 13.92 A number of submitters raised concern with the potential effect on service infrastructure and stormwater effects from the development. The main themes from submissions include:
- Pressure on infrastructure and services from the proposed subdivision. The proposal allows for a significant increase in population without providing any firm commitment to equivalent improvements in services.
 - Stormwater is already a problem for the village with runoff running straight through pipes that dispose of it onto the beach and out to sea. One of the key factors determining sand accretion on the beach is the management of storm water.
 - The Wairau Stream already floods and the proposed development will make it worse, increasing flooding and flooding effects on existing property boundaries along Wairau Road and Stream.
 - Risks to downstream properties from adverse weather events as intensity of rainfall increases due to climate change.

Water Supply

- 13.93 The applicant proposes that PPC48 subdivision and development will be served by a loop feed from both the existing 150 mm dia reticulation on Wairau Road and the existing 200 mm dia reticulation on Pahakahaka Drive. The applicant notes that this will provide resilience of supply pressure during periods of high draw. The applicant's advisors note that the existing water main has a capacity of 80.7 litres per second

which will provide sufficient capacity to satisfy the firefighting water supply requirements (FW2).

- 13.94 As detailed earlier in this report, Council's engineers advise that the known water supply capacity will be reached if proposed PPC48 is approved in its entirety. We are further advised that the average day water demand can continue to be met however known aquifer yield will be exceeded by peak day demand generated by the development of the existing zoned area and the applicants proposed additional development.
- 13.95 Council's engineers also note that it is not known if the aquifer is capable of sustaining abstraction at a greater rate than the current known yield but NPDC are assessing this as part of the abstraction consent renewal process, anticipated to take 2-3 years. If the aquifer is unable to support abstraction greater than the currently proven 2506m³/ day then the additional 248 lots cannot be fully developed and the future rezoning of the West FUD cannot be supported. Given this aquifer capacity constraint, to provide for a fair and equitable distribution of the available water, we propose the maximum yield of 167 lots/dwellings for PPC48.

Wastewater

- 13.96 The waste water generated from all the residential lots and the 12 rural-lifestyle lots is proposed to be discharged to a wastewater reticulation system, which in turn will be connected to the available Council public sewerage system. The applicant considers that existing water mains on Pahakahaka Drive and Wairau Road have sufficient capacity to support the residential development. It is noted that the aquifer which supplies bore water for Oakura potable water may extend beneath this area and therefore onsite wastewater disposal is not considered appropriate.
- 13.97 Council's engineers have identified that the wastewater system in Oakura is able to accommodate the additional demand generated by the development of the existing zoned residential land and the development proposed in this plan change. However, in order to fully service the additional 248 lots, an upgrade to the existing pump stations at Shearer Reserve and Corbett Park will be required. This upgrade will require installation of a third pump at Shearer Reserve and a third train at Corbett Park along with an electrical upgrade to the main transformer.
- 13.98 Once these upgrades are completed, the pump stations would have sufficient capacity to support the future development of the West FUD also.
- 13.99 Overall, given that the wastewater reticulation network is anticipated to be able to accommodate the additional wastewater demand from PPC48, on the provision that the upgrades are undertaken, I consider the wastewater reticulation service can be effectively managed. This is further supported by the proposed maximum yield of 167 lots/ dwellings. The recommended Plan provisions in Appendix 10 would implement these conclusions and recommendations.

Stormwater

- 13.100 The community's concern with stormwater was raised in a community pre-hearing meeting with on 28 January 2019. Stormwater and downstream effects were raised as key concerns by the Kaitake Community Board and the New Plymouth Old Boys Surf Club. The New Plymouth Old Boys Surf Club detailed their concerns with the

proposal, highlighting that no modelling had been done to prove that stormwater effects from the development could be hydraulically neutral.

