

22nd September 2022

Todd Whittaker
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E: todd@planningworks.co.nz

Dear Todd,

Response to S92 Request for Further Information and Amendment to Application

As confirmed by Rowan Williams (NPDC) on 19th September 2022, the processing of this consent application has been reallocated to you. Noting the application was lodged in June 2019, with several years of processing history and responses to the initial S92 request since, the purpose of this document is to provide you with all relevant application material in one. This document therefore replaces all previous responses to the further information request and also serves as an amendment to the original application.

The following are provided in support of this application:

- Appendix A Original Application
- Appendix B Original and Amended S92 Requests
- Appendix C Cultural Impact Assessment
- Appendix D Draft Conditions
- Appendix E Archaeological Report (Exploratory Works) and General Authority (Proposed Works)
- Appendix F Record of Correspondence with Iwi / Hapū
- Appendix G Proposed Scheme and Earthworks Plans
- Appendix I Tracking Curves
- Appendix J Indicative Road Assessment
- Appendix K Draft / Indicative Comprehensive Development Design
- Appendix L Assessment of Landscape and Visual Effects

AMENDMENTS AND POINTS OF CLARIFICATION

For proposed Lots 1 and 2 to each have maximum site coverage (with buildings) of 5,040 m² (rule Rur14). Previously, no cap on site coverage was proposed.

The proposed adoption of mitigation planting measures as per Appendix L, and explained later in this document. Previously, no Assessment of Landscape and Visual Impacts had been undertaken by a Landscape Architect and no mitigation to the cut faces was proposed.

For clarity, there is no wetland on the application site. A delineation memo from an ecologist, with commentary from Taranaki Regional Council and findings, is available on request.

S92 RESPONSE

The original S92 request was received 8th July 2019. Richard Watkins (Principal Planner – NPDC) provided an amended request on 15th August 2022. Both are provided in Appendix B. The requests and responses to them are provided below.

Where a request / response is proposed to result in wording in a consent (e.g. as a condition or as a consent notice), reference to draft conditions of Appendix D is made. These conditions are a result of discussions and workshopping with NPDC, BTW and Te Kotahitanga O Te Atiawa and are supplied for your consideration.

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,.

Response: The CIA was provided in response to this request on 22nd January 2020.

Please find attached (Appendix C) the CIA to fulfil this request as prepared by Ngāti Tawhirikura hapu with the support of Te Kotahitanga o Te Atiawa Trust. In response to the CIA's requests / recommendations for the subject application and development (recognising that the applicant only controls the subject site and not the whole Oropuriri Structure Plan Development Area) the applicant commits to (or has undertaken) the following:

- As per draft conditions 2a and 4.1 of LUC19/47535 in Appendix D, (with others for context) as follows:
 - 2a. *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.*
 4. *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:*
 - 4.1 *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.*
 - 4.2 *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.*
- 5. *All planting shall be maintained and any dead or diseased plants shall be replaced with a plant of a similar species and nature.*

6. 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.

- As per draft condition 25 of SUB19/47312 in Appendix D:

A Earthworks Management Plan shall be provided to and certified by NPDC Planning Lead (or nominee) prior to undertaking any earthworks on site. This plan shall include erosion, sediment and stormwater controls on site, and detail on phasing / timing in order to maintain the current onsite flood storage volume of the overall site at all times during the earthworks. This plan shall be provided to mana whenua for review and comment prior to being certified by NPDC. Earthworks shall then be undertaken in accordance with the certified Earthworks Management Plan.

To clarify, while 'Construction Management Plan' was the term used in the CIA, what it required was management of earthworks. Therefore, an Earthworks Management Plan is proposed, rather than a plan that relates to construction of buildings.

The applicant has consent from Taranaki Regional Council for the discharge of stormwater containing sediment from the proposed earthworks, incorporating an Erosion and Sediment Control Plan.

- To support the opportunity for hapu to provide a name for the development and thereafter be involved in road naming on the site in the future noting that road naming is a function of NPDC;
- Engaging hapu representatives to work alongside professionals involved in the design of the permeable areas for the industrial developments on proposed Lots 1 and 2 (refer to the conditions 2a and 4.1 above);
- Where practicable, to adopt low impact urban design methods of stormwater treatment and disposal, including from vehicle-accessible areas. Refer to the conditions 2a and 4.1 above.
- The applicant gained the appropriate Archaeological Authority (Exploratory) from Pouhere Taonga Heritage New Zealand (Pouhere Taonga) and undertook authorised earthworks with monitors from hapū present. The archaeological report from the investigation is attached in Appendix E and concludes that 1) a small pit with three burnt stones was discovered, 2) the current proposal to subdivide Lot 2 DP 400849 as proposed will have no effect on this (archaeological) site, and 3) an application should be made for a general authority to modify, damage or destroy an archaeological site, should any future development of the property require earthworks within 50m of P19/417.

