

30th November 2022

Todd Whittaker  
c/o New Plymouth District Council  
Private Bag 2025  
New Plymouth 4340

E: todd@planningworks.co.nz

Dear Todd,

### **Amendment and Response to S92 Request for Further Information**

This letter is:

- An amendment to the application; and
- In response to your “HERD APPLICATION - 19 EGMONT ROAD - REVIEW OF FURTHER INFORMATION - SUB 19/47312 and LUC19/47535” dated 2 November 2022 (attached in Appendix A). This includes a further response from hapū as Appendix B.

The intention is to address all final outstanding matters such that a notification decision can be progressed.

#### **AMENDMENT**

The proposal is to amend the application such that the land uses on proposed Lots 1 and 2 will comply with ODP rules as follows:

- Rur7 - Daylighting requirement for buildings from a side boundary: proposal will comply with the daylighting envelope shown in Diagram 3.2 in Appendix 3.
- Rur8 - Daylighting requirement for buildings from a road boundary: proposal will comply with the daylighting envelope shown in Diagram 3.2 in Appendix 3.
- Rur10 - Height of buildings (all other buildings): proposal will comply with the 10 m height standard
- Rur16 – Setback from the road boundary: proposal is for buildings no less than 30 m from the road boundaries.
- Rur18 – Setback from side boundaries: proposal is for buildings no less than 10 m from any side boundary.

Please find attached an amended scheme plan to replace any earlier version (which previously showed 5 m setbacks), in Appendix C. Assessments of Environmental Effects provided previously for this application are considered to remain largely relevant, other than the proposed land use component is now of a smaller scale than originally proposed.

Please also find an amended LVIA provided in Appendix D, which takes the above into account.

With regard to the response from hapū in Appendix B, which was provided prior to this most recent amendment being proposed, it is considered that the matters in hapū feedback (e.g.

development progressing only after structure planning) are such that this amendment is unlikely to result in a change in response. As such, no further response has been sought.

## RESPONSE TO S92 REQUEST

Where possible, the responses are numbered in accordance with those of the original S92 request. Your commentary and status of the points are provided and addressed as follows.

### 1. Brief: CIA / consultation

Commentary	Status
Meeting with mana whenua to be arranged.	<u>Unresolved.</u> Meeting to be facilitated by Council.

#### Response:

- This meeting occurred on Thursday 3<sup>rd</sup> November 2022 at BTW offices. Attendees were Sera Gibson (Ngāti Tawhirikura), Rowan Williams (Relationship Manager - NPDC), Todd Whittaker (Planner on behalf of NPDC), Chris Herd (Applicant), Cam Twigley (Director, Planning and Environment - BTW), Sean Husband (Senior Civil and Environmental Engineer - BTW), and Darelle Martin (Intermediate Planner - BTW). It was agreed that Miss Gibson would seek feedback from hapū and respond by Friday 11<sup>th</sup> November 2022.
- Following the meeting the full application and draft conditions were provided to hapū, with an explanation of what information they had been provided previously (the majority) and what information was new.
- Follow up emails and calls were made to Miss Gibson and a response was received in the afternoon of 15<sup>th</sup> November 2022 and is provided in Appendix B.
- In response to the four points of hapū feedback of 15<sup>th</sup> November 2022:
  - The consent application has been processing with Council for more than 3 years and the applicant seeks to have the application determined by Council rather than wait until some unknown time in the future when structure planning of the area has been completed. The application has taken account of the future structure planning of the area under different zoning scenarios. The proposed subdivision and structure planning of the area can both occur to achieve coordinated outcomes.
  - The application does not propose to alter the zoning of the land and has considered the scenario that the land retains a rural zoning or is zoned industrial.

- As outlined by Mr Whittaker in the meeting of 15<sup>th</sup> November 2022, the CIA does not state that this proposal is opposed and recommends mitigation measures which the applicant has undertaken or adopted in the application. The applicant has proceeded with the application since January 2020 in good faith that the application could be acceptable to tangata whenua provided the mitigation measures were provided. During further efforts to engage in consultation with tangata whenua since the CIA, including seeking feedback on draft conditions since no later than February 2022, there has been no other response from tangata whenua and it is now very late in the piece to provide feedback that the proposal should not progress until structure planning has been completed. It is also noted that the application site is in the wider catchment of the Mangaone Stream and as such, provides a consent notice with regard to onsite treatment of stormwater prior to disposal.
  - The information of the PDP with regard to the supply of industrial land is conflicting and is not considered to have been investigated in-depth sufficiently. As discussed, the applicant is aware of geotechnical requirements (e.g. a peat layer) in other industrial areas which are proving difficult to overcome for industrial developments at the scale of this proposal. In any case, each application must be considered on its merits and overall, this proposal is for two industrial sites located in a rural zone with a FUD overlay directly adjacent to an industrial suburb, with a rural balance area of 6.9 Ha.
- It is considered that point 1 of the S92 request has been appropriately addressed.

2. Brief: Stormwater

<p>I have discussed the SW issues further with Darelle Martin to understand the other work being completed with Council and the existing catchment issues. In addition, I have sought feedback from Mark James. Mark has advised that he considers conditions can be imposed for the two lot subdivision and that these should be framed to also address wider catchment issues</p>	<p>It appears that there is a technical solution available for SW management for the two industrial lots. This aspect is therefore <u>Resolved</u>.</p> <p>However wider issues of future Structure Plan process are <u>Unresolved</u>. SW discharge is also a matter raised within the Cultural Impact Assessment.</p>
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**Response:**

- Stormwater management for this subdivision and land use application are resolved.
- The proposal has considered wider structure plan stormwater management and proposed acceptable solutions, plus the applicant is working with Council on a centralised stormwater system as another project.
- Refer to the responses to the CIA in the “Response to S92 Request for Further Information and Amendment to Application” dated 22<sup>nd</sup> September 2022. Refer also to proposed condition 33 of the draft consent conditions which has been volunteered as follows:

33. Pursuant to Section 221 of the RMA a consent notice shall be registered on the title for Lots 1 and 2 as follows:

*“Onsite stormwater design of any new building/structure shall be undertaken by a suitably qualified person in accordance with the following requirements: Stormwater discharge from the site shall be provided with water quality treatment and be hydraulically neutral, or Stormwater from the site shall be in accordance with the requirements of the specified catchment wide NPDC stormwater management system”.*

- Accordingly, it is considered that the application has responded to stormwater matters raised in the CIA.

3. Brief: Tracking curves

- Resolved

4. Brief: Traffic Impact Assessment

<p>This was identified as completed in Richard’s email of 15 August 2022.</p> <p>However, the Council recommendations on the PDP are now for a FUZ Zone and a new plan change/structure plan process. See comments below.</p>	<p>Immediate traffic issues resolved.</p> <p>Issue of future Structure Plan process <u>Unresolved.</u></p>
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**Response:**

- Immediate traffic issues for this application are resolved.
- The proposal has considered wider structure plan roading and the design of the lots is considered to be appropriate to provide for this in the future.

5. Brief: Plan of comprehensive design.

<p>This is key issues and if the FUZ Zone is confirmed, then there is no current Zone framework or structure plan framework to work to.</p> <p>The 2019 plan (180802.02-01 Rev 2) appears out of date given the more recent plans showing the retention pond and full earthworks design.</p>	<p><u>Unresolved.</u></p> <p>See comments below.</p>
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**Response:** Please also review the plan provided in Appendix G of the original application dated 17 June 2019. The 2019 plans (180802.02-01 Rev 2 and 180802.03-01-Rev2) are fit for purpose noting:

- They are conceptual only;
- They demonstrate that the indicative road can be provided in the future in the alignment of the PDP;

- There is no permanent retention pond proposed as part of this application. There is a temporary stormwater attenuation pond area proposed on Lot 3 as explained previously. It is temporary as it will not hold water 100% of the time, only when NPDC's downstream system exceeds capacity and backflows into the site;
- Should Council and the applicant agree on an appropriate permanent stormwater pond design, the pond can be accommodated in the (conceptual) lot between proposed Lot 2 and the new road; and
- The updated earthworks plans have no bearing on the conceptual development plans. Conceptual development of this site and area is shown as regularly shaped lots and vehicle access which will require earthworks to facilitate as per proposed Lots 1 and 2.

The design of the proposal has been discussed several times with NPDC who advised prior to lodgement that fragmentation and effects on future rezoning would be a concern. Hence, the design clusters both industrial lots up in the corner of the site adjacent others, leaving the remaining 6.94 Ha as a bulky lot with significant frontage to Egmont Road and a range of options for constructing a new road and arranging lots around it.

Should the FUZ be confirmed as per the latest Right of Reply recommendations, this would not be a fundamentally different scenario to the FUD situation which currently exists and which the application has considered. The application has not placed a strong reliance on the site being zoned General Industrial through the PDP. While there is no structure plan (per the ODP) and may not be one (if ROR recommendations are adopted as a decision) the key issues for structure planning have been addressed and they account for different zoning and development scenarios.

It is considered that the application has addressed point 5 of the S92 request.

6. Rural character and amenity and an LVIA.

<p>While it is possible to provide landscape mitigation of building form, there would still be issues in principle with establishing large Industrial buildings within a Rural or FUZ Zone. Put simply, the scale and nature of land is not consistent with the zone provisions.</p> <p>In my opinion, the landscape report will need to resubmitted to take into account the FUZ Zone recommendations, the cultural opposition to development on the site without a structure plan, and the updated earthworks details.</p>	<p><u>Unresolved.</u></p> <p>See further comments below.</p>
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**Response:**

- Please find an amended LVIA attached in Appendix D, to respond to the above requests for amendments and replace the former revision.

- Assessment of the proposal against the relevant provisions of the ODP and notified PDP have been provided. Overall, the proposal is not considered to be contrary to the objectives and policies of either the ODP or the PDP.
- The LVIA has assessed the landscape, visual, character and amenity effects of the proposed large industrial buildings within the Rural Environment Area which has a Future Urban Development overlay, and with regard to the FUZ provisions.
- Both assessments conclude that the proposal is consistent with the zone provisions.
- Further, the CIA is not considered to state or infer that tangata whenua oppose these applications. It is considered that the CIA:
  - Considers effects on the environment;
  - Makes recommendations on how these can be addressed in terms of this proposal; and
  - Finishes with a general statement using the term “no further subdivision or land development...” (emphasis added) referring to subdivision or development subsequent to the granting of these consents.
- The LVIA considers proposed Lots 1 and 2 will be “legible as a part of the wider area’s industrial character” and that proposed Lot 3 is suitable for and enables a future structure planning exercise.
- Finally, the LVIA has been written considering the most recent earthworks plans.

It is considered that the application has addressed point 6 of the S92 request.

7. Industrial Activities

<p>In my opinion, if there is a way forward in terms of working through the cultural issues and structure plan matters, then it would be more appropriate to seek land use consent for a specific activity.</p> <p>If all other matters are resolved, then it would be possible to move ahead with a industrial activity based on a framework for activity type, built form etc.</p>	<p><u>Work in Process</u></p>
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**Response:**

- As explained earlier, the applicant has placed significant time and resources into working through cultural issues. It is maintained that that proposal addresses the recommendations of the CIA appropriately.
- As explained previously the proposal provides a framework for the proposed activities on Lots 1 and 2 in terms of both built form and site development and actual industrial

activities (with regard to the definition under the RMA). All of these are proposed as conditions of land use consent.

It is considered that the application has addressed point 7 of the S92 request.

8. Brief: Rural Character and Amenity / LVIA

<p>I note that in relation to cultural values, that the Bluemarble report correctly lists the recommendations of the CIA but the final paragraph of the CIA is problematic where it states –</p> <p><i>No further subdivision or land development should occur until such time as the structure planning process for the overall area is complete, noting the failings of the provisions in the Proposed New Plymouth District Plan to provide for the values noted in this CIA as currently drafted.</i></p> <p>I also note that the earthworks area, volume and cut depth of borrow area have all increased since the CIA was prepared. The new information will need to be shared with mana whenua. Given the evidence presented to the PDP hearings, it now appears that iwi/hapu are now saying that a structure plan is required for the whole area including the two proposed industrial lots.</p>	<p><b><u>Work in Process</u></b></p> <p>Further engagement with hapu is required.</p>
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**Response:**

- The Bluemarble report (LVIA) is written appropriately, addressing the proposal and how it responds to the recommendations the CIA provided. The interpretation of ‘no further subdivision or land development’ (per the CIA) has been provided earlier in this letter.
- The earthworks plans (or a version of them showing greater volumes of earthworks) have been supplied to hapū several times before, i.e. 1) November 2021 when consulting on the Pouhere Taonga HNZ application for the General Authority, 2) 17 February 2022 seeking feedback on draft conditions, 3) again on 12 April 2022 following up feedback on draft conditions, and most recently on 3 November 2022 when Miss Gibson was organising feedback on the applications.
- As explained earlier, further engagement with hapū has been undertaken.

9. FUZ Zone ROR Provisions

<p>The Applicants assessment does not give any weight or assessment on the FUZ Zone provisions on the basis that the FUZ Zone has only been introduced as part of the Right of Reply (RoR) process.</p> <p>I have already provided my views on the significance of the RoR evidence from Council.</p>	<p><u>Unresolved.</u></p> <p>The Applicant is entitled to maintain their position on the status of the RoR evidence.</p> <p>However, the application has in part been assessed with reliance on the Industrial Zone provisions under the PDP. This presents challenges in terms of progressing the application to a decision.</p>
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**Response:**

- As discussed earlier, the ROR FUZ provisions are not considered to have significant weight on this application as they are not ‘the ‘Proposed Plan’ (per RMA S104(1)(b)vi).
- The application was written with some reliance on the draft Industrial Zone provisions of the draft PDP as, at the time (June 2019) the PDP had not yet been notified, however the draft PDP indicated that the site would be rezoned General Industrial. It is considered appropriate to have used these provisions to shape the controls on the application in order to manage development of Lots 1 and 2 similarly to other General Industrial Zone sites. This strategy has remained appropriate for the last three years during the processing of this consent and it is only relatively recently (July 2022) when the ROR recommended a FUZ for the site and area which had been proposed General Industrial. This is an unexpected change given the direction and reporting from Council through the PDP for the last three years, including in the s42a reporting (February 2022) for the Structure Plan Development Area hearings in March. It is uncertain what decision the Commissioners will make on the zoning of this site and area. It is noted that the right of reply FUZ recommendations are a significant change from the notified version of the PDP and have not been notified for any public submissions.
- The proposed design of the subdivision and controls on the industrial development of Lots 1 and 2 are considered to be rational and appropriate for managing effects of development into the future, regardless of zoning. As addressed earlier the application has undergone significant assessment as a Rural site with a FUD overlay, including in terms of landscape and visual effects, and has measures which will appropriately mitigate potential adverse effects on subsequent activities on the site and surrounds.