- 13.101 The applicant noted that preliminary detailed design had been undertaken by its civil engineering advisors and that hydraulic neutrality would be achieved through using the gullies and watercourses on site and construction of attenuation dams.
- 13.102 There was disagreement between the Kaitake Community Board and the applicant between the perceived exacerbated stormwater effects from the development.
- 13.103 The applicant's civil engineering advisors have identified that the ground conditions are suitable for individuals to dispose of stormwater to soakage. It is proposed that stream channels are retained and the applicant identified a number of areas that could be utilised to provide stormwater attenuation.
- 13.104 Council's engineers have advised that these proposed stormwater details should be incorporated into the plan change to ensure suitable detail design is required at subdivision stage to demonstrate that the increase in runoff and associated peak flows can be mitigated. Furthermore, as outlined earlier in relation to staging, as part of the information requirements Stage 1 for the development, there be a requirement that the conceptual details for the overall development be supplied. This approach ensures there is an integrated and comprehensive design for stormwater which provides certainty for the developer, community and Council. Additionally, stringent consent conditions should be placed on any future subdivision consents to ensure stormwater is adequately managed.
- 13.105 Council's engineer raised concerns in regard to potential risk of erosion from the impacts of longer peak flow on the existing stream bed and banks. The applicant's advisor has responded noting that the post development attenuated flows will not be of a greater velocity than pre development and the receiving environment will not have increases in flow velocity. According to applicant's advisors *"The risk of erosion will not be increased as the existing stream environment is stable and the risk of erosion is primarily a factor of velocity not flow time."* Future modelling and consent conditions in regard to potential erosion risk control could be enforced at time of subdivision.
- 13.106 Overall, there are a range of measures proposed to manage stormwater effects from the development including on-site soakage with suitable ground conditions, retaining stream channels, ponds for storage and flow control. Based on Council's engineering advice, I consider the reticulated services and stormwater can be effectively managed provided the measures proposed by the applicant are effectively implemented. I recommend that all of the proposed stormwater attenuation and control methods proposed are referenced in the Plan provisions to ensure they are appropriately assessed at the time of subdivision and development.

Oakura School capacity and community infrastructure

- 13.107 With an increase in population resulting from this proposed development there is likely to be increased demand on Oakura Primary School.
- 13.108 A number of submitters expressed concern regarding adverse effects upon the local school capacity and community infrastructure. The key themes included:
- Concern regarding the extra pressure with additional pupils at the school and with no expansion area. The additional population would far exceed the existing and potential student capacity at Oakura School.
 - Any further classrooms at Oakura School exceed land capacity and would mean existing playing field space would be used for classroom development.
 - The school is already at capacity and requires another school to be built if this goes ahead. Queries raised as to who would fund this and where the land would come from.
 - Traffic safety near the school is a concern including children's safety as they travel to and from school along the Highway which does not have a footpath or barriers.
- 13.109 A pre-hearing meeting was held on 28 January 2019 with the applicant, the Ministry of Education (MOE), Oakura School Board of Trustees and Principal (OSBTP) and Oakura Playcentre being present. The main issues discussed included Oakura School and Oakura Playcentres' capacity and increased children resulting from the development and increased traffic and related safety concerns. OSBTP noted that the current school roll was near capacity and if the increased population from PPC48 was added, the school's capacity would be exceeded.
- 13.110 OSBTP noted that the school has grown steadily each year with an additional 5-10 children anticipated each year. OSBTP stressed that the school already has a small building footprint and the school is of a rural type community who value their outdoor play. The addition of the last classroom compromised an existing football field.
- 13.111 The concern raised in submissions over the need to retain Year 7 and Year 8 students at the school was echoed in the meeting by OSBTP, with MOE noting that any recapitation would be something initiated and requested by the Board of Trustees as opposed to being imposed by the MOE. OSTBTP noted that they were seeking alignment with the MOE on capacity both now and in the future.
- 13.112 MOE had a contrasting view on the school's capacity and believed the projected growth could be accommodated by the school on its current site.
- 13.113 Oakura Playcentre also raised concerns they would be compromised should the school need to expand and that they were also currently at capacity. No agreement was reached on how to address the increase in school aged children and provision for them at Oakura School or Playcentre.
- 13.114 OSBTP detailed the school has existing traffic concerns and that Donnelly Street is very dangerous, being a cul-de-sac, with a current bottleneck existing around the school. OSBTP and the Oakura Playcentre noted that trying to get out of Hussey Street is difficult and they have tried to encourage students to walk through this accessway. Figure 8 shows the road network surrounding the School and Playcentre.