As the proposed earthworks are within 50 m of the archaeological site, the application for the recommended authority was made early this year and included fencing off and avoiding destruction of the pit. The General Authority was granted 18 May 2022 and is attached in Appendix E and contains conditions to be complied with. Hapū were contacted several times over a year to seek feedback on the application for the General Authority and no feedback was received.

- A discovery protocol including consultation with tangata whenua is included in the advice notes at the end of the draft conditions. If Council consider it necessary, this could be a condition of the subdivision consent.
- Draft condition 24 of SUB19/47312 is proposed as follows (refer to Appendix D:

24. Not less than 7 working days prior to earthworks commencing, Ngāti Tawhirikura shall be provided the opportunity to provide a hapū monitor (at the consent holder's expense) to observe all topsoil-stripping earthworks.

- All of the above responses to the CIA's requests and recommendations above have been provided to iwi and hapū generally at the time they were provided to Council (such as in a former S92 response dated January 2020).
- A copy of draft conditions (similar to those attached in Appendix D) was provided to Te Atiawa in October 2020 with a request for feedback. The proposal at the time had been amended to provide for a stormwater pond to be vested with NPDC on a fourth lot, south of proposed Lot 2. No feedback was received on these conditions, noting that although the proposal had a component which is no longer relevant (fourth lot with stormwater pond) and was subsequently amended in late 2021, the conditions relevant to the current proposal were generally present in the set provided to iwi / hapū.
- As mentioned, the proposal was amended in October / November 2021, back to essentially the original proposal (lodged June 2019), with more detailed earthworks plans. The current proposed scheme plan and earthworks plans are provided in Appendix G.
- As the proposed subdivision and land use activities are essentially the same as those proposed in the original application upon which the CIA was conducted, it is considered that the CIA, its requests and recommendations, and the responses to them in this letter remain relevant and appropriate for this application.
- A copy of draft conditions (not materially different to those of Appendix D) were provided to iwi / hapū on 17th February 2022 with a request for feedback. The conditions were subsequently discussed and amended in a meeting including NPDC and Sarah Mako from Te Atiawa on 17th June 2022.
- A record of correspondence with iwi / hapū since the hui above is provided in Appendix F.

With regard to NPDC's request to "*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's attempts to seek an updated comment from iwi / hapū are explained above.
- The CIA and the according responses in this document are considered to remain entirely relevant as both are with regard to the subject proposal;
- The time that has passed since lodgement has been no fault of the applicant. The application was lodged prior to the notification of the Proposed District Plan. Subsequent amendments (e.g. to provide a stormwater pond in a lot to vest with NPDC) were at the request of NPDC and have been of considerable expense to the applicant. Due to the delays associated with that pond, the application has been revised back to essentially the original proposal in order to simplify it and have consent decided in a timely manner; and
- There are no material amendments to the application that require amendment to the CIA, and all amended material has been supplied to iwi / hapū as amendments but no feedback has been forthcoming.

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)

Response: The applicant responded to this request on 27th November 2019 and proposed that 100% discharge on-site is unreasonable and that stormwater management plans as conditions of consent would be appropriate. The draft conditions of consent are reflect the response provided.

Through further communications with NPDC, potentially suitable options for stormwater (alternative to the above two methods specified) were discussed. As a result, BTW Company supplied a Stormwater Assessment memo to NPDC (refer to Appendix H) to confirm feasibility for stormwater treatment and disposal options.

Please refer to draft conditions 28 to 35 in Appendix D. Substantial work between BTW and NPDC (including Mark James) was undertaken in the first half of 2022 to create these conditions (and a consent notice) to reflect the outcomes of the Memo of Appendix H. One condition (labelled 34 and 35) is understood to remain outstanding, requiring further input from Mr James. Copies of correspondence with Mr James / NPDC and the minutes from a meeting held to workshop these conditions can be provided on request.