10. LVIA – further work

*In my opinion, further work on the landscape context will be necessary in order to have some comfort on landscape issues, including*

- *The landscape report relies upon an Industrial Zone outcome under the PDP. Given the cultural evidence presented to the Commissioners, and Right of Reply recommendation from Council for a FUZ Zone, I consider further consideration of the cultural landscape values is required.*



- *The landscape assessment refers to the CIA and while it correctly includes reference to the COA recommendations, it does not appear to take into account the final statement within the CIA that a full structure plan is required. If the FUZ Zone is confirmed, then there will be no structure plan until such time as a new plan change is notified. In my opinion, a much greater engagement with hapu is required to inform the landscape assessment including providing the updated earthworks plans.*
- *Further discussion on the Egmont Road Structure Plan height restrictions will be appropriate.*

*In my view, it will be appropriate to work through the cultural matters and structure plan /FUZ Zone provisions before committing any further resourcing and costs to the landscape assessment.*

## **Response:**

- The LVIA does not heavily rely upon an Industrial Zone outcome of the PDP. It places adequate weight on the current Rural Environment Area / FUD zoning, and has been amended to address the points raised in the S92 review. The LVIA outlines how Te Ao Māori values were expressed in the CIA through the four measures the CIA recommended to address effects, and acknowledges the draft consent conditions proposed by the applicant in accordance with the measures.
- Refer to the responses provided for points 1, 6 and 8 in this letter with regard to future structure planning, engagement with hapū, and earthworks plans that have been provided to hapū.
- The ODP Egmont Road Structure Plan height restrictions do not apply to this application site. The proposal has been amended to comply with the 10 m permitted standard.

### 11. Earthworks and CIA

*The CIA is based on an earlier earthworks plan (BTW 180802.02-02 dated 8/05/2019) and this has been superseded by an updated earthworks plan an updated earthworks plan (BTW 180802.02-07 Rev dated 3/05/2022). The volume, area and depth of cut have all increased in extent. This new plan will need to be shared with mana whenua so any comments and assessment from the CIA can be updated accordingly.*

**Response:** Refer to the responses for points 1 and 8 earlier in this letter. Tangata whenua have not advised any comments, additional assessment, or requirement to update the CIA in response to the earthworks plans they have received.

### 12. How can the Application be Progressed?

*In the first instance, a pathway will need to be identified with mana whenua to address the cultural values and sites and affecting the property and the wider structure plan area. This will necessarily include sharing of the new information including earthworks plans, Heritage NZ authority and landscape assessment.*

**Response:** Further engagement with tangata whenua has been undertaken as per point 1 of this letter. Addressing the cultural values and sites affecting the property has been undertaken via the CIA and mitigation measures proposed in response to it, plus the exploratory earthworks under an Authority from Heritage NZ as explained previously. Hapū have received all relevant application information including earthworks plans, Heritage NZ authorities and the LVIA.

*The next step will need to be work on the structure plan area and an updated series of concept plans and assessment to demonstrate that any foreseeable development of the FUZ area will not be compromised or foreclosed. In my opinion, any assessment of the future structure plan will need to involve an opportunity for all other landowners to be involved in this process. A public notified process should be anticipated.*

**Response:** Concept plans demonstrating the future development of Lot 3 and the wider area have been provided in previous times as per the response to point 5 of this letter. They confirm that the FUD area (and FUZ, should it become that) will not be compromised or foreclosed by this proposal. It is considered that the proposal has less than minor adverse effects on any other landowners.

*To progress the application, the landscape plan and AEE will require updating.*

**Response:** The LVIA has been updated and any AEE that has been provided is sufficient. Actual and potential adverse effects of the proposal are considered to be appropriately mitigated.

*In my opinion, the Applicant will need to critically evaluate the risk and merits of advancing the application at this stage with the alternative being to work with Council and mana whenua on a Plan Change for the whole FUZ Zone area.*

**Response:**

- The applicant has put significant time and resources into addressing risks and merits of this application and overall, the applications are considered to represent sustainable development of the site and adequately mitigate adverse effects.
- The applicant continues to work on the central stormwater pond with NPDC as a side project.
- The efforts to engage with tangata whenua have been documented previously and updated in this letter.
- It is considered the proposal is appropriate to proceed with in its current form. It is not considered necessary to withdraw it, disregarding all relevant information and outcomes the applicant has resourced and provided to facilitate Council making a decision, in order to engage in a rezoning process with another undetermined timeframe. The current application has sufficient merit that it can be granted, with subdivision and development proceeding, and will not affect the integrity of development already in the area nor that which can occur in the future.

## **NEXT STEPS**

Please proceed with the notification decision and advise accordingly.

Yours sincerely,



**Darelle Martin Assoc.NZPI  
Intermediate Planner**

## **APPENDICES**

- Appendix A Review of Further Information
- Appendix B Response from Hapū
- Appendix C Scheme Plan
- Appendix D Amended LVIA

# APPENDIX A      REVIEW OF FURTHER INFORMATION

2 November 2022



**PLANNING WORKS**  
CONSENTS · POLICY · EXPERT ADVICE

## HERD APPLICATION - 19 EGMONT ROAD REVIEW OF FURTHER INFORMATION

SUB 19/47312 and LUC19/47535

### INTRODUCTION

1. Further to my review of the application process for notification, I have now completed a review of the existing further information matters identified by Council and the matters which I consider will need to be addressed in order to progress the application to a decision.
2. The following table is based on the email from Richard Watkins dated 15 August which set out the matters to be addressed by the applicant at that stage.

Item from Richard Watkins Email dated 15 August 2022	Applicant's response	Commentary	Status
1. Please provide a Cultural Impact Assessment for the proposed subdivision and associated activities. Please note the outcome of this assessment may result in the request for the written approval of the relevant iwi/hāpu. Please provide an updated comment from Te Atiawa iwi/ Tawharikura hapū. This is requested on the basis of what has been provided in the Cultural Impact Assessment the time that has passed and amendments to the application.	The Applicant has sought progress on the application to a decision. Supports meeting with mana whenua with council to take a lead/facilitation role.	Meeting with mana whenua to be arranged.	<b><u>Unresolved.</u></b> Meeting to be facilitated by Council.

<p>2. The Council stormwater reticulation in this locality is at capacity. Please can the application either provide a stormwater design that can dispose 100% of stormwater on site or install a new stormwater pipe along Egmont Road down to the railway bridge to the south, where the Council will pay a half contribution for this works. Final details on stormwater design to be resolved/ worked through with NPDC (Mark James)</p>	<p>The Applicant considers that this has been addressed through technical memo dated 1 April 2022 and proposed conditions.</p>	<p>I have discussed the SW issues further with Darelle Martin to understand the other work being completed with Council and the existing catchment issues. In addition, I have sought feedback from Mark James. Mark has advised that he considers conditions can be imposed for the two lot subdivision and that these should be framed to also address wider catchment issues</p>	<p>It appears that there is a technical solution available for SW management for the two industrial lots. This aspect is therefore <b><u>Resolved.</u></b></p> <p>However wider issues of future Structure Plan process are <b><u>Unresolved.</u></b> SW discharge is also a matter raised within the Cultural Impact Assessment.</p>
<p>3. Can you please provide revised tracking curves to a scale of 1:250, which demonstrates compliance with Appendix 23? This needs to demonstrate that all B Train manoeuvres in and out of each access point is able to be achieve both for turning left and right out of each access.</p>		<p>This was identified as completed in Richard's email of 15 August 2022.</p>	<p><b><u>Resolved.</u></b></p>
<p>4. Council are doing further refinement on the Proposed District Plan rezoning and indicative road locations; this has resulted in the proposed collector road running through the subject site. Can you please provide a Traffic Impact Assessment which assesses the impact of the proposed subdivision on future roading and existing roading connections given the location of the proposed indicative road in this locality. Will proposed Lot 1 and 2 vehicle access points affect future sight visibility and safety of the proposed Egmont Road and new collector road intersection?</p>		<p>This was identified as completed in Richard's email of 15 August 2022.</p> <p>However, the Council recommendations on the PDP are now for a FUZ Zone and a new plan change/structure plan process. See comments below.</p>	<p>Immediate traffic issues resolved.</p> <p>Issue of future Structure Plan process <b><u>Unresolved.</u></b></p>

<p>5. Can you please provide an updated plan of how this subdivision will not affect the ability to comprehensively design this site and adjacent sites in the future if proposed rezoning proceeds?</p>	<p>Applicant provided information and a plan back in November 2019</p>	<p>This is key issues and if the FUZ Zone is confirmed, then there is no current Zone framework or structure plan framework to work to.</p> <p>The 2019 plan (180802.02-01 Rev 2) appears out of date given the more recent plans showing the retention pond and full earthworks design.</p>	<p><u>Unresolved.</u> See comments below.</p>
<p>6. The subject site is zoned Rural Environment Area, and any future rezoning is not a certainty. The application places a lot of reliance on this future zoning change occurring. If this rezoning does not occur through the Proposed Plan review process, how will rural character and amenity be retained on Lot 1 and 2 given the proposed consent notice provisions? Please see the additional information sought below under item 7 in blue:</p>	<p>A Landscape Report has been presented by Bluemarle Consulting dated September 2022.</p>	<p>While it is possible to provide landscape mitigation of building form, there would still be issues in principle with establishing large Industrial buildings within a Rural or FUZ Zone. Put simply, the scale and nature of land is not consistent with the zone provisions.</p> <p>In my opinion, the landscape report will need to resubmitted to take into account the FUZ Zone recommendations, the cultural opposition to development on the site without a structure plan, and the updated earthworks details.</p>	<p><u>Unresolved.</u> See further comments below.</p>

<p>7. Can you please provide details on the type of activities that may occur on Lots 1 and 2. The application hints at industrial activities occurring on these allotments but section 4.2 of the report doesn't ensure this and only restricts habitable buildings being provided on these allotments. Given the current operative District Plan provisions other activities could occur on these sites, particularly given the proposed conditions to remove a number of bulk and location provisions and traffic generation provisions currently set out in the Rural Environment Area. Please clarify the final end land use activities sought to be undertaken on Lots 1 and 2. This information is required to assist with assessing the effects of the proposal including restricting residential use and only seeking consent to use the land for industrial activities?</p>	<p>The Applicant has presented parameters for future industrial activities based on plan definitions, bulk and location controls and provision for future traffic assessments. Restrictions on habitable buildings are also proposed.</p>	<p>In my opinion, if there is a way forward in terms of working through the cultural issues and structure plan matters, then it would be more appropriate to seek land use consent for a specific activity.</p> <p>If all other matters are resolved, then it would be possible to move ahead with a industrial activity based on a framework for activity type, built form etc.</p>	<p><u>Work in Process</u></p>
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<p>Please provide an assessment of the effects of the proposal on rural character and amenity stemming from the proposed land use activities on proposed Lots 1 &amp; 2 that is based on the current Rural zoning and Future Urban Development overlay. The reason for this request is that reliance cannot be placed on the current proposed Industrial zoning in the proposed New Plymouth District Plan (PDP) which has received submissions in opposition to the rezoning of this land.</p> <p>As part of the assessment of the effects, please provide a Landscape and Visual Impact Assessment (LVIA) of the proposal from a suitably qualified landscape architect to assess height and bulk of buildings on Lots 1 and 2 from both public vantage points (Egmont Road, State Highway and Oropuriri Road) including any obstruction of viewshaft from public realm towards the Maunga. The LVIA will also need to address the effects of establishing the proposed industrial activities, including associated buildings, on Lots 1 and 2 from adjacent landowners including residential properties on the western side of Egmont Road. The effects of the potential Buildings for which landuse consent has been sought needs to be considered in a holistic manner, given the non-complying activity status of them (OL33B), exceeding Rural Environment Area rules including Building coverage (Rur14), Building Height (Rur10) and location relative to Boundaries (Rur 16 &amp; Rur18).</p>	<p>A Landscape Report has been presented by Bluemarle Consulting dated September 2022.</p>	<p>I note that in relation to cultural values, that the Bluemarle report correctly lists the recommendations of the CIA but the final paragraph of the CIA is problematic where it states –</p> <p><i>No further subdivision or land development should occur until such time as the structure planning process for the overall area is complete, noting the failings of the provisions in the Proposed New Plymouth District Plan to provide for the values noted in this CIA as currently drafted.</i></p> <p>I also note that the earthworks area, volume and cut depth of borrow area have all increased since the CIA was prepared. The new information will need to be shared with mana whenua. Given the evidence presented to the PDP hearings, it now appears that iwi/hapu are now saying that a structure plan is required for the whole area including the two proposed industrial lots.</p>	<p><b><u>Work in Process</u></b></p> <p>Further engagement with hapu is required.</p>
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<p>Please provide an assessment of the proposal against the relevant objectives and policies of the PDP. This information is required as they will be required to be had regard in considering the application under S104(1)(b)(vi) of the Act. This consideration will also be relevant in terms of the S104D 'gateway test'. The Future Urban Zone objectives and policies of the PDP are considered to be, but not limited to, part of the relevant provisions.</p>	<p>Additional assessment has been provided in terms of the PDP provisions (refer BTW letter dated 22/09/22).</p>	<p>The Applicants assessment does not give any weight or assessment on the FUZ Zone provisions on the basis that the FUZ Zone has only been introduced as part of the Right of Reply (RoR) process.</p> <p>I have already provided my views on the significance of the RoR evidence from Council.</p>	<p><b><u>Unresolved.</u></b></p> <p>The Applicant is entitled to maintain their position on the status of the RoR evidence.</p> <p>However, the application has in part been assessed with reliance on the Industrial Zone provisions under the PDP. This presents challenges in terms of progressing the application to a decision.</p>
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### Land Use Application and Landscape Assessment

The original application for the combined subdivision and land use dated 17/06/2019 included provision for lot development including a maximum building height of 12m and requirements for an Integrated Transport Assessment for industrial activities exceeding 5,000 GFA<sup>1</sup>.