Figure 8: Showing the road network surrounding Oakura School and Playcentre (AMTANZ, 2019).

13.115 Following the meeting, the applicant’s traffic advisor, OSBTP and MOE all undertook actions identified from the meeting in terms of providing additional information. This additional information is included as Appendix 6. In relation to historical and projected school roll, OSBTP advise the following:

“At the start of 2000 there were 197 students enrolled, this since has had a steady increase over the years with 2019 starting at 340 and likely to end the year with 370+. This is all indicated in the document below. At this steady roll growth it can be challenging to manage. This steady growth has occurred over time with housing infill and increased housing in our zoned area.

Already the early childhood centres have bulging waiting lists. It concerns us to think we may be asked to attempt to manage a huge subdivision on top of this. We have not been given clear information from the Ministry of Education, as to what our capacity is. Our School Community are concerned with the thought of this subdivision going ahead, which is outlined in our submission.”

13.116 MOE also provided their expectations regarding Oakura School potential capacity, detailing that the site is sufficiently large to accommodate over 1000 students. MOE also stressed that there are only two other schools in Taranaki this size, both being secondary schools. Figure 9 below detail's MOE's school roll trend. Note that no future estimation of the school's capacity going forward for 2019 is given by MOE.

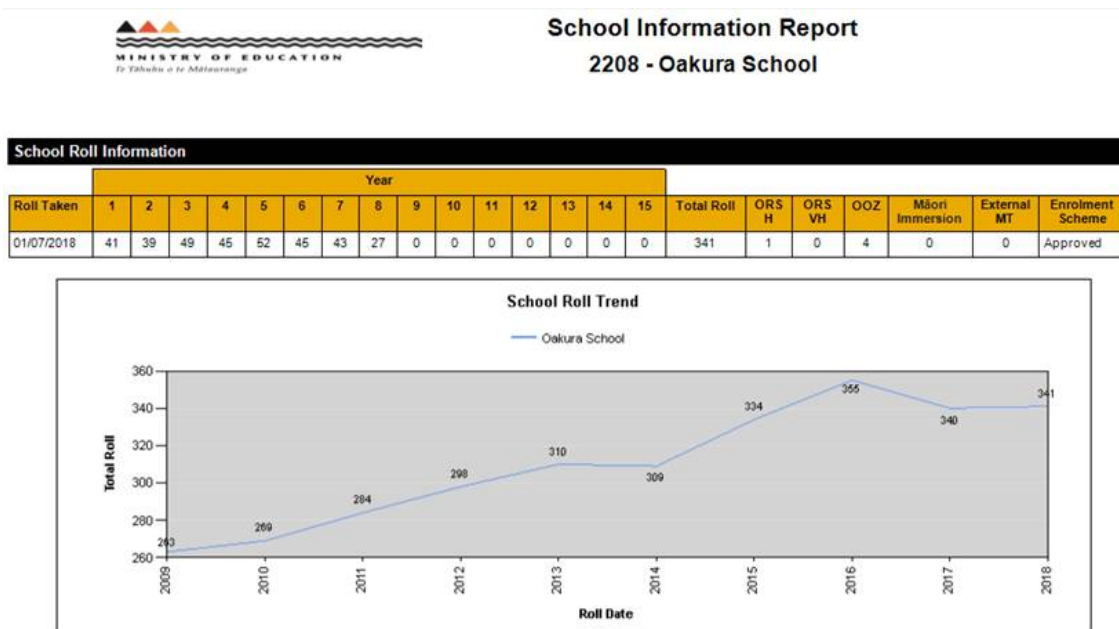


Figure 9: Showing MOE's Oakura School roll trend (MOE, 2019).