As a separate but coinciding project, the applicant, NPDC and BTW have been working on a centralised stormwater pond which may be constructed in the future on proposed Lot 3, roughly in the location of the flood attenuation area. The intention is for the pond to be Council-owned and operated and to better manage stormwater in the wider area and development on the application site. That project is outside the scope of this application, however the conditions and consent notices are worded such that should a connection to the central pond be available when development on proposed Lots 1 and 2 is undertaken, it can be utilised.

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 achieved both for turning left and right out of each access. **Completed**

Response: Refer to Appendix I which was provided on 27th November 2019.

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? **Completed**

Response: Refer to Appendix J which was provided on 27th November 2019.

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? **I understand that this is still outstanding.**

Response: This information was provided in a S92 response on 27th November 2019.

Refer to Appendix K for a Draft / Indicative Comprehensive Development Design for demonstrative purposes only. While it has no legal effect on this application, a future strategic indicative roading pattern is identified on the site and those sites to the east (Figure 1) in the Proposed District Plan (PDP).

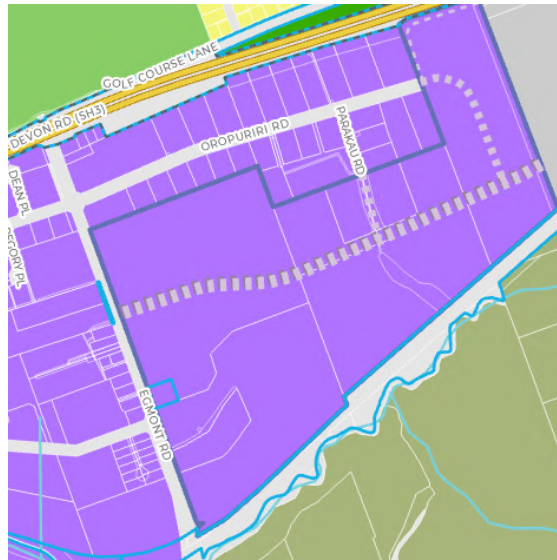


Figure 1: Extract from PDP map

The proposal takes into account this indicative road by retaining proposed Lot 3 as a balance lot in which the whole indicative road on the current site is retained. Proposed Lots 1 and 2 are separated from the indicative road by some 45m+, providing space within proposed Lot 3 for the indicative road to move if required as a result of the Plan Change process.

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:

Please provide an assessment of the effects of the proposal on rural character and amenity stemming from the proposed landuse activities on proposed Lots 1 & 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.

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 & Rur18).

Response:

A response to point 6 above was provided on 27th November 2019.

Planning Assessment

The notified version of the PDP, for which no decisions have been released, proposes to rezone the site and a portion of the subject existing FUD area as a General Industrial Zone. While it is acknowledged that the proposed zoning has no legal effect yet, this demonstrated an intention by Council to rezone this site for industrial development, rather than it remaining Rural.

While it is considered to have little weight, it is understood that the Hearing 18 Council Right of Reply¹ for the Oropuriri Structure Plan Development Plan Area recommends the area and this site be in the Special Purpose Future Urban Zone. This is effectively a rollover of the current Rural Environment Area with a FUD overlay. It is considered that, should this be adopted by the Commissioners as their decision, this zoning remains indicative that the area is earmarked for future urban development in the next decade or so, rather than remaining rural.

In the event that rezoning does not occur, and the site remains in a Rural Zone, typical open-space productive rural character and amenity will not generally be maintained on proposed Lots 1 and 2 as they will be developed for industrial purposes within the provisions of the proposed consent notices and land use consent. With regard to the effects of this development in a Rural Zone, similar / the same conclusions as per the original application are drawn, as follows:

The majority of actual and potential adverse effects from daylight, building height, floor area, and side boundary setback breaches are internal to the proposed Lots and as such are inherently accepted by the applicant as the owner of all three. As the owner of the only Rural Zone site (proposed Lot 3) adjacent to proposed Lots 1 and 2, the applicant also accepts any adverse rural character or amenity effects as a result of the proposed industrial development on proposed Lots 1 and 2. This development is some 130m+ metres from any other Rural zoned site in separate ownership, which is considered to provide a sufficient spatial buffer that maintains rural character and amenity for those sites and the Rural zoned area in general.

With a permitted height of 10m for non-habitable buildings in the Rural Environment Area, an additional 2m is not considered to result in unreasonably taller buildings that would dominate the rural landscape with adverse character or visual amenity effects.