There has been some concerns raised by Council in relation to the scale of building activity increasing through the processing of the application. I cannot identify where this has occurred, however I note that there are specific rules in relation to building platform levels associated with the Egmont Road Structure Plan. Rule Ind 97 sets a maximum RL for building platforms of RL 28m which along with the 10m permitted height for buildings in the Ind C Zone (Rule Ind9) provides a maximum height of RL 38m. It is noted that the existing Egmont Road Structure Plan area does not extend over the current application site. However, the building platform for Lot 1 is proposed at RL 30m and a 12m maximum height is proposed. This would provide a combined built form height of RL 42m or 4m above the existing Egmont Road structure plan provisions.

<sup>1</sup> BTW AEE, Section 4.2.

I understand that not all development within the Egmont Road structure plan complies with the building platform levels and this has affected the overall intent and environmental outcomes anticipated under the ODP.

As discussed, the BlueMarble landscape Assessment provides an expert assessment of landscape values for the subdivision and land use. In my opinion, further work on the landscape context will be necessary in order to have some comfort on landscape issues, including

- The landscape report relies upon an Industrial Zone outcome under the PDP. Given the cultural evidence presented to the Commissioners, and Right of Reply recommendation from Council for a FUZ Zone, I consider further consideration of the cultural landscape values is required.
- The landscape assessment refers to the CIA and while it correctly includes reference to the COA recommendations, it does not appear to take into account the final statement within the CIA that a full structure plan is required. If the FUZ Zone is confirmed, then there will be no structure plan until such time as a new plan change is notified. In my opinion, a much greater engagement with hapu is required to inform the landscape assessment including providing the updated earthworks plans.
- Further discussion on the Egmont Road Structure Plan height restrictions will be appropriate.

In my view, it will be appropriate to work through the cultural matters and structure plan /FUZ Zone provisions before committing any further resourcing and costs to the landscape assessment.

### **Earthworks and CIA**

The CIA is based on an earlier earthworks plan (BTW 180802.02-02 dated 8/05/2019) and this has been superseded by an updated earthworks plan an updated earthworks plan (BTW 180802.02-07 Rev dated 3/05/2022). The volume, area and depth of cut have all increased in extent. This new plan will need to be shared with mana whenua so any comments and assessment from the CIA can be updated accordingly.

## **FUZ Zone Recommendation**

I have already provided my view on the weighting and nature of the RoR recommendations from Council for the site to have a FUZ Zone. The lack of certainty on any Industrial Zone outcome introduces a significant challenge in terms of progressing an application for two industrial lots on the subject site. It is difficult to see in my opinion how such a subdivision/development can be assessed as consistent with the FUZ Zone provisions. It will be necessary to identify specific circumstance and merit with this proposal to gain a favourable recommendation, noting that it will have a non-complying status.

I have not discussed the subdivision with the NPDC Policy Team and it will be difficult for them to provide much further input at this stage given the confidential nature of the PDP decisions process which will need to be maintained until such time the decisions are notified.

## **How can the Application be Progressed?**

In the first instance, a pathway will need to be identified with mana whenua to address the cultural values and sites and affecting the property and the wider structure plan area. This will necessarily include sharing of the new information including earthworks plans, Heritage NZ authority and landscape assessment.

The next step will need to be work on the structure plan area and an updated series of concept plans and assessment to demonstrate that any foreseeable development of the FUZ area will not be compromised or foreclosed. In my opinion, any assessment of the future structure plan will need to involve an opportunity for all other landowners to be involved in this process. A public notified process should be anticipated.

To progress the application, the landscape plan and AEE will require updating.

In my opinion, the Applicant will need to critically evaluate the risk and merits of advancing the application at this stage with the alternative being to work with Council and mana whenua on a Plan Change for the whole FUZ Zone area.



Todd Whittaker  
Planner (MNZPI)

Planning Works/2022 Projects/22127 NPDC Herd Egmont Road/Deliverable/FI Review/Herd 19 Egmont Road - FI Review FINAL .docx



## Darelle Martin

---

**From:** Sera Gibson <seragibson@hotmail.com>  
**Sent:** Tuesday, 15 November 2022 1:06 pm  
**To:** Darelle Martin; Ngamata Skipper; Sarah Mako  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development

### EXTERNAL MESSAGE

Kia ora Darelle,

On behalf of Ngāti Tawhirikura Hapū and Te Kotahitanga o Te AtiawaTrust, below is our feedback:

- As set out in the evidence to the Proposed District Plan, it is our view that any development within this FUZ area should only progress following the structure planning of the area. This is yet to occur. This is especially important given the implications around zoning and landuse for Te Oropuriri Pā and surrounds, the health of the Mangaone, and work towards giving effect to Te Mana o Te Wai, and more strategic outcomes like through roads and the like.
- A structure plan process can also consider whether industrial zonings are in fact the best zone for this area, something that is not able to be done on a site by site basis through the consent process.
- You will note that this is in line with the recommendations in the CIA that was developed to inform this proposal. As set out in that document, the ability for the development of this area to be done so in a way that works towards the restoration of the Mangaone is not clear at this point, and a key outcome that can be designed better through structure planning.
- It is our understanding, based on the economic evidence produced in the hearings to the PDP that there is sufficient zoned and available industrial land in the short term, and that this should provide time to complete the structure planning exercise as set out above.

Nā Sera.

---

**From:** Darelle Martin <darelle.martin@btw.nz>  
**Sent:** Tuesday, 15 November 2022 12:21 pm  
**To:** Sera Gibson <seragibson@hotmail.com>; Ngamata Skipper <office@tawhirikura.org>  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development  
**Importance:** High

Hi Sera, I have tried to call you again and left another text.

Please can you contact me as soon as possible, thank you,

**DARELLE MARTIN** Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

---

**BTW** [info@btw.nz](mailto:info@btw.nz) | [www.btw.nz](http://www.btw.nz) | +64 6 759 5040

---

**From:** Sera Gibson <[seragibson@hotmail.com](mailto:seragibson@hotmail.com)>  
**Sent:** Monday, 14 November 2022 3:25 pm  
**To:** Darelle Martin <[darelle.martin@btw.nz](mailto:darelle.martin@btw.nz)>; Ngamata Skipper <[office@tawhirikura.org](mailto:office@tawhirikura.org)>  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development

### EXTERNAL MESSAGE

Kia ora Darelle,

Apologies I will have a response to you tomorrow morning.

Nā Sera.

Get [Outlook for iOS](#)

---

**From:** Darelle Martin <[darelle.martin@btw.nz](mailto:darelle.martin@btw.nz)>  
**Sent:** Monday, November 14, 2022 9:33:49 AM  
**To:** Sera Gibson <[seragibson@hotmail.com](mailto:seragibson@hotmail.com)>; Ngamata Skipper <[office@tawhirikura.org](mailto:office@tawhirikura.org)>  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development

Kia ora Sera, just wanting to check I haven't missed an email or anything else from you?

Thank you,

**DARELLE MARTIN** Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

---

**BTW** [info@btw.nz](mailto:info@btw.nz) | [www.btw.nz](http://www.btw.nz) | +64 6 759 5040

---

**From:** Sera Gibson <[seragibson@hotmail.com](mailto:seragibson@hotmail.com)>  
**Sent:** Wednesday, 9 November 2022 6:52 am  
**To:** Darelle Martin <[darelle.martin@btw.nz](mailto:darelle.martin@btw.nz)>; Ngamata Skipper <[office@tawhirikura.org](mailto:office@tawhirikura.org)>  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development

#### EXTERNAL MESSAGE

Mōrena Darelle,

Thanks for your email.

Yes, all received. Thank you.

We will come back to you with a response by the end of this week.

Ngā mihi,  
Sera.

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---

**From:** Darelle Martin <[darelle.martin@btw.nz](mailto:darelle.martin@btw.nz)>  
**Sent:** Tuesday, November 8, 2022 8:31:17 AM  
**To:** Sera Gibson <[seragibson@hotmail.com](mailto:seragibson@hotmail.com)>; Ngamata Skipper <[office@tawhirikura.org](mailto:office@tawhirikura.org)>  
**Subject:** RE: [#BTW180802] 19 Egmont Road Development

Kia ora Sera,

Just hoping to check in and see:

- If you have received the below info OK?
- What the likelihood of receiving a response from hapū this week is?

I appreciate you have come into this process yourself quite late, and am grateful for your efforts.

We need to decide how to continue with this consent application process sooner rather than later and a response from hapū will help that decision significantly.

Ngā mihi

**DARELLE MARTIN** Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

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**BTW** [info@btw.nz](mailto:info@btw.nz) | [www.btw.nz](http://www.btw.nz) | +64 6 759 5040

---

**From:** Darelle Martin

**Sent:** Thursday, 3 November 2022 2:20 pm

**To:** Sera Gibson <[seragibson@hotmail.com](mailto:seragibson@hotmail.com)>

**Cc:** Scott Grieve <[scottg@connectlegal.co.nz](mailto:scottg@connectlegal.co.nz)>; Chris Herd ManorBuild <[chris@manorbuild.co.nz](mailto:chris@manorbuild.co.nz)>; 'Rowan Williams' <[rowan.williams@npdc.govt.nz](mailto:rowan.williams@npdc.govt.nz)>; Cam Twigley <[Cam.Twigley@btw.nz](mailto:Cam.Twigley@btw.nz)>; Sean Husband <[Sean.Husband@btw.nz](mailto:Sean.Husband@btw.nz)>

**Subject:** RE: [#BTW180802] 19 Egmont Road Development

Kia ora Sera, thank you for your time attending the meeting this morning at BTW.

Please see the link in this email from which to download:

- The full application document which includes all amendments and responses to S92 requests.
- Draft conditions. Where I reference condition numbers in the letter, I mean 'no markup' or final, with regard to tracked changes in the word doc. These conditions are still a working copy and could use some refining but the main points are there.

Can I suggest you save a copy of these for your records as the link will expire.

Please click on the following link to download the attachments:

<https://transfer.btw.nz/message/vCQpFuv3t530k0j2xi41HK>

The attachments are available until: **Saturday, 3 December.**

With regard to Council's comment that the application has changed:

- The first 16 pages of the 'Response to S92 Request and Amendment' will bring you up to speed.
- As I mentioned, the earthworks plans (or a version of them showing even greater earthworks) have been supplied before, e.g. November 2021 when consulting on the Pouhere Taonga HNZ application for the General Authority.
- The Appendix L: Assessment of Landscape Effects is a new piece of info that was completed in September, due to Council expanding their S92 request.
- All other things (i.e. appendices A through to K) have been provided to hapū in previous months.

Thank you for your efforts and look forward to hearing from you,

**DARELLE MARTIN** Pou Whakamāhere Taiao | Intermediate Planner +64 272 050 301

---

**BTW** [info@btw.nz](mailto:info@btw.nz) | [www.btw.nz](http://www.btw.nz) | +64 6 759 5040

-----Original Appointment-----

**From:** Rowan Williams <[rowan.williams@npdc.govt.nz](mailto:rowan.williams@npdc.govt.nz)>

**Sent:** Wednesday, 2 November 2022 2:11 pm

**To:** Rowan Williams; Cam Twigley; Chris Herd ManorBuild; Sean Husband; Scott Grieve; Darelle Martin; Sera Gibson

**Subject:** 19 Egmont Road Development

**When:** Thursday, 3 November 2022 9:00 am-10:15 am (UTC+12:00) Auckland, Wellington.

**Where:** 19 Egmont Road at Entrance

EXTERNAL MESSAGE



Kia ora

Looking forward to catching up on site tomorrow at 9AM. Sera I do not have Ngamata's email address so please forward on.

Agenda:

Introductions:

Purpose of meeting:

Bring parties together and discuss way forward for subdivision and land use;

Applicant: Update on additional information, Heritage Approval, SW Design, earthworks plan(changes)

Council: PDP Process, hapu evidence of Right of Reply Recommendations – Implications for Application – no certainty until decisions released

Hapu: – Opportunity to provide comments on the original CIA, how this relates to evidence at PDP, response to additional information from Applicant

Discussion: Next Steps – update of CIA, hapu support for subdivision and land use process going forward, Structure Plan work, Provision of Conditions

Ngā mihi

Rowan

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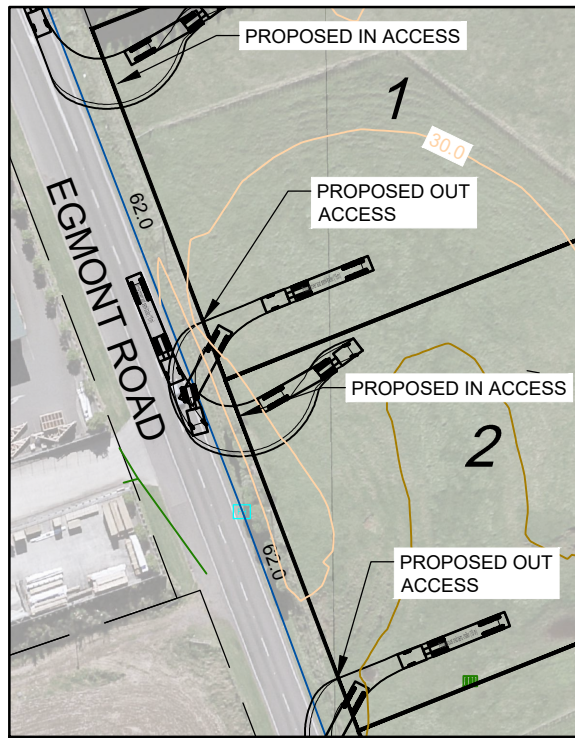
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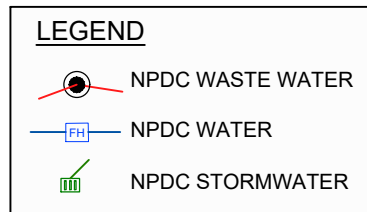
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# APPENDIX C      SCHEME PLAN

**Disclaimer:** This plan is produced for the sole purpose of obtaining a subdivision consent under the Resource Management Act 1991. Dimensions and areas are approximate and are subject to final survey.  
The use of this drawing for any other purpose is at the owners risk.