13.117 In the information provided by MOE which shows correspondence to OSBTP, the capacity sum of over 1000 is derived from the school's net area of 26,500m² (2.650ha). It can be seen that MOE provides a link to their website regarding funding site-extensions. MOE provided requirements when considering buying new sites for schools or to extend an existing school as per the below calculation:

- 14m² per student + 1 hectare for primary schools
- 15m² per student + 2.4 hectares for intermediate schools
- 18m² per student + 4 hectares for secondary schools.

13.118 MOE note that “This is a guide and many schools successfully operate on smaller sites of course, with some schools using community facilities, like sports complexes and reserves, to help deliver the curriculum.” MOE also advised NPDC that they consider it unlikely that the community would see the construction of such a large school in Oakura as appropriate.

13.119 The applicant's traffic advisor (AMTANZ) was tasked with undertaking traffic counts and observations of afternoon movements at Oakura School and Playcentre at Donnelly Street, The Outlook, SH45 and surrounds. AMTANZ undertook surveying at these locations and noted that whilst they were not able to quantify the impacts upon the school in terms of increased roll from PPC48 rezoning, they have used existing traffic volumes to determine the future traffic patterns if the turning proportions remain the same.

13.120 The assessment concluded that the effects on the intersection with SH45 are less than minor, indicating that there is still plenty of capacity in the intersection if the

volumes increase seven-fold. The report noted that there is some queuing from the pedestrian crossing which can block the intersection but this is limited to the left turn out and straight through movements from The Outlook, which the report deems to be minor in nature. In terms of parking, the assessment details:

“There is currently ample parking around the school and surrounding local roads to cater for the afternoon pick up traffic and whilst we recognise the observations were made on a fine day the additional traffic on a wet day should also be able to be catered for. There are some delays as vehicles exit Donnelly St but these are short lived with the demand being dissipated with 15 minutes or so, these are likely to increase with an increase in the role but will remain for a short period of time. It may be beneficial to investigate restricting parking to one side of Donnelly St north of the school to help vehicle flows to the intersection.”

13.121 The applicant’s traffic advisor concludes that whilst Donnelly Street is currently a ‘no exit’ street there are paper road connections to both Wairau Road and Butlers Lane and should congestion become a significant issue then one of these could be completed to provide another exit.

13.122 In the request document in relation to this the capacity of education facilities it states:

“As the population grows at Oakura, it could be expected that young families with school age children will be part of the demographic mix. The Ministry of Education is responsible for ensuring communities are provided with sufficient school capacity. Oakura will be no different. The Wairau Estate proposal along with the other land that has been identified for future residential development at Oakura will enable the Ministry to anticipate and plan for the further longer-term educational needs of the Oakura community.”

13.123 Overall, I acknowledge that the proposed development is anticipated to have an effect upon the Oakura School and Oakura Playcentres’ rolls, with the degree of effect depending on the number of lots/ dwellings created and the rate of development. I also acknowledge that the level of effect and ability to absorb additional capacity is not agreed upon by the MOE and OSBTP.

13.124 I consider that the maximum yield of 167 dwellings/lots I recommended for water supply reasons will have a considerable reduction on the potential effects on education facilities when compared to the proposed 399 lots/ dwellings, taking into account that the development is geared towards a mixture of households including people in their retirement. Given that the maximum capacity of classrooms has not been prescribed it is difficult to assess or quantify the potential effect that the maximum yield will have on the required additional development or class rooms at the school.

13.125 Whilst I acknowledge that additional classroom space will come at a cost to the school, based on further information provision from MOE, I consider there to be sufficient future capacity for the proposed maximum yield from PPC48. The rate of effect upon the school will be controlled through the proposed staging and the mixture of zone environment areas proposed.