The proposed condition to prevent habitable buildings on proposed Lots 1 and 2 effectively mitigates the potential for reverse sensitivity issues that could otherwise arise from rural productive activities taking place in close proximity (i.e. on proposed Lot 3) to sensitive residential activities.

An additional two industrial sites (proposed Lots 1 and 2) with frontage totalling less than 130m in length along Egmont Road, are considered to be a small and rational continuation of the already strongly mixed commercial and industrial character of the Oropuriri Road / Hurlstone Drive area. In the current location within the context of the industrial area and the transition into rural sites, proposed Lots 1 and 2 are considered to have less than minor adverse effects, as opposed to an alternative position central to the site for example. The latter position would understandably fragment the perception of this site which is currently in pasture and have a potentially greater scale and intensity of adverse effects.

The ALVE provided in Appendix L further assesses the proposal in terms of rural character and amenity. In Section 5 of the ALVE it is explained that:

- The site as a rural area is not well matched with its setting;
- The site's context is dominated by the industrial setting and the topography and railway cut off typically rural views into and out of the site, so it is not well connected with other rural sites; and
- That the rural context and character of the site are minimal.

Further, in Section 6 of the report it is assessed that:

¹ <https://proposeddistrictplan.npdc.govt.nz/media/x1wnilug/hearing-18-right-of-reply-appendix-4-recommended-amendments-to-dev4-oropuriri-structure-plan-development-area.pdf>

“6.5 The site coverage noncompliance will not be materially perceived as this is a rural rule that in this location is moot by way of context”

“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.”

And

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”.

Considering the above, the site, area and portion of the Rural Environment Area in which they are located are not considered to portray a strongly rural character and are not particularly sensitive to change via the addition of further industrial developments / uses on the edge of the site. The proposal therefore would not cause have an inappropriate change in the scale or intensity of rural character and amenity for the area.

Landscape and Visual Impact Assessment

Please refer to Appendix L for an Assessment of Landscape and Visual Effects (ALVE) prepared by Richard Bain of BlueMarble Landscape Architects. The ALVE concludes the following which aligns with the above assessment:

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.

The proposal is to adopt the proposed mitigation planting of the ALVE within proposed Lot 3. The planting can be completed in the next planting season following the completion of the earthworks for the subdivision as a condition of consent or, should timing not align, via an ongoing consent notice. The draft conditions have been updated to reflect this.

As confirmed by Rowan Williams, a review of the ALVE by the processing planner will be sufficient and no peer-review will be required.

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 landuse 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?

Response: A response was provided to this request on 27th November 2019.

The types of activities proposed to occur on proposed Lots 1 and 2 are within the definition of Industrial Activity in the Proposed District Plan which has been advised by Section 2 of the RMA:

“means 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.”

The applicant volunteers that activities on proposed Lots 1 and 2 be limited to those within the above definition and also, that:

“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 180m² whichever is the lesser, and is located within the same building on the same site as the industrial activity”.

Refer to condition 2g of the draft conditions in Appendix D which covers the above two matters.

The intended character of proposed Lots 1 and 2 is that of the Industrial C Environment Area from the Industrial Environment Area chapter of the Operative NPDP:

The INDUSTRIAL C ENVIRONMENT AREAS include a wide range of industrial uses. They are located in the relative vicinity of RESIDENTIAL ENVIRONMENT AREAS and/or sensitive water bodies, or serve as a buffer to separate other ENVIRONMENT AREAS from INDUSTRIAL ENVIRONMENT AREAS. These areas tend to have larger lots that contain large warehouses and/or large areas of OUTDOOR STORAGE. These SITES usually provide for car parking on-SITE and the BUILDINGS are usually set back from the ROAD BOUNDARY.

The original application (Section 4.1) volunteered a consent notice on proposed Lots 1 and 2 preventing habitable buildings. This is in recognition of the nearby industrial uses and the likely future industrial zoning of the site. Should Council consider it necessary, the consent notice could still be implemented.

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.

Response:

This assessment was not provided with the initial application as the PDP was not notified until three months after this application was lodged. Further, the Future Urban Zone objectives and policies are not relevant to this application site, which is proposed to be in the General Industrial Zone with a Structure Plan overlay. Accordingly, they are not assessed.

The relevant provisions of the PDP are assessed below.

Strategic Direction

HC - Historic and Cultural
HC-1 - The district's heritage and cultural values contribute to the district's sense of place and identity, and are recognised and protected.
HC-2 - The cultural, spiritual and/or historical values associated with historic heritage and sites and areas of significance to Māori are protected.
HC-3 - Tangata whenua's relationships, interests and associations with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance are recognised and provided for.