**TURNING CIRCLES LOT 1 & 2**  
SEMI-TRAILER  
SCALE 1:1250



**Lots 1-3 being a Proposed Subdivision of  
Lot 2 DP 400849**

LOCAL BODY: New Plymouth District Council  
APPLICANT: Manor Property Ltd  
COMPRISED IN: CFR 401595  
SCALE: 1:2000

Prepared by: K. Preston  
Drawn by: KP  
Checked by: KB  
Date: 29/11/2021  
Date: 29/11/2021  
Licensed Cadastral Surveyor  
Date: 17/11/22 Job No. 180802.02 Drawing No. 180802.02-01 REV 5



September 2022 updated 18 November 2022

# Assessment of Landscape and Visual Effects

Three Lot Subdivision & Landuse Consent

SUB19/47312 & LUC19/47535

Lot 2 DP 400849

19 Egmont Road, New Plymouth



**bluemarble**  
A world of difference

**Client:** Manor Properties  
**Project:** Three Lot Subdivision and Landuse Consent 19 Egmont Road  
**Report:** Landscape and Visual Effects  
**Status:** Non-Complying Activity  
**Date:** 19 September 2022 updated 18 November 2022  
**Author:** Richard Bain  
[blumarble](#)  
New Plymouth  
[richard@blumarble.co.nz](mailto:richard@blumarble.co.nz)

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## **GRAPHIC SUPPLEMENT (Print to A3)**

- Figure 1: Site Context
- Figure 2: Proposed District Plan (PDP)
- Figure 3: Operative District Plan (ODP)
- Figure 4: Viewing Audience
- Figures 5-13: Site and viewpoint photographs
- Figure 14: Subdivision Scheme Plan (BTW Company)
- Figure 15: Planting Plan Lot 3



## 1. INTRODUCTION

- 1.1. This report assesses the landscape and visual effects of a proposed three lot subdivision and landuse (SUB19/47312 and LUC19/47535) at 19 Egmont Road, New Plymouth (Lot 2 DP 400849).
- 1.2. The Applicant has engaged Bluemarle to prepare this Assessment of Landscape and Visual Effects (ALVE).
- 1.3. The Subdivision Scheme Plan and Consent Application has been prepared by BTW Company.
- 1.4. The purpose of this report is to identify and assess the significance of effects resulting from development on landscape character and people's visual amenity.
- 1.5. This report addresses matters pertaining to character and amenity as outlined in the New Plymouth District Plan.

Issue 4: Loss or reduction of rural amenity.

Resource Management Act (RMA).

- 1.6. This assessment is cognisant of the following background documents.
  - Resource Consent Application and AEE-BTW Company 17 June 2019
  - NPDC Request for Further Information (s92)-NPDC 8 July 2019
  - Response to s92 Further Information Request-BTW 22 January 2020
  - Cultural Impact Assessment (CIA) within RFI response
  - Earthworks drawings-BTW Company Revision B2 -16 June 2022
  - Draft Consent Conditions-BTW Company/NPDC 2022

## 2. METHODOLOGY

- 2.1. This assessment uses the New Zealand Institute of Landscape Architects (NZILA) *Te Tangi A Te Manu* (Aotearoa NZ Landscape Assessment Guidelines) for assessment concepts and principles. A seven-point ratings matrix from Very Low to Very High is used to summarise effects (see Appendix i).
- 2.2. The breadth and level of detail in this assessment is commensurate with the scale and significance of effects.
- 2.3. The following has been undertaken:
  - A visit to the site and surrounding area.
  - Desktop collation of the site and local area information.
  - Information from the Application.
  - Referenced relevant NPDC Operative District Plan provisions.

- Referenced relevant Proposed District Plan provisions.
- Assessment against Statutory provisions.
- Recommended mitigation measures where effects are identified, and amelioration is possible and appropriate.

2.1. Abbreviations used in the report.

NPDC New Plymouth District Council  
 ODP Operative District Plan  
 PDP Proposed District Plan  
 ALVE Landscape and Visual Impact Assessment  
 FUD Future Urban Development Overlay  
 FUZ – Future Urban Zone

### 3. PROPOSAL

3.1. This assessment relies on the project description in the Application, but the following aspects are pertinent to potential landscape and visual effects.

3.2. The **subdivision** proposal is to create three lots from Lot 2 DP 400849 as shown on the Subdivision Scheme Plan (**Graphic Supplement, Figure 14**)

**Proposed Titles**

Lot 1: 1.2 ha

Lot 2: 1.2 ha

Lot 3: 6.95ha - Balance Lot

Total Area: 9.3525 hectares

3.3. The **landuse** proposal is for industrial development on proposed Lots 1 and 2. No landuse activity is proposed for proposed Lot 3 and development on this lot will be subject to the relevant ODP rules.

3.4. Proposed landuse includes buildings that are over 400m<sup>2</sup> in area up to a maximum of 5,040 m<sup>2</sup>. The proposal complies with road and side boundary setbacks, building height, and daylighting envelope standards.

3.5. Earthworks are proposed as part of the subdivision to create building platforms, vehicle access and trafficable areas on Lots 1 and 2. Approximately 42370m<sup>3</sup> cut and 55750m<sup>3</sup> fill (solid measure) is proposed within the site. Most of the cut from a designated area in the southern part of proposed Lot 3. A set of earthworks drawings has been developed and reviewed for this ALVE.

3.6. The proposal is a **non complying activity** under the ODP - triggered by Rur 5C (industrial activity within 500 metres of a Future Urban Development Overlay), and OL33F (subdivision of land in a future urban development area), being the most restrictive activity classification.

3.7. The **Graphic Supplement** of this report contains relevant ODP and PDP maps as well as site and viewpoint photographs that inform a number of the proposed mitigation measures.

#### 4. STATUTORY PROVISIONS (LANDSCAPE & VISUAL)

4.1. The Application includes a full review of the relevant policies and objectives. This ALVE is cognisant of the relevant statutory provisions in framing this assessment.

4.2. A summary of the most pertinent provisions follows.

##### [Operative New Plymouth District Plan Policies and Objectives](#)

4.3. The site is in the Rural Environment Area in the Operative District Plan (ODP) with a Future Urban Development Area (FUD) overlay. This is shown on NPDC District Plan Map B28 & C28.

4.4. In the rural environment the key objective is to ensure that subdivision, use and development of land maintains the elements of rural character. This is to be achieved through policies controlling density, scale, location and design of subdivision, activities, and the habitable buildings.

4.5. Design of subdivision and development should be sensitive to the surrounding environment, and vegetation should be retained (particularly indigenous vegetation) and new vegetation used to mitigate effects.

4.6. Elements that help distinguish the differences between areas that are urban, from those that are rural:

- Spaciousness
- Low Density
- Vegetated
- Production Oriented
- Working Environment
- Rural Based Industry
- Rural Infrastructure

##### [Operative New Plymouth District Plan \(ODP\) - Non Compliance](#)

4.7. For this proposal the relevant ODP rules pertaining to landscape and visual matters are:

###### **Subdivision of Land**

Rule	Parameter
Rur 5C	Associated with any industrial activity within 500 metres of a future urban development overlay

Rur 14	Maximum area of the site covered by non-habitable buildings for sites less than 4ha
Rur 78	Minimum allotment size.
OL 33F	Subdivision of land in a Future Urban Growth Area.

- 4.8. A detailed analysis of the relevant ODP rules is provided in Appendix D of the Application.

#### Proposed New Plymouth District Plan (PDP)

- 4.9. The site is zoned General Industrial Zone within the Dev 4 Oropuriri Structure Plan Development Area under the PDP. However, in their right-of-reply to the PDP hearing, council have recommended the proposed industrial zoning be removed and rezoned to FUZ. At the time of writing this landscape assessment, the hearing decision on this matter is not determined.
- 4.10. No Waahi Taonga/Sites of Significance to Maori or Archaeological Sites are recorded as being located on the subject site in the ODP or PDP. A small archaeological site was discovered on a hill knoll as part of earthworks under an exploratory authority from Pouhere Taonga Heritage NZ, undertaken as a recommendation of the CIA. The site is in proposed Lot 3 and will be fenced and protected for the proposed earthworks for the subdivision.
- 4.11. There are no landscape and visual aspects of the proposal that have legal effect under the PDP.

#### Statutory Acknowledgement Areas

- 4.12. The site is within the rohe of Te Ātiawa.
- 4.13. The site is not within a Statutory Acknowledgement Area.

## 5. EXISTING LANDSCAPE

### Site Context

- 5.1. As show in **Figure 5** of the **Graphic Supplement** the site is located within a discrete landscape setting between the railway line, industrial buildings, and a small enclave of residential dwellings on Egmont Road. This setting is intensified by Egmont Road which drops towards the south to the railway underpass. This combination of setting and topography characterises the site as a rural area that appears incongruous with its setting. Clearly, based on context, this is land that may transition to a built environment - as evidenced by its ODP FUD overlay and proposed Industrial zoning in the PDP, noting the council right-of-reply that this land should be rezoned FUZ. Given this, the PDP zoning carries limited weight, however, the original proposed rezoning to industrial does reflect the site's

context. The site (and its rural neighbours) was identified in 2008 under the New Plymouth Land Supply Review and the Framework for Growth 2008 for light industrial land use.

- 5.2. The ODP FUD precedes the industrial landuse proposed in the PDP and overlays the site to ensure that any new activities do not adversely affect the environmental and amenity values or reduce the ability to develop land in a comprehensive and integrated manner prior to rezoning through a plan change process.
- 5.3. In terms of legibility, the site's context is dominated by industrial activity (ODP Industrial C) with activities such as Carters building yard opposite and NP Steel Supplies building adjacent. Because of the railway line and topography this rural site is truncated with no views connecting the site with the rural land south of the railway. Rural land to the south-east is not legible beyond a distant association. There is agricultural landuse that adjoins the site on its southern boundary, but this is small in area and not legibly connected to the wider rural environment.
- 5.4. In summary, a dominance of industrial uses combined with a small residential enclave typifies the character of the surrounding area. Rural context is minimal. The surrounding area, including the site, is also anticipated to be rezoned for urban development in the future (FUD), and if the PDP zoning is adopted would become industrial. If Council's right-of-reply is adopted as a decision by the Commissioners for the PDP, the site remains anticipated to be rezoned for urban development in the future (FUZ). Therefore, in terms of rural character the site has limited ODP characteristics that typify rural land.

#### Site Description

- 5.5. The site is a more or less square shape with its western boundary being Egmont Road. The northern boundary runs along the 'back'/southern side of industrial buildings on Oropuriri Road. A line of Japanese cedar is also located along this boundary (within the Oropuriri sites) which screens views of these builds from the south. The rear of the NP Steel Supplies building has recently had the Japanese cedar removed. The eastern boundary is also defined by a row of cedar trees. The southern boundary runs along the top of hill, south of which is vegetated. This hill and vegetation 'frame' the site and screen views beyond.
- 5.6. The site's topography is undulating. In the vicinity of Lots 1 and 2 the land gently undulates and falls to the south to a shallow gully that extends from the road into the site. This low-lying area will be largely filled to create a building platform area on Lot 2. The highest point on the site is the hill at the southern end. The earthworks drawings show this hill as a 'cut borrow' area for the filling required on Lots 1 and 2. The eastern and south-eastern parts of the site will remain unchanged and retain the existing undulating topography.
- 5.7. There is no vegetation on the site other than pasture grasses.
- 5.8. Taking the site and context into consideration, key areas of avoidance or mitigation with regard to landscape character are.

- Limiting dominance effects of buildings on residential areas.
- Avoiding adverse effects on landform.

5.9. **Graphic Supplement - Figure 1: Site Context** shows the site and its context.

### Te Ao Māori

#### **Te Ātiawa iwi**

- 5.10. The site falls within the Te Ātiawa rohe and Ngāti Tawhirikura hapū hold mana whenua in this area.
- 5.11. As stated in the Application *“For the purposes of this subdivision it is considered the subject site does not contain a recorded Waahi Taonga or archaeological site and therefore Rule OL87 in the NPDP (Subdivision of land in the vicinity of Waahi Taonga/Sites of Significance to Maori and/or Archaeological Sites) is not applicable. In the same instance, as the sites explained above are 145m+ from any area subject to earthworks or buildings, Rules OL81-OL85 do not apply*
- 5.12. **Tai Whenua, Tai Tangata, Tai Ao** Environmental Management Plan provides guidance to matters of importance to Te Ātiawa under Te Take (Issue) *TTAN4: Inappropriate subdivision and development can generate effects on Te Atiawa values.*

---

#### Subdivision and Development

<b>Te Take - Issue</b>	<i>Issue TTAN4: Inappropriate subdivision and development can generate effects on Te Atiawa values.</i>
<b>Ngā Paetae – Objectives</b>	<i>The objectives and policies to address this issue within the rohe of Te Atiawa are:</i>
<b>Ob. TTAN4.1</b>	<i>The interests, values and protection of wāhi tapu/wāhi taonga, urupā and sites of significance to Māori are provided for in the process and design of subdivisions</i>
<b>Ob. TTAN4.2</b>	<i>Acknowledge and provide for Te Atiawa values and the expressions of our narrative in the built form and landscaping.</i>
<b>Ob. TTAN4.3</b>	<i>Water, stormwater and waste water solutions are co-designed with Te Atiawa to ensure Te Atiawa values associated with waterbodies impacted at the time of subdivision are protected and enhanced.</i>
<b>Ob. TTAN4.4</b>	<i>Acknowledge and provide for Te Atiawa cultural landscapes in the built design to connect and deepen our ‘sense of place’.</i>

- 5.13. As stated in *Tai Whenua, Tai Tangata, Tai Ao*, the document is a statement of values and policy it does not replace *kanohi ki te kanohi (face-to-face) dialogue between applicants and Te Atiawa for resource*

management matters. Section 4 sets out Te Atiawa's framework for engagement with Te Kotahitanga and Ngā Hapū o Te Atiawa.