Ecological Effects

13.126 The proposal has the potential to maintain and enhance the ecological values of the site and wider area. The proposal incorporates elements which seek to protect and

retain existing indigenous vegetation and fauna, such as the waterbodies and gully areas. In addition, the proposed planting in the gullies has the potential to enhance ecological values. Mitigation measures are proposed to minimise effects on ecological values, such as pest control and silt control.

- 13.127 A number of submissions raised concerns in regard to PPC48's potential effects on ecological values. The main themes from submissions are:
- Concerns in regard to potential light pollution from the development and street lighting.
 - Concerns regarding adverse effects from noise and dust over the extensive construction period.
 - Increased traffic pollution and use of fuels.
 - Effect on wildlife with the likely increase in pests (animals, cats, rats, dogs). Undermines the Regional Plan to be pest free and see the return of native flora and fauna. The animal pest control initiatives of Project Mounga will be compromised.
 - Potential pollution flows into the surrounding Wairau Stream and waterways. Concern also for water pollution from dust and excavation to the local water catchment
- 13.128 Potential ecological impacts are addressed in the applicant's advisor's Ecological Report which assess potential effects and provides mitigation measures. Measures include:
- For stormwater discharge, this is anticipated to be controlled through the proposed stormwater disposal and soakage mechanisms. The report recommends that if any new culverts are installed that these enable effective fish passage for migratory fish up and downstream.
 - For excavation, it is proposed that runoff from disturbed areas is directed through adequate silt control structures prior to discharging to land and or water.
 - In terms of vegetation clearance, it is proposed that areas excavated are re-grassed or built over as soon as practicable after earthworks are complete. It is recommended that revegetation of the gullies is carried out before house site and roading earthworks are begun.
 - In regard to concerns about the effects of pests, the ecological report recommends that domesticated cats are prohibited in PPC48 area to lower predation pressure. It is also recommended that for common boundaries with the covenanted area, that these boundaries are fully fenced. This will deter most dogs accessing the gully areas and associated wetland and wetland birds. Dogs are also recommended to be kept on a leash.
- 13.129 I consider the measures proposed to manage ecological effects would effectively achieve the objective (Objective 16 in the Operative District Plan) to sustainably manage, and enhance where practical, indigenous vegetation and habitats. For effects of dust and light, the Operative District Plan contains methods to manage these effects. For example, rules apply to the maximum light overspill in residential and rural areas. I recommend that the proposed ecological protection and enhancements

methods proposed are referenced in the Plan provisions to ensure they are appropriately implemented at the time of subdivision and development.

Historic Heritage

- 13.130 The history of the application site is set out the request document noting that the predominant use of the land for the past 100 years has been agriculture including a dairy factory established on the site, although no remnants of this remain. The request proposes providing Hapu the opportunity to recommend the name for the Wairau Estate loop road to be reflective of early (mana whenua) history of the locality.
- 13.131 The applicant's assessment concludes that no Maori, historic heritage or other cultural values would be affected by the proposal. The applicant's archaeology advisor's report found that there were no archaeological sites or historic heritage on the subject site. However, it considers there are reasonable grounds to expect archaeological evidence may be encountered when earthworks are undertaken and recommends, as a means of mitigation, that an archaeological authority be obtained from the HNZPT ahead of any earthworks being undertaken on the site.
- 13.132 The archaeological assessment noted that:
- "However, as a result of the findings of the archaeological excavations undertaken to date at "The Paddocks" subdivision, it is reasonable to infer that similar archaeological features will also occur at the Wairau Estate, particularly in the vicinity of the recorded pa site P19/340. Archaeological features relating to Maori horticulture and isolated evidence of day to day prehistoric Maori occupation peripheral to the pa site P19/340, such as umu/ovens or possible garden soils, may also exist elsewhere on the property."*
- 13.133 Some submissions raised concerns in regard to PPC48's potential effects on historic heritage values. The main themes from submissions are:
- The report notes that the area has a pa site – concerns are raised as to how the subdivision will affect archaeological remains in the area without desecration.
 - The area has significant archaeological, cultural and iwi relevance. This is where the Hau movement started. A pa on the north east of the Kaitake Ranges, in the location of the proposed development.
 - Oakura is a soldier settlement and since 1860s no cultural or alternative historical perspective has been contemplated. Oakura Pa has survived in isolation.
 - The proposal provides an opportunity to highlight tangata whenua, their continued occupation, histories, and values within this design rezoning.
- 13.134 The applicant has undertaken consultation with both Ngati Tairi Oakura Pa and Taranaki Iwi and a pre-hearing meeting with Iwi and Hapū was held on 29 January 2019. In the meeting Ngati Tairi Oakura Pa and the applicant agreed to engage an archaeologist to oversee earthworks on the site. This archaeologist would ensure sufficient discovery protocols are in place should archaeological remains be found.
- 13.135 Overall, based on the findings in the applicant's archaeological report and no other known historic heritage items or landscapes being identified in submissions or by the local iwi or hapu, I consider that there are no known historic heritage items on site. I