Assessment: The proposal and its mitigation measures have been advised by a CIA and exploratory archaeological works. It responds to the requests and recommendations of the CIA including through further hapū involvement with landscaping design, and does not involve destroying the archaeological pit. The proposal is not contrary to the above objectives.

NE - Natural Environment
NE-6 - An integrated management approach is taken where land use activities impact on waterbodies and the coastal environment, in collaboration with government, councils and tangata whenua.
NE-7 - Tangata whenua are able to exercise their customary responsibilities as mana whenua and kaitiaki in the protection and management of the natural environment.

Assessment: The proposal has no direct impact on waterbodies however, recognising Mangaone Stream is downstream of this site, the proposal includes appropriate treatment and disposal of stormwater, aligned with the feedback of tangata whenua via the CIA. The proposal is not contrary to the above objectives.

TW - Tangata Whenua
TW-8 - Tangata whenua actively participate in resource management processes.
TW-9 - Recognise that only tangata whenua can identify impacts on their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.
TW-11 - Provide for the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance to Māori.
TW-12 - Recognise the contribution that tangata whenua and their relationship with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes, and other taonga of significance make to the district's identity and sense of belonging.

Assessment: The proposal and its mitigation measures have been advised by a CIA (authored by hapū) and exploratory archaeological works (monitored by hapū). It responds to the requests and recommendations of the CIA including through further hapū involvement with landscaping design, and does not involve destroying the archaeological pit. The proposal is not contrary to the above objectives.

UFD - Urban Form and Development
UFD-13 - The district develops in a cohesive, compact and structured way that: <ol style="list-style-type: none"> 1. maintains a compact urban form that provides for connected, liveable communities; 2. manages impacts on the natural and cultural environment; 3. recognises the relationship of tangata whenua with their culture, traditions, ancestral lands, waterbodies, sites, areas and landscapes and other taonga of significance; 4. enables greater productivity and economic growth; 5. enables greater social and cultural vitality; 6. takes into account the short, medium and long-term potential impacts of climate change and the associated uncertainty; 7. utilises existing infrastructure and/or can be efficiently serviced with new infrastructure; and 8. meets the community's short, medium and long-term housing and industrial needs.
UFD-19 - Urban environments are livable, connected, accessible, safe and well-designed spaces for the community to live, work and play, which: <ol style="list-style-type: none"> 1. integrate and enhance natural features and topography into the design of development to minimise environmental impacts; 2. recognise the local context and character of an area; 3. reduce opportunities for crime and perceptions of crime through design solutions; 4. create ease of movement in communities through connected transport networks, a range of transport modes and reduced reliance on private motorised vehicles; 5. incorporate matauranga Māori principles by involving tangata whenua in the design, construction and development of the built environment; 6. use low impact design solutions and/or healthy, accessible, energy efficient buildings; and 7. are adequately serviced by utilising and/or upgrading existing infrastructure or with new infrastructure.

UFD - Urban Form and Development

UFD-22 - There is sufficient land for industrial activities in the short, medium and long term in appropriate locations, including:

1. along key transport routes to ensure efficient transportation of products and minimisation of heavy vehicles and high traffic volumes on local roads; and/or
2. areas that are separated from sensitive activities through distance and/or topography to ensure risk and/or conflict between incompatible activities is minimised.

Assessment: The proposal is for two industrial lots and developments on the edge of an industrial suburb. It includes measures to mitigate impacts on the natural and cultural environment, as advised by tangata whenua. It will provide for development of two additional sites to support commercial (industrial) uses, enabling productivity and growth in the New Plymouth business community. The sites can utilise existing Council infrastructure such as roads and wastewater services and/or supply their own (e.g. stormwater management). The lots step down the existing topography of the site where possible and will maintain a low point for stormwater backflow. As explained, the proposal is consistent with the character of the area. The site is on an Arterial Road which is suitable for strategic conveyance of traffic to the State Highway to the north, and crossings will be constructed accordingly. Low impact stormwater treatment and disposal design, and use of local native plants, are proposed in accordance with the recommendations of tangata whenua. The sites will be serviced appropriately. The proposed industrial sites are on the edge of a cluster of other industrial sites, with spatial separation from sensitive activities but in any case in an area with existing industrial effects such as traffic and noise. The proposal is not contrary to the above objectives and policies.