- 5.14. The 22 January 2020 BTW s92 RFI response includes a Cultural Impact Assessment (CIA) prepared by Ngāti Tawhirikura hapū with the support of Te Kotahitanga o Te Atiawa Trust (Te Kotahitanga).
- 5.15. The CIA recommends four measures to ensure that “effects on Mangaone, previously un-recorded archaeological sites of a Māori origin, and hapū are avoided, remedied or mitigated by this subdivision proposal”.
1. Further archaeological information is sought to confirm the presence or absence of archaeological material and identify potential hotspots elsewhere in the application site. Once the exploratory authority is exercised, and this is known further impact assessment work to inform any consequential earthwork plans via the Kaitiaki Forum recommended below. Cultural monitors must be present during these works;
  2. Development of a construction management plan addressing stormwater and sediment runoff and ensure that the condition of consent requiring this plan includes certification from hapū;
  3. Provide greater detail regarding the stormwater management proposed for this development, and for future proposed development of Lot 3 that can aid in a) the remediation of effects on the mauri of the Mangaone; and b) will avoid any further contaminants from the proposed land use from migrating to the Mangaone via any stormwater system; and
  4. Ensuring the process continues to provide for the ongoing engagement and dialogue between the applicant, hapū and regulatory bodies through the initiation and resourcing of a kaitiaki forum with the purpose of structure planning the broader application site, and across the remainder of the area proposed to be re-zoned.
- 5.16. In the last paragraph of the CIA Summary and Conclusion it states that *no further subdivision or land development should occur until such time as the structure planning process for the overall area is complete, noting the failings of the provisions in the Proposed New Plymouth District Plan to provide for the values noted in this CIA as currently drafted.*
- 5.17. Concerning the preceding paragraph, in terms of landscape character, the proposal is contiguous with the Oropuriri / Hurlstone / Katere industrial area that contextualises the site. Therefore, buildings on proposed Lots 1 and 2 will be legible as a part of the wider area's industrial character. This is primarily due to their location in the site's north-western corner which reinforces the link with their industrial neighbours and leaves Lot 3 (the balance of the site) suitable for future structure planning. This balance lot enables a future structure plan to connect rural land south of Oropuriri Road with Egmont Road and is large enough to accommodate a wider landscape character and visual amenity planning exercise.

## 6. LANDSCAPE AND VISUAL EFFECTS

### Landscape Character and Landform

#### Character

- 6.1. The Applicant provides a number of mitigation measures as listed below from the draft conditions. The following assessment assumes these measures will be adopted.

a. At least 20% of the site shall be planted in grass, vegetation and or landscaped with permeable materials. Where practicable this area shall be incorporated into a water sensitive design solution receiving and treating stormwater and/or planted in native species as advised by Ngāti Tawhirikura to support birds, lizards and key native ecosystems found in the vicinity of this site.

b. Landscaping shall occur along the road boundary to screen all structures, carparking and yard areas from the road with landscaping and planting that will within two years of planting reach a minimum height of 2m, with the exception of vehicle crossings, be a minimum depth of 2m from the road boundary.

c. No outdoor storage areas shall be visible from an adjoining property or road

d. Any activities that exceed 5000m<sup>2</sup> gross floor area will require an Integrated Transport Assessment considering both operational and construction effects, prepared by a suitably qualified traffic specialist and submitted for approval and certification from Council prior to undertaking the activity.

e. Uses permitted on Lots 1 and 2 shall be industrial activities, defined as:

*“An activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.” Additionally, any office activity, retail activity and/or training space that is ancillary to an industrial activity must occupy no more than 15% of the gross floor area of the building or 180m<sup>2</sup> whichever is the lesser, and is located within the same building on the same site as the industrial activity.*

- 6.2. Chapter 7 (Mitigation) provides more detail on mitigation including the draft consent conditions where they pertain to landscape and visual matters.
- 6.3. The proposal will change the landscape character of the western part of site. This includes large buildings (in terms of site coverage) on Lots 1 and 2, and landform modifications. The change to industrial activity at the western corner (Lots 1 and 2) is commensurate in character with the buildings on Oropuriri Road and opposite the site on Egmont Road. Although the proposed buildings are larger than those adjacent, they are similar to the Carters building opposite.
- 6.4. Effects of buildings on the site also can be viewed in terms of permitted activity. The site at present could contain large footprint buildings up to 10m high. This is not a permitted baseline argument (as this is a non-complying activity) but rather a pragmatic comparison of what could occur.
- 6.5. The character effect of the buildings' non-compliance with regard to site coverage will create very low effects on landscape character. Given there is no footpath on the site-side of the road, effects of dominance from site coverage are avoided for casual passers-by. Perceptual character effects on the wider area are reduced by context. The site coverage non-compliance will not be materially perceived as this is a rural rule that in this location is moot by way of context.
- 6.6. With regard to the FUD overlay, the proposal will not prevent urban development other than for Lots 1 and 2 that occupy a localised part of the site, tucked up against existing industrial buildings. The PDP signalled this area as an industrial area noting that this is not yet determined. Should the site become a FUZ site, the conclusion as for FUD essentially rolls over and further urban subdivision and development is not prevented on Lot 3.
- 6.7. In summary, the site's context mitigates character effects of the subdivision and proposed buildings. This part of site will be consistent with its neighbourhood (notwithstanding the small residential enclave) and have little effect on rural character given its localised position within a discrete landscape setting.



### Landform

- 6.8. The proposal includes earthworks to create building platform areas and a full set of earthworks drawings has been prepared by BTW Company. These drawings are not attached to this assessment but have been reviewed to ascertain potential effects on landform.
- 6.9. The earthworks plans show that Lot 1 will be levelled with a small amount of cut, as well as fill at the eastern end and western end next to Lot 2. This effect on landform is assessed as creating a low level of effect. While the underlying topography is altered, this part of the site is not distinctive to a point where change ought not to occur.
- 6.10. Lot 2 will be largely filled and will be two metres lower than Lot 1. Filling includes part of the current low-lying area that extends from the road into the site. South of Lot 2, cut will occur to extend the low-lying area anticipated for stormwater control. The effect on landform in Lot 2 is assessed as creating a very low level of effect. As for Lot 1, while the underlying topography is altered, this part of the site is not distinctive to a point where change ought not to occur. The nature of the activity self-evidently requires large building platform areas.
- 6.11. There are three areas of earthworks on Lot 3 (balance Lot). East of Lot 1 is an area of fill required to enable the building platform area on Lot 1. The effect of this is very low. South of Lot 2 a low area to compensate for the area filled for Lot 2 will be excavated. The effect of this will be very low. At the southern end of the site there is a hill that is the highest point on the property which will be excavated as a borrow area for filling other parts of the site. The drawings indicate that the hill will be lowered by 6 -7metres to 34m metres asl. The effect of this will leave a cut face against the adjacent boundary that will be highly visible from the road and properties on Egmont Road. The effect of this is potentially adverse as the hill is presently distinctive and extends into the neighbouring property, thereby it will remain partly intact which magnifies the landscape change. To mitigate this, the cut face should be planted so that the face is not visible. A Planting Plan detailing recommended planting is attached as Figure 15 in the Graphic Supplement.
- 6.12. In summary, with mitigation, effects on existing landform within Lots 1 and 2 are very low but to reduce effects on Lot 3 additional mitigation is required. This is discussed further under Chapter 7 - Mitigation.

### Visual Effects

#### Private Viewing Audience

- 6.13. The viewing audience for this site is shown in **Figure 4** of the **Graphic Supplement**. This includes adjacent industrial properties, neighbouring rural land, residents opposite the site, and public views from roads. For completeness views from the Ngamotu golf course are also assessed.
- 6.14. Private properties within the potential viewing audience are:  
38 Egmont Road  
55 Egmont Road

## Ngamotu Golf Club

- 6.15. 38 Egmont Road is a resident opposite the site and is the most northern of the eight residential properties located on the western side of Egmont Road. Number 38 (see **Figure 8 and 9**) is the closest to Lots 1 and 2 and has a window that faces that direction. However, the property's orientation towards the site is not direct and there is screen planting along most of its frontage. While the proposal will be visible, it is 'up the road' and set against an existing industrial view. This will likely create a very low visual effect due to their proximity to existing industrial sites and given that large, permitted sheds could go onto this property. Views into the paddocks opposite will remain altered through landform change but not buildings. The level of effect is potentially moderate if there is a visible scar on the hillside as described in paragraph 6.11. If this cut face can be avoided or mitigated then effects on this property's visual amenity is likely to be very low (*not affected*).
- 6.16. Consideration has been given to the other residential properties on Egmont Road and an assessment of their frontages and orientation gives rise to effects being very low (*not affected*).
- 6.17. 55 Egmont Road is the rural property south of the site whose dwelling is on Egmont Road with no views towards the proposal. Views from paddock areas are some distance from Lots 1 and 2 and there is intervening vegetation along much of the boundary. The level of effect on this property is assessed as very low (*not affected*).
- 6.18. Consideration has been given to the other rurally zoned property to the east, but a cedar shelter belt (**Figure 10**) runs along the common boundary and prevents views. Therefore, effects are very low (*not affected*).
- 6.19. The Ngamotu Golf Club has elevated views towards the site as shown in **Figure 11**. This view is from the carpark area and does not reflect the main orientation of the golf club. The proposal will be unnoticeable and will not affect views of Taranaki Maunga. Effects on visual amenity are assessed as very low (*not affected*).
- 6.20. The industrial properties opposite the site and along the northern boundary (Oropuriri Road) have little or no orientation towards the site that provide visual amenity. For example, there are no outdoor 'smoko' areas or workplace cafes. Therefore, the effect on visual amenity for the surrounding industrial properties are assessed as very low (*not affected*).

### Public Viewing Audience

- 6.21. Public views of proposal are potentially available from Egmont Road and from State Highway 3 which is also an ODP Entrance Corridor. **Figures 5,6 and 7** show views from Egmont Road, and **Figures 12 and 13** from SH3.
- 6.22. From Egmont Road the new buildings will be highly visible but given their context will have little effect. The road boundary setback complies with the rural zone 30 m standard. Building dominance is reduced through compliance with building height and boundary setbacks and with the proposed mitigation measures (Chapter 7). As described earlier in this assessment, the cutting of the hill is the proposal's

greatest effect. **Figure 6** clearly shows this hill and its visual prominence from Egmont Road. However, overall, with mitigation (planting) visual effects from Egmont Road will be very low primarily due to the site's industrial context.

- 6.23. As shown in **Figures 14 and 13** views from SH3 are minimal. The proposal is 'behind' the industrial buildings on Oropuriri Road, and views of Taranaki Mounga are unaffected. Visual effects from SH3 are negligible.

#### Cumulative Effects

- 6.24. Cumulative effects are those that in conjunction with those of previous development 'tip' this environment to another character type.
- 6.25. Clearly the proposal creates landscape change for part of the site. However, this area is located adjacent to industrial activity and in this regard is limited in extent and focused. The creation of Lots 1 and 2 reduces the rural qualities of the site by a small amount with Lot 3 remaining spacious and pastoral. Therefore, there is no adverse cumulative effect. From a perceptual perspective the activity is a logical and focused expansion of the adjacent Industrial C zone.

#### Evaluation of Effects against Relevant provisions

##### Operative District Plan – Rural with a FUD Overlay

- 6.26. With regard to the FUD overlay Lots 1 and 2 are located in the north-west part of the site, which enables future roading (as shown on the ODP maps) east-west and north-south through the site. Appendix G in the Application provides an indication of how the proposed subdivision could potentially enable development outside of the site that is consistent with the FUD area. The subdivision will not reduce the ability of the site and the wider FUD area to be developed in a comprehensive and integrated manner.
- 6.27. With regard to the rural environment, the proposal maintains the overall character of the site and local area and the activities on Lots 1 and 2 are contextually appropriate.
- 6.28. Although non-compliant, the ODP assessment criteria for Rural Rule 78 are addressed through the scale and nature of the proposal which focuses development and leaves the bulk of the site as-is.
- 6.29. The dominance of buildings is in part mitigated through screen planting. Buildings dominance is lessened through context, proximity to other industrial buildings, and compliance with permitted height and boundary setbacks.
- 6.30. Earthworks for this proposal are focused into two areas and do not cover the whole site. Effects on the distinctive hill are potentially adverse but can be mitigated through planting which is recommended (see Chapter 7).

- 6.31. The proposal is consistent with the rural design guidelines (Appendix ii) in that no buildings are located on prominent landforms and the activity is contextually appropriate.
- 6.32. Pleasantness and coherence as per the definition of amenity in the RMA will be maintained through the small scale of the proposal in the context of the wider environment and the nature of activity which is located in an area indicated in both the ODP and PDP for this type of activity in the future, noting that the decisions on the proposed rezoning have not yet been made.
- 6.33. Te Ao Māori values are expressed through the Cultural Impact Assessment (CIA) prepared by Ngāti Tawhirikura hapū with the support of Te Kotahitanga o Te Atiawa Trust (Te Kotahitanga). Draft consent conditions include engagement with hapū and iwi representatives to facilitate design of the permeable surfaces on Lots 1 and 2. The conditions also require ongoing engagement with hapū and iwi authorities through the development and establishment of activities on Lots 1 and 2 as outlined by the consent holder in response to the Cultural Impact Assessment undertaken. Discovery of koiwi tangata, waahi taonga and waahi tapu is also covered.