agree with the applicant's suggestions that any earthworks be subject to archaeological supervision (pursuant to an NZHPT archaeological authority) with Hapu participation. This matter should be included in plan provisions as well as accidental discovery protocols. I consider that the applicant has sufficiently addressed historic heritage within the site.

Social Impacts

- 13.136 The scale of proposed development and associated population has the potential to generate positive and negative social impacts on the local community. In Section 4.3.5.2 of the request document, for Option Two - 'FUD Area only' development scenario it is noted that *"a 22% increase in additional residents would provide a positive economic and social impact to the township"*. When discussing Option Three - 'whole farm area' and what is proposed under PPC48 the positive ongoing significant economic benefit is detailed to local businesses and services.
- 13.137 In addition, the increase in population could have a positive social effect where it could be expected existing organisations such as surf-life saving, volunteer fire service, school parent help etc which could receive increase support drawn from the increased population. Conversely, existing community services may not be able to cope with increased demand.
- 13.138 A number of submitters raised social impacts. Impacts included:
- To increase the number of houses by 30-45% would destroy the village feel and unique character. Loss of village character of Oakura. The subdivision will alter the vibe, feeling and special character of the village.
 - The subdivision of around 30 lots is suitable in size and in line with Oakura's vision of steady growth to maintain a quality village lifestyle. The proposal is to create a development that will double the size of a small coastal village right next to a National Park Boundary.
 - The subdivision is too close to the National Park and will destroy the look and feel of Oakura. The beautiful mountain views and rural vistas will be permanently affected and the feel of a small sea side village will be lost.
 - The proposal will negatively affect the recreational values of Oakura Beach. Specific example of social impact includes difficulty in finding a carpark at Oakura Beach.
- 13.139 It is acknowledged that the proposed development would have an influence on the overall village feel of Oakura due to an increase in spatial extent of the town and population. This outcome may be viewed positively or negatively – positively as it might provide an opportunity for people to live in Oakura who currently do not, and negatively for existing residents happy with the current size.
- 13.140 Similarly, the request document sets out potential social benefits of an increase in population and support for community groups and facilities. It could also be counter-argued that local services are over-run and under-supplied to cater for the development and additional population. In addition, the extra volunteers and support roles may not be needed if these organisations were not facing growing capacity pressures in the wake of the new development.

- 13.141 In the applicant's Section 32 assessment the social benefits and costs are explored for each scenario. In the full development option (as is proposed) it is noted that the additional population growth will contribute sustainability, vibrancy and social cohesion. In addition, local employment and a sufficient population for enlarged or second school. It also states that in increase in population will bring vibrancy and sustainability to Oakura. Conversely, the larger population may mean the tight, small-knit community feel currently felt as highlighted in submissions is lost due to population sizes and less cohesion occurs.
- 13.142 Overall, it is considered there would be positive and negative social impacts arising from the plan change. These impacts should be considered in the overall evaluation of the plan change. No Plan provisions or other measures are recommended for social impacts as they are responded to under other topics above.

14.0 Tangata whenua matters

- 14.1 A submission was received from Ngati Tairi, Oakura Pa (S111). Points raised in that submission are:
- Concern about the ecological effect from stormwater being disposed via series of small dams along existing waterways. Concern given that existing habitats and ecosystems will be affected and possibly completely altered.
 - Seek cultural design be incorporated into this development. Oakura is a soldier settlement and since 1860s no cultural or alternative historical perspective has been contemplated. Oakura Pa has survived in isolation.
 - Should the plan change go ahead, seek a better solution to cater for additional stormwater runoff and to highlight tangata whenua, their continued occupation, histories, and values within this design rezoning.
- 14.2 A submission was also received from Te Kāhui o Taranaki (Taranaki Iwi) (S134). Points raised in that submission are:
- Taiao, Taiora (iwi environmental management plan) must be taken into account when reviewing a plan change under the RMA 1991. Their environmental management plan outlines issues that are causing adverse impacts on Papatūanuku, in summary these relate to unsustainable/inefficient uses of land, increased demand on resources (e.g. water and waste services), destruction of wāhi tapu and other important sites, loss of access to areas, increased demand on water resources, and pollution.
 - Seek that any decision takes into account the numerous policies regarding subdivision and land use in their plan. Particularly in regard to ensuring new urban development is well designed so to reflect environmental and cultural values and any such underlying values are considered in any landscape assessments as an important element of the landscape.
 - Do not support any action that results in degradation of the mouri of Papatūanuku; subdivision and land use that cannot demonstrate there will be no adverse effects on Ranginui, Papatūanuku, Taranaki Mouna, Tāne, Tangaroa-

ki-Tai and Tangaroa-ki-Uta; loss of access to sites of significance; and adverse impacts on cultural values.

- 14.3 To better understand and discuss the matters raised in the Ngati Tairi, Oakura Pa and Taranaki Iwi submissions, a pre-hearing meeting was held on 29 January 2019. The main matters discussed in the meeting were:
- The applicant tabled a 'Wairau Estate – Proposed Stormwater Detention Areas' Plan to respond to Ngati Tairi, Oakura Pa and Taranaki Iwi's concerns regarding stormwater.
 - Ngati Tairi Oakura Pa also raised concerns with ecological effects and retention areas, as well as increased surface area and flooding. In response to the applicant's suggestion to ban residents from washing their cars in locations that would drain to the street and subsequently detention ponds, Ngati Tairi Oakura Pa questioned how the applicant will enforce this.
 - Taranaki Iwi identified that it is important to note that the Iwi/Hapu do not have experts at their disposal and it is difficult to know further information requirements.
 - Taranaki Iwi expressed disappointment with prior consultation by the applicant and the applicant's response to Taranaki Iwi's consultation form. Taranaki Iwi detailed that they did not think issues in their submission had been addressed.
 - Upon NPDC's suggestion both Taranaki Iwi and the applicant agreed that there was further work required of the applicant to satisfy Taranaki Iwi's concerns. This included the applicant preparing a table comparing the relevant parts of Taiao Taiora – Iwi Environmental Management Plan with the proposed mitigation measures in the Plan Change and this being reviewed by Taranaki Iwi.
 - Ngati Tairi Oakura Pa and the applicant had earlier agreed that an archaeologist would oversee earthworks on the site.
- 14.4 Subsequent to the pre-hearing meeting, the applicant undertook an assessment against the Iwi Environmental Management Plan, in particular its Issues, Objectives and Policies, and how these are addressed in the request and the mitigation proposed. This assessment was sent to Taranaki Iwi (see Appendix 6). Taranaki Iwi and the applicant met on 8 March 2019 to review the Taiao Taiora Assessment Report. Despite Taranaki Iwi identifying that the report provided some mitigation measures, the Taiao Taiora – Iwi Environmental Management Plan is clear on the following positions:
- Taranaki Mouna - Section 11.8.7: Taranaki Iwi will not support any residential subdivision and development within 5km of the National Park Boundaries.
 - Taranaki Mouna - Section 11.8.4: Taranaki Iwi supports Project Mouna and will be prominently involved in that project at governance and operations level.
- 14.5 As such, on 1 April 2019 the Trustees of Taranaki Iwi resolved the recommendation to continue in their opposition to the Oākura Rezoning but approve the Applicant's mitigation measures set out in their Taiao Taiora Assessment Report.
- 14.6 Taranaki Iwi have indicated they wish to be heard and may speak further to these matters at the hearing.