Proposed District Plan - Future Urban Zone (FUZ)

- 6.34. While the future zoning of this land is yet to be determined, the council recommended to the Hearing in its right-of-reply stated that *"it is recommended that the planning maps are amended so that the Industrial Zoning and DEV4 Oropuriri Structure Plan Development Area be removed and rezoned to FUZ"*. Without wishing to interpret the reasons for the council recommendation or Iwi submission (which opposed the PDP proposal to rezone the site Industrial), this assessment addresses the Council Planner's request for this proposal that the landscape assessment needs to consider the FUZ Zone recommendations.
- 6.35. The Objectives and Policy for the FUZ clearly outline that FUZ land should be used for agricultural, pastoral, and horticultural activities until such time as the land is rezoned. If other landuse activities are allowed, then any future rezoning could be compromised. The issue with this proposal is to what extent is it incompatible with or compromising future urban development?
- 6.36. This assessment considers that in terms of FUZ-03, the predominant rural character is maintained by the buildings being located in the north-western corner of the site leaving the remainder of the area as paddocks, albeit with some topographical modification. In this regard, the site could become urban, with little constraint or compromise. If this proposal did not proceed and the site was rezoned FUZ, the zone would be butted up against an industrial neighbourhood – separated by nothing other than a row of trees. The proposal realigns this boundary to a small extent to accommodate the new buildings. This represents a reduction in the area available for urban development but is compatible for the reasons described above. The site is not fatally compromised by the proposal. The site and its surrounding environment will predominantly maintain its existing landscape character, albeit a 'corner is taken out 'to accommodate the industrial buildings. In this regard, the proposal is consistent with PDP FUZ Policies (in terms of landscape character) by managing the site by placing the buildings in a discrete location and avoiding an activity that is *"incompatible with the role, function and predominant character"* (my emphasis). The buildings' location and landscape mitigation will not result in adverse effects on the character and amenity of the surrounding area which includes an industrial area.

6.37. In summary, this assessment considers potential effects of the proposal can be ameliorated with landscape mitigation (Chapter 7). Although the proposal is two industrial buildings within a Rural/FUD or FUZ zone, their position and context maintain the site as predominantly rural.

Proposed District Plan - General Industrial Zone (GIZ)

6.38. If the hearing decision is to rezone the site as GIZ (as originally proposed), then the proposal is self-evidently appropriate.

## 7. MITIGATION

### Draft Consent Conditions

- 7.1. Draft consent conditions have been developed for this project in consultation between BTW, council and Te Kotahitanga o Te Atiawa. Those relevant to landscape and visual effects are:

#### Lots 1 and 2

- a. *At least 20% of the site shall be planted in grass, vegetation and or landscaped with permeable materials. Where practicable this area shall be incorporated into a water sensitive design solution receiving and treating stormwater and/or planted in native species as advised by Ngāti Tawhirikura to support birds, lizards and key native ecosystems found in the vicinity of this site.*
  - b. *Landscaping shall occur along the road boundary to screen all structures, carparking and yard areas from the road with landscaping and planting that will within two years of planting reach a minimum height of 2m, with the exception of vehicle crossings, be a minimum depth of 2m from the road boundary.*
  - c. *No outdoor storage areas shall be visible from an adjoining property or road.*
3. *Prior to construction of any building on Lot 1 or 2, a Landscape Planting Plan for the relevant Lot shall be submitted to Council's Planning Lead (or nominee) for approval. The plan shall detail:*
- 3.1. *At least 20% of the site in permeable surfaces - planted in grass, native vegetation or landscaped with permeable materials. Where practicable this area shall be incorporated into a water sensitive design solution receiving and treating stormwater and/or planted in native species as advised by Ngāti Tawhirikura to support birds, lizards and key native ecosystems found in the vicinity of this site.*
  - 3.2. *Landscaping along the road boundary to screen structures, carparking and yard areas from the road with landscaping and planting that will within two years of planting reach a minimum height of 2m, and with the exception of vehicle crossings, be a minimum depth of 2m from the road boundary.*
4. *All planting shall be maintained and any dead or diseased plants shall be replaced with a plant of a similar species and nature.*
  5. *All landscaping on-site shall be implemented in accordance with the approved Landscape Planting Plan identified in condition 4 and shall occur prior to issue of Code of Compliance for each building/development on each allotment.*

- 7.6. In addition to the draft conditions the following additional measures are recommended.

### Recommendations

#### Lot 3

- a) To maintain rural character by avoiding adverse landform effects, planting to screen the cut batter at the southern end of Lot 3 should be undertaken in accordance with a **Planting Plan – Lot 3** attached as Figure 5 to the Graphic Supplement of this assessment of landscape and visual effects.

Note: A minimum depth of 400mm of topsoil is required for all planting areas and fenced from stock.

## 8. CONCLUSION

- 8.1. With mitigation, the subdivision and landuse will not alter the area's rural character due to the proposal's industrial context.
- 8.2. Rural character is maintained through the size of the balance lot and focused placement of Lots 1 and 2.
- 8.3. With mitigation effects on the visual amenity of properties within the viewing catchment are assessed as no greater than very low.
- 8.4. With mitigation, visual effects on users of Egmont Road and SH3 are assessed as very low.
- 8.5. With mitigation, the site and wider area's landscape character values are maintained.

## 9. APPENDICES

### **Appendix i**

[Landscape & Visual Assessment Guidelines](#)

### **Appendix ii**

[Definitions & Rural Subdivision Design Guidelines](#)



## Appendix i

### Landscape Assessment Guidelines

Methodology is based the New Zealand Institute of Landscape Architects (NZILA) **Te Tangi A Te Manu** (Aotearoa NZ Landscape Assessment Guidelines), summarised as follows:

*Landscape effects are consequences for landscape values which arise from changes to a landscape's physical attributes. Change itself is not an effect. Rather, an effect is an outcome for a value. Landscapes are always changing.*

*To assess landscape effects, it is therefore necessary to first identify the landscape's values and the attributes (physical characteristics) on which such values depend.*

*Landscape effects can be adverse or positive.*

*Effects are considered against the existing landscape values, and the outcomes (or landscape values) sought in the statutory provisions.*

*It is important to assess both the nature and magnitude of effect. Magnitude only makes sense as a descriptor of the nature of effect. The magnitude is not the effect.*

*As with all matters of interpretation and appraisal, explain and justify assessments of effects with reasons.*

*Visual effects are a subset of landscape effects. They are effects on landscape values as experienced in views.*

*A typical 'proposal-driven' assessment of landscape and visual effects includes the following steps:*

- *identify the relevant landscape context and its appropriate scale(s) (i.e. extent)*
- *identify landscape values*
- *review the relevant provisions*
- *identify the issues*
- *assess the nature and degree of effects—with reasons*
- *design measures to avoid, remedy or mitigate adverse effects and to achieve positive effects (see Chapter 7)*
- *recommend conditions to ensure landscape outcomes.*

A seven-point scale (over) is used to summarise the magnitude of effects, noting that too much weight should not be placed on these ratings in isolation from substantive assessment. A rating of magnitude is merely a descriptor that helps understand the effect. The primary matter is the nature of the effect. Magnitude is not the effect.

NZILA 7-point scale	Auckland Council 3-point scale Information Requirements for the Assessment of Landscape and Visual Effects	RMA equivalents	
Very Low	Low A slight loss to the existing character, features, or landscape quality	Less than minor	
Low		Minor* Some real effect but of less than moderate magnitude and significance. It means the lesser part of the 'minor- moderate-major 'scale	
Low-mod	Moderate Partial change to the existing character or distinctive features of the landscape and a small reduction in the perceived amenity	More than minor	
Moderate			
Mod-High	High Noticeable change to the existing character or distinctive features of the landscape or reduction in the perceived amenity or the addition of new but uncharacteristic features and elements	Significant	
High			
Very High			
Effects can be positive and adverse			
<p><b>*Determination of Minor</b></p> <p>A consent can be publicly notified if is the decision maker considers that the activity will have or is likely to have adverse effects that are more than minor. Where public notification is not required, limited notification must be given to those who are affected in a minor or more than minor way (but not less than minor). In relation to this assessment less than minor can be characterised as very low and low on the 7-point scale.</p>			

## Appendix ii

### Definitions

*Key Definitions used in this report:*

#### Landscape:

Landscape embodies the relationship between people and place: It is the character of an area, how the area is experienced and perceived, and the meanings associated with it.

An area as perceived by people, including how the area is experienced, understood, interpreted, and regarded.

#### Landscape character:

Each landscape's distinctive combination of physical, associative, and perceptual attributes

#### Landscape attributes:

Tangible and intangible characteristics and qualities that contribute collectively to landscape character.

#### Landscape Value

The relative regard (quality, meaning, importance, merit, worth) with which a landscape is held.

#### Landscape Values

The reasons a landscape is valued, embodied in its valued attributes

#### Landscape Unit

A distinct part of a landscape based on aspects such as landform or land use.

#### Landscape character area

A group of contiguous landscapes sharing similar specific character. For example, the Taranaki Ring Plain

#### Landscape character type:

A category of landscapes – not necessarily contiguous – sharing similar generic characteristics. For example, 'rural character'

#### Natural features and landscapes

Features and landscapes that are characterised by natural elements (indigenous or exotic) and are relatively uncluttered by human structures such as buildings and roads.

#### Natural character

The specific combination of natural characteristics and qualities – including degree of naturalness – of places within the coastal environment, wetlands, lakes and rivers and their margins.

#### Outstanding natural features and landscapes

Natural features and natural landscapes that are of outstanding value because of their physical, perceptual and/or associative values in the context of their district or region.

## Rural Subdivision & Development Design Guidelines 2012

Developed in 2012 by NPDC as a companion to the rural review and subsequent rule changes. These guidelines cover a range of factors that owners of rural land should consider when considering subdivision. These factors include design & layout, building location, landscape and vegetation, servicing and building appearance.

Rural Design Considerations and Key Elements as outlined within the NPDC Rural Design Guide (Simplified)	
<b>Design and Layout:</b>	<ul style="list-style-type: none"> <li>• Site Survey</li> <li>• Working with the landscape</li> <li>• Allotment Placement</li> <li>• Boundary Alignment</li> <li>• Allotment Size</li> <li>• Neighbours</li> <li>• Sensitive Landscapes</li> <li>• Cultural features</li> <li>• Heritage Features</li> <li>• Natural Features</li> </ul>
<b>Building Location:</b>	<ul style="list-style-type: none"> <li>• Visual Effects</li> <li>• Open Character</li> <li>• Earthworks</li> <li>• Building Setback</li> <li>• Building Scale</li> <li>• Existing Vegetation</li> <li>• Eco-Efficiency</li> </ul>
<b>Landscaping and Vegetation:</b>	<ul style="list-style-type: none"> <li>• Biodiversity</li> <li>• Retain Existing Vegetation</li> <li>• Planting with Land contours</li> <li>• Screening and Privacy</li> <li>• Fencing and Signage</li> <li>• Landscape surrounds and boundaries</li> </ul>
<b>Servicing:</b>	<ul style="list-style-type: none"> <li>• Efficient Servicing</li> <li>• Access ways</li> <li>• Access way Design</li> <li>• Shared Entrances</li> <li>• Lo-Impact Design for rural infrastructure</li> <li>• Riparian Management</li> <li>• Efficient resource use</li> <li>• Connectivity</li> </ul>
<b>Building Appearance:</b>	<ul style="list-style-type: none"> <li>• Building Scale</li> <li>• Building consistency</li> <li>• Building colours</li> <li>• Building style</li> <li>• Sustainable building</li> </ul>



Figure 1: Site Context



Figure 2: Proposed District Plan

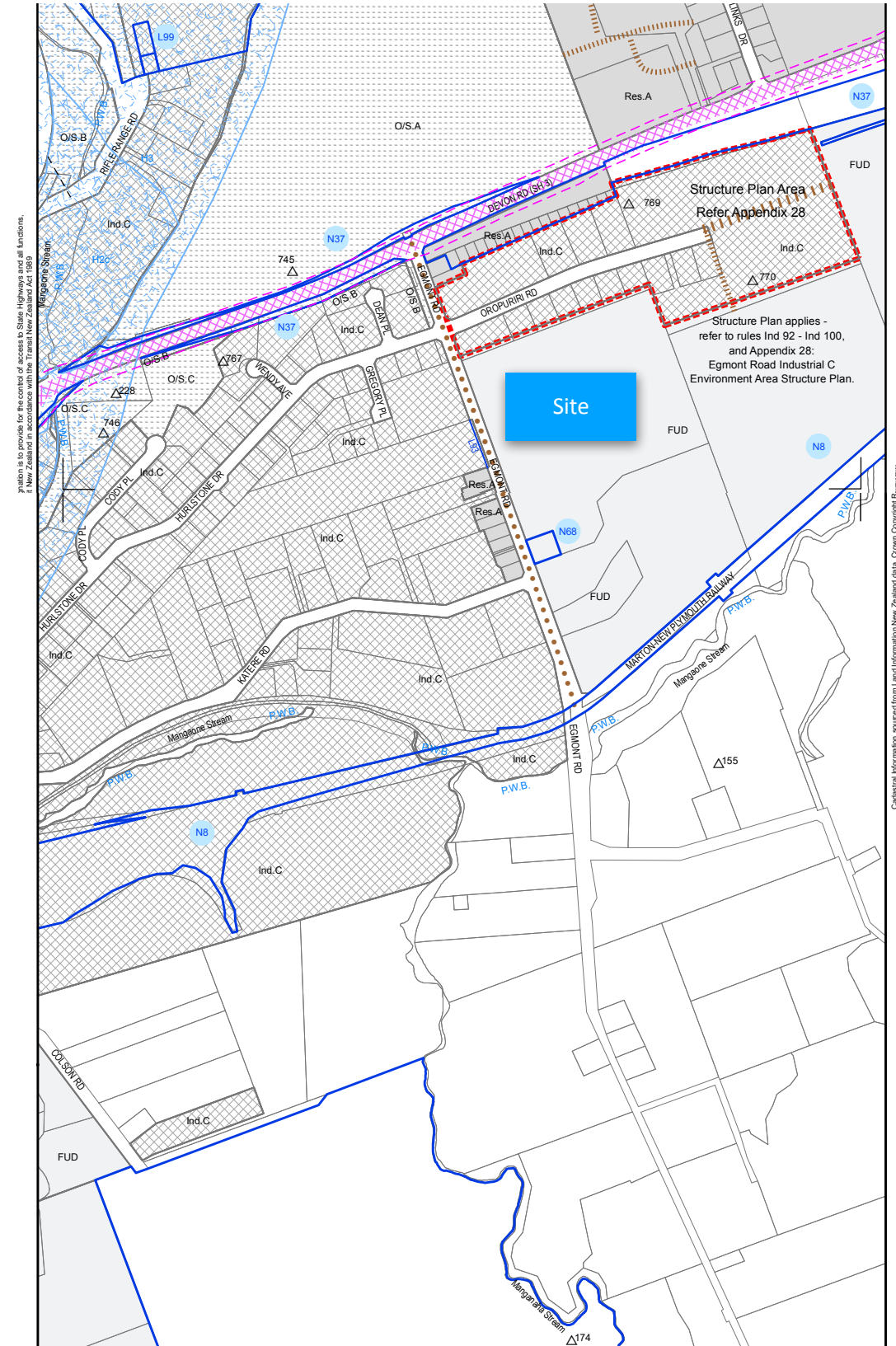


Figure 3: Operative District Plan - Maps B28|C28



ID	Address	Name
A	38 Egmont Road	Residential dwelling opposite site
B	Carters	Commercial Property opposite site
C	Ngamotu Golf Club	Golf clubs with elevated view
D	Oropuriri Structure Plan Area	Commercial neighbours
E	55 Egmont Road	Rural Neighbour
F	Devon Road SH3	Public Road
G	Egmont Road	Public Road