15.0 Overall Conclusions and Recommendations

Conclusion

15.1 Private Plan Change 48 seeks to:

- Rezone approximately 58 hectares of land south of Oakura from Rural Environment Area to a mixture of zoning including Residential Environment Areas (proposed Residential A, C and Medium Density), Open Space B and C Environment Area and Business C Environment Area which would create approximately 399 lots.
- Manage subdivision and development through a combination of a proposed structure plan and specific suite of new rules and standards.
- Amend an existing consent notice attached to the land from the previous “Paddocks” to allow development.

15.2 Information provided by the applicant, matters raised by submitters, technical advice commissioned by the Council and an evaluation of the Planning Framework have all been considered as part of this report and have informed the conclusions and recommendations.

15.3 Based on technical advice relating to housing capacity and reticulated infrastructure, limits are recommended on the scale and extent of the proposed expansion due to the capacity of the current reticulated infrastructure. In particular, the aquifer supplying the Oakura water supply system has a limited capacity to meet future demand. Therefore, a limit of 167 lots/dwellings within the Wairau Estate Structure Plan Area is recommended.

15.4 Overall, at this time, prior to hearing from submitters, I recommend that PPC 48 as lodged by OFPL be approved in part, subject to the amendments that I recommend to the Plan Change and which are set out below. Specifically, I note that at this point of time based on the evidence and reports in front of me, that I do not support the following aspects of PPC48:

- (a) The full extent of the area sought for residential zoning
- (b) The medium density area
- (c) The proposed noise attenuation bund
- (d) The proposed access arrangements (roundabout, alternative direct State Highway 45 access)

Recommendations

15.5 That on the basis of the evidence and information available at this time, the Commissioners make the following recommendations to Council:

15.6 That an extension of time under Section 37(1) of the RMA is granted to admit the late submissions listed in Appendix 4.

- 15.7 That pursuant to Clause 29(4) of Schedule One of the Resource Management Act 1991, Council:
- (a) approves Private Plan Change 48 in part in accordance with the reasons set out in the report above and subject to:
 - The amendments recommended to Private Plan Change 48 as set out in this report; and
 - The Council, the applicant and NZTA come to a formal agreement on the end intersection treatment being a roundabout or SH45 intersection and necessary alterations needed to transport infrastructure to ensure safety for road users, pedestrians and capacity.
 - (b) Accepts, rejects, accepts in part or rejects in part submission points in line with the above recommendation;
- 15.8 That in regard to the Consent Notice on Lot 29, it is recommended that once a revised Structure Plan has been provided the applicant, which is tailored to the recommended reduced maximum yield of 167, amended consent notice wording be prepared.

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Appendices

Appendix 1: 'The Paddocks' Subdivision Consent Decision

Appendix 2: Zoning Maps

Appendix 3: NZTA State Highway Reverse Sensitivity Guidance

Appendix 4: Submitter information (map of submitters, late submissions and issues raised in submission points)

Appendix 5: Pre-hearing meeting matters

Appendix 6: Further information provision following pre-hearing meeting

Appendix 7: Council Technical Assessment Advice

Appendix 8: Statutory Framework

Appendix 9: NPS-UDC capacity information for Oakura

Appendix 10: Recommended District Plan Change Provisions

Appendix 11: Authors Qualifications and Experience