A Private properties within viewing audience  
H Public views

Figure 4: Viewing Audience

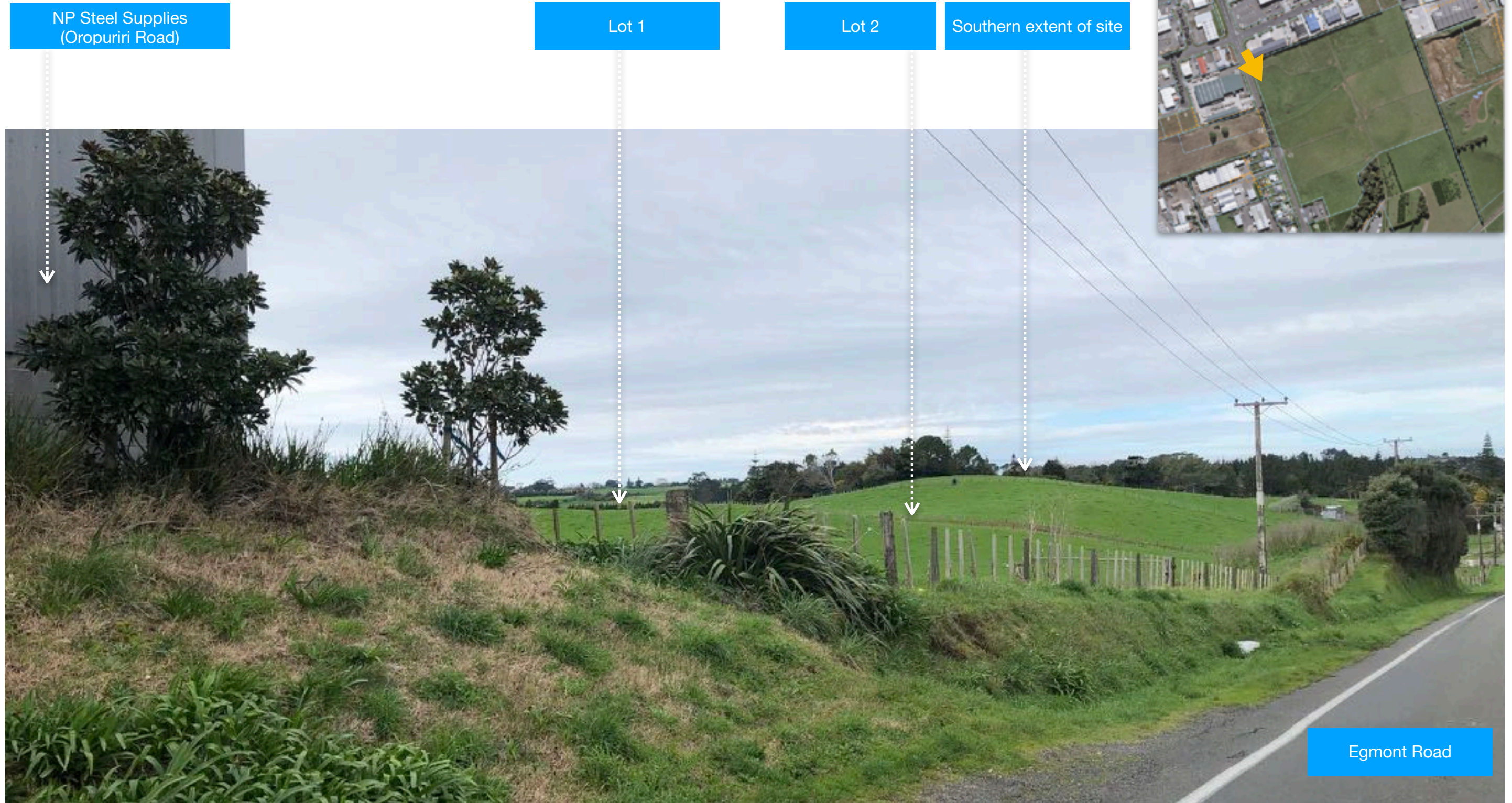


Figure 5: Northern approach to site



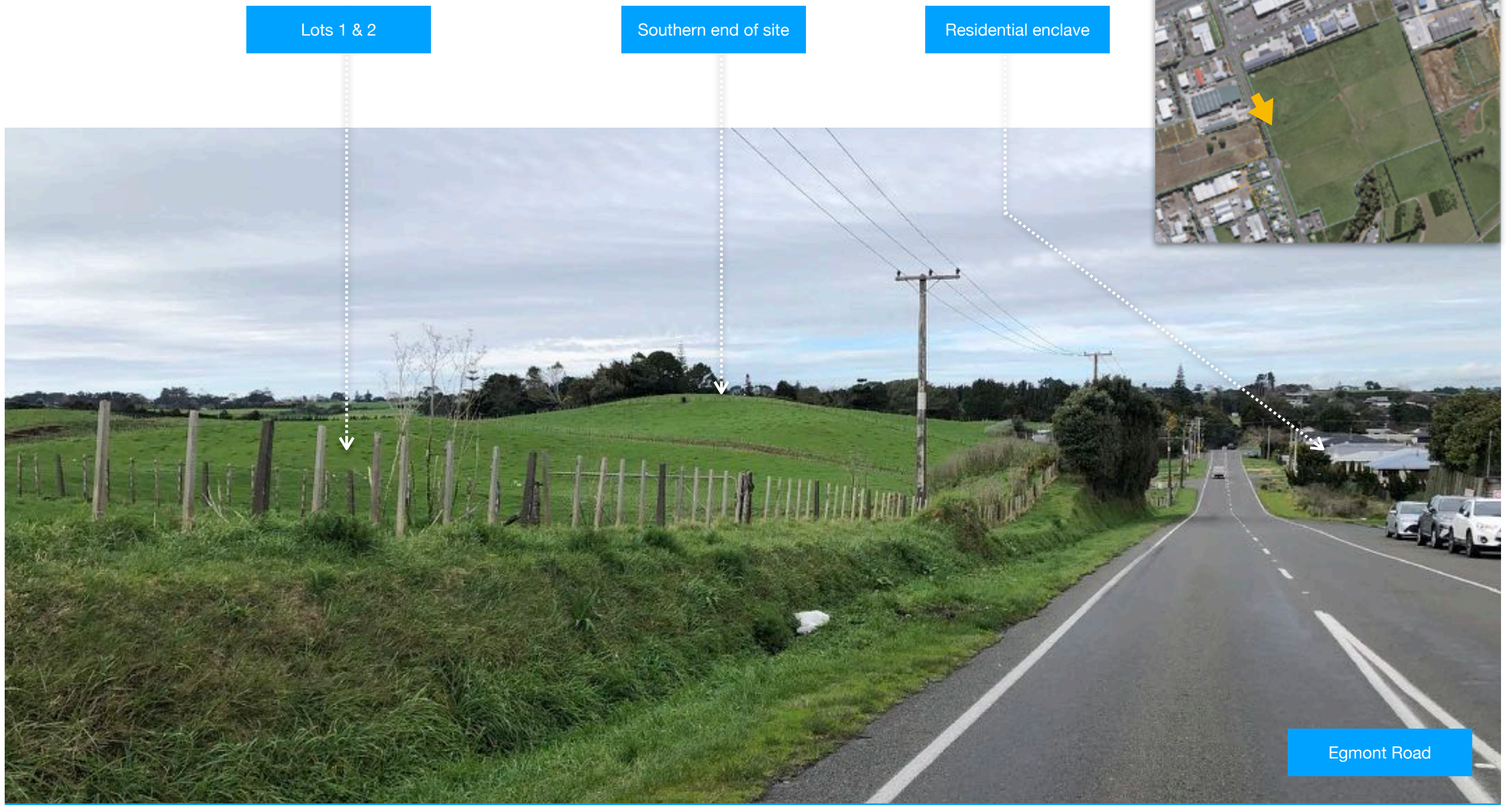


Figure 6: Northern approach to site

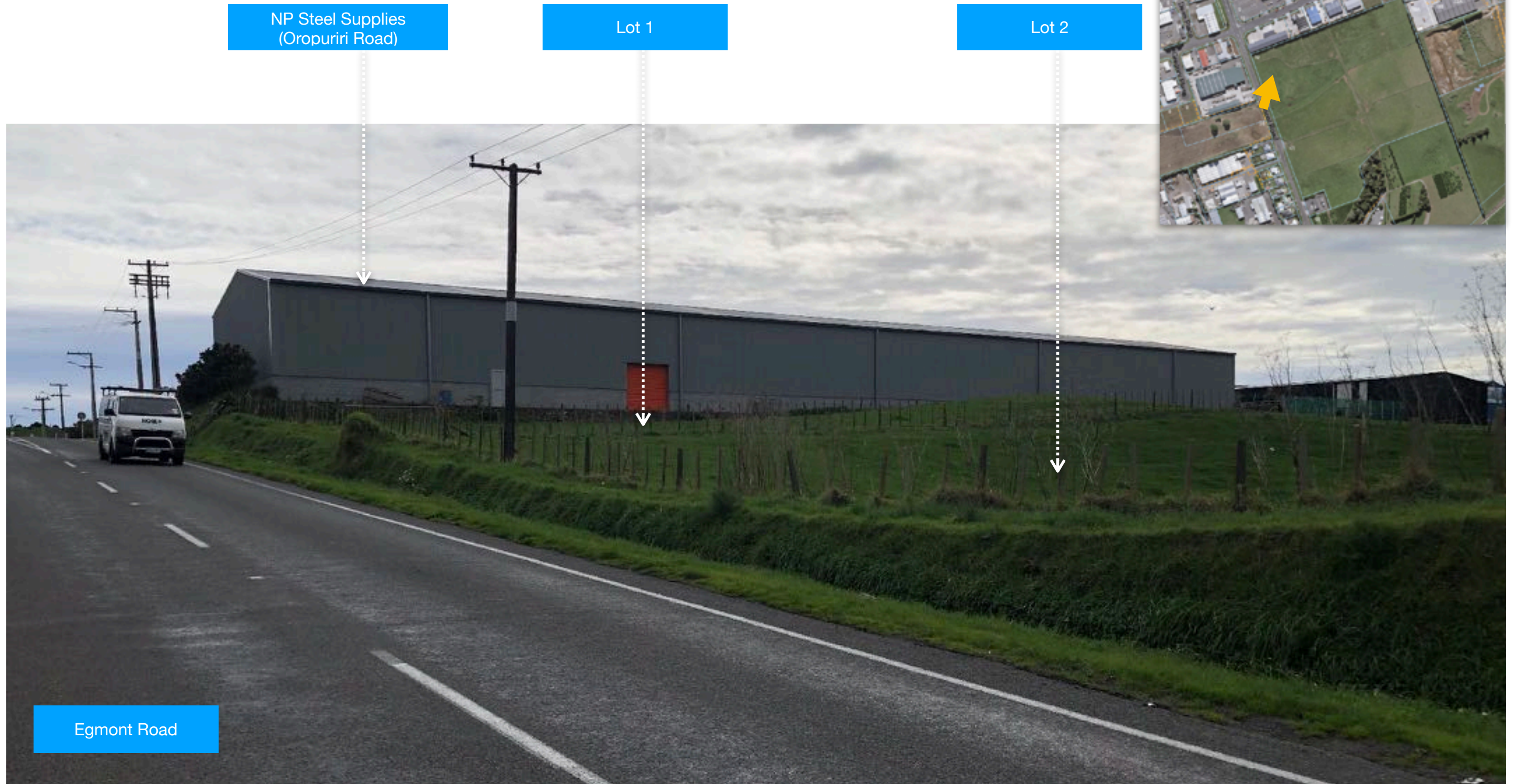


Figure 7: Southern approach to Lot 1

Graphic Supplement

Manor Properties - 19 Egmont Road, New Plymouth



Figure 8: View from outside 38 Egmont Road

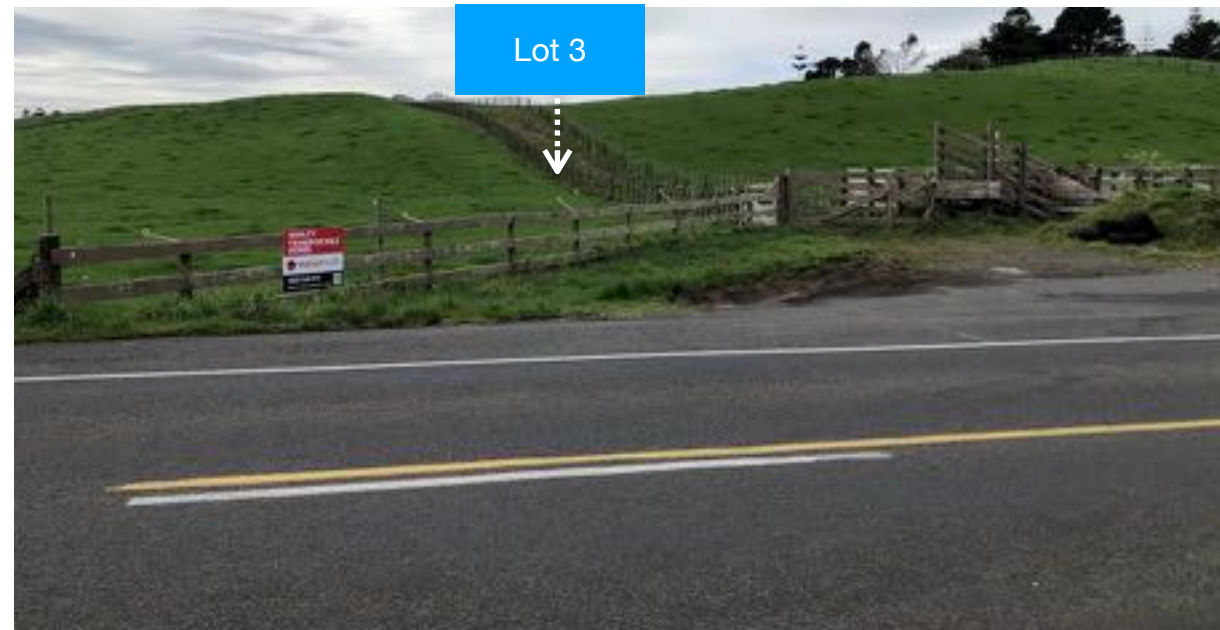


Figure 9: View from outside 38 Egmont Road

Lot 2    Lot 1    NP Steel Supplies  
(Oropuriri Road)

Eastern site boundary



Figure 10: View NW & SE from within site



Figure 11: View towards site from Ngamotu Golf Club carpark

Taranaki Mouna

Eastern extent of site

NP Steel Supplies



Figure 12: View towards site from SH3



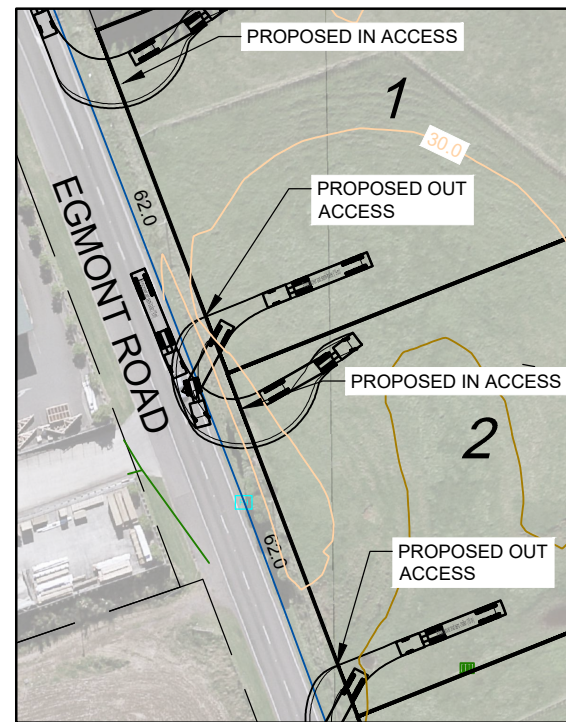
Taranaki Mouna

Eastern extent of site

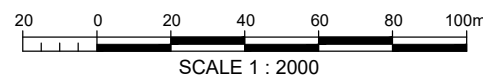
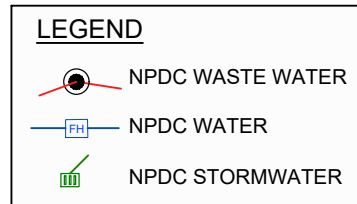


Figure 13: View towards site from SH3

**Disclaimer:** This plan is produced for the sole purpose of obtaining a subdivision consent under the Resource Management Act 1991. Dimensions and areas are approximate and are subject to final survey.  
The use of this drawing for any other purpose is at the owners risk.



**TURNING CIRCLES LOT 1 & 2**  
SEMI-TRAILER  
SCALE 1:1250



LOCAL BODY: New Plymouth District Council  
APPLICANT: Manor Property Ltd  
COMPRISED IN: CFR 401595  
SCALE: 1:2000

**Lots 1-3 being a Proposed Subdivision of Lot 2 DP 400849**

Prepared by: K. Preston  
Checked by: K. Preston  
Date: 29/11/2021  
Date: 29/11/2021  
Licensed Cadastral Surveyor  
Date: 17/11/22 Job No. 180802.02 Drawing No. 180802.02-01 REV 5

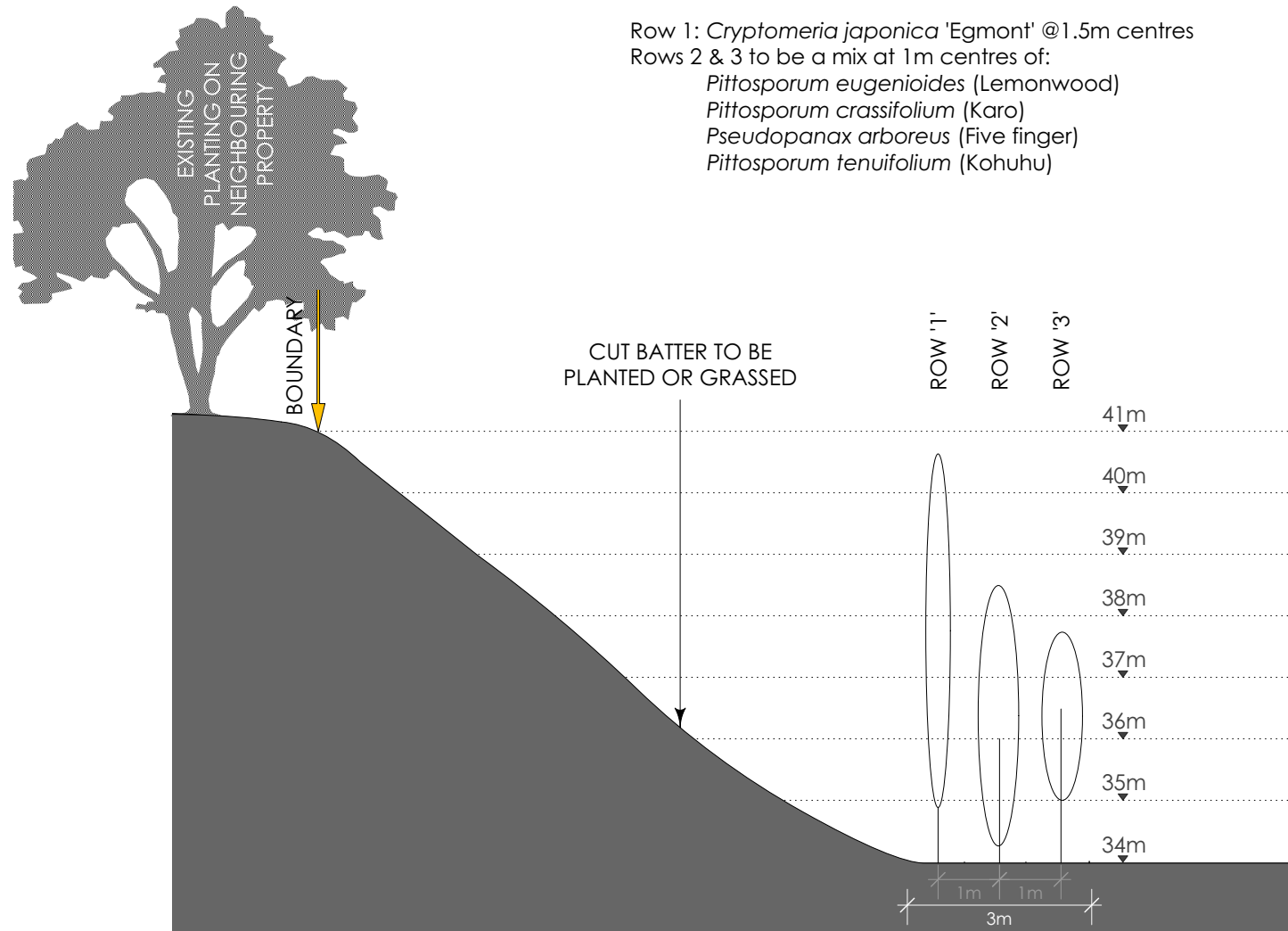
Figure 14: Subdivision Scheme Plan



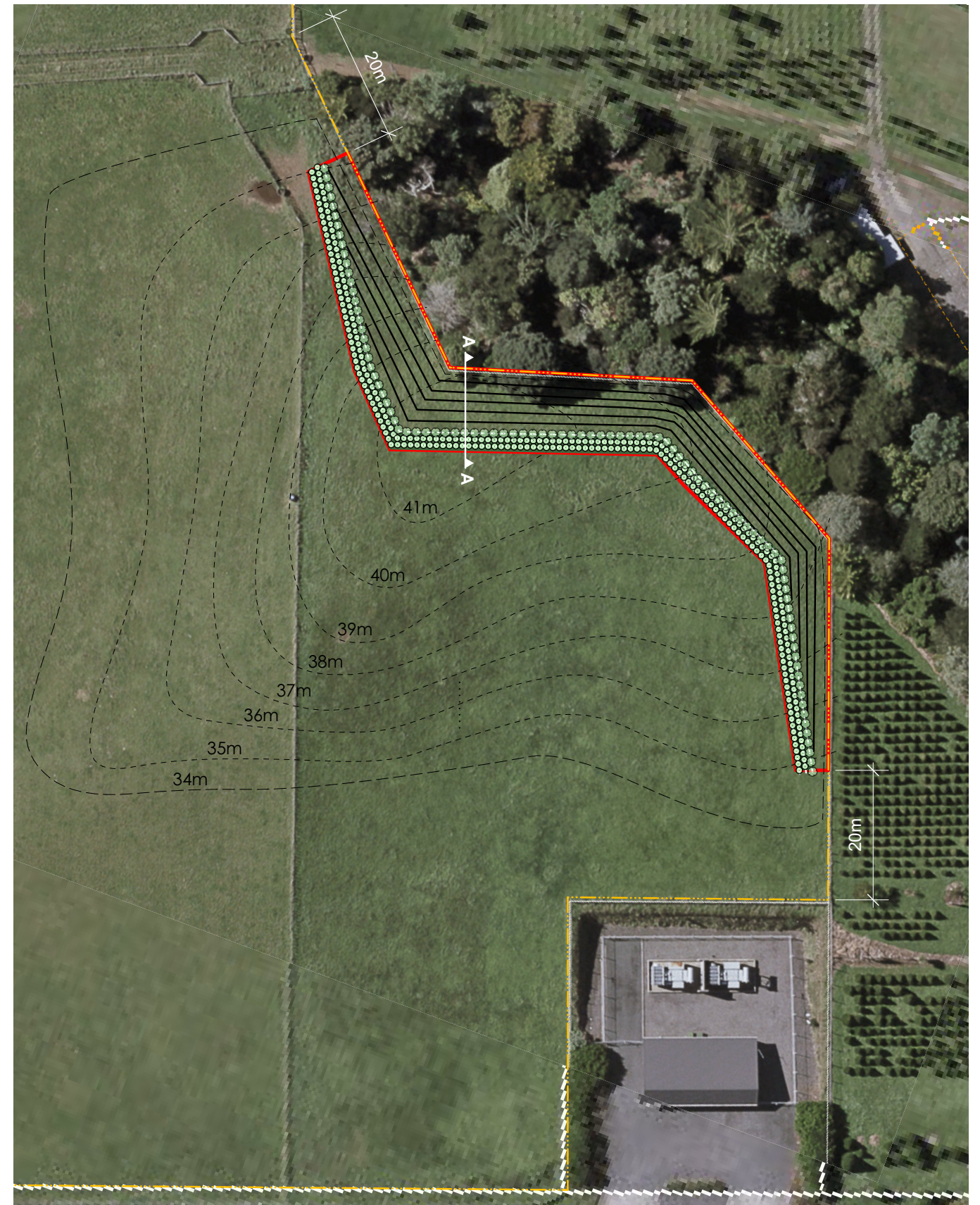
LOCATION PLAN  
1:5000

Planting to be located at the base of the cut in three lines.

- Row 1: *Cryptomeria japonica* 'Egmont' @1.5m centres
- Rows 2 & 3 to be a mix at 1m centres of:
  - Pittosporum eugenioides* (Lemonwood)
  - Pittosporum crassifolium* (Karo)
  - Pseudopanax arboreus* (Five finger)
  - Pittosporum tenuifolium* (Kohuhu)



CROSS SECTION A-A OF PROPOSED PLANTING ON PROPOSED CUT  
1:100



ENLARGEMENT  
1:750