HH - Historic Heritage

HH-01 - Historic heritage is recognised, protected and maintained.

HH-02 - Historic heritage is appreciated by the community and is acknowledged as important to the district's identity.

HH-P13 - Protect and maintain archaeological sites from inappropriate activities by:

1. ensuring scheduled archaeological sites are not disturbed, destroyed, removed and/or visually encroached upon; and
2. requiring activities on or adjacent to archaeological sites to avoid adverse effects on the sites' historic heritage values.

HH-P14 - Allow the following activities on or adjacent to an archaeological site provided they do not compromise the site's historic heritage values:

1. land disturbance;
2. demolition or removal of existing buildings and structures;
3. alterations to existing buildings and structures;
4. maintenance and repair or upgrading of existing network utility structures; and
5. erection of signs.

HH-P16 - Ensure that activities on, adjacent to or affecting archaeological sites or on land where there is reasonable cause to suspect an archaeological site may exist avoid adverse effects on the site, or where avoidance is not possible, appropriately remedy or mitigate adverse effects, having regard to:

1. the particular cultural and/or historic heritage values present and their setting;
2. the reduction or loss of historic heritage values, including the ability to interpret the place and its relationship with other heritage features/items and/or archaeological sites;
3. the site's sensitivity to change or capacity to accommodate change without compromising the historic heritage values of the archaeological site and surrounds;
4. any opportunities to enhance historic heritage;
5. any assessments or advice from a suitably qualified and experienced heritage expert and/or archaeological expert;
6. the outcomes of consultation with Heritage New Zealand Pouhere Taonga; and
7. where the site is also a site or area of significance to Māori, the relevant objectives and policies in the Sites and Areas of Significance to Māori Chapter.

Assessment: The proposal does not include destruction of the known archaeological pit, which will be fenced off from surrounding earthworks. Those earthworks will be conducted under a General Archaeological Authority, with a discovery protocol, and opportunity for cultural monitoring for topsoil-stripping. The proposal is not contrary to the objectives and policies above.

SUB - Subdivision
SUB-01 - Subdivision results in the efficient use of land and achieves patterns of development which deliver good quality community environments that are compatible with the role, function and predominant character of each zone.
<p>SUB-02 - Subdivision is designed to avoid, remedy or mitigate adverse effects on the environment and occurs in a sequenced and coherent manner that:</p> <ol style="list-style-type: none"> 1. responds positively to the site's physical characteristics and context; 2. is accessible, connected and integrated with the surrounding neighbourhoods; 3. contributes to the local character and sense of place; 4. recognises the value of natural systems in sustainable stormwater management and water sensitive design; and 5. protects or enhances natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua, and/or identified features; and 6. provides accessible and well-designed open space areas for various forms of recreation, including sport and active recreation, for the health and wellbeing of communities.
SUB-03 - Infrastructure is planned to service proposed subdivision and development and to connect with the wider infrastructure network in an integrated, efficient, coordinated and future-proofed manner and is provided at the time of subdivision.
<p>SUB-P1 - Allow subdivision that results in the efficient use of land, provides for the needs of the community and supports the policies of the District Plan for the applicable zones, where subdivision design:</p> <ol style="list-style-type: none"> 1. reflects patterns of development that are compatible with, and reinforce the role, function and predominant character of the zone; 2. maintains the integrity of the zone with lot sizes sufficient to accommodate intended land uses; 3. in the City Centre, Town Centre and Local Centre zones, minimises proliferation of vehicle crossings that could restrict the ability of pedestrians to move safely and efficiently along the street and within public places and/or reduces the presence of retail activity at the ground floor; 4. in the Mixed Use and General Industrial zones, incorporates sufficient setbacks at residential zone interfaces (where subdivision adjoins such a zone) to provide sufficient space for planting and/or landscaping; 5. in the Large Format Retail Zone, avoids the fragmentation of land and/or creation of small allotments that would limit or constrain the ability to use land for large format retail activities; and 6. in the General Industrial, Large Format Retail, Residential and Rural zones, incorporates sufficient space for on-site stormwater disposal including the use of water sensitive and low-impact design solutions.
SUB-P2 - Manage subdivision of land containing significant natural features and landforms, waterbodies, indigenous vegetation, historic heritage, sites of significance to tangata whenua and/or other identified features to ensure their protection or enhancement.
<p>SUB-P4 - Require infrastructure to be provided in an integrated and comprehensive manner by:</p> <ol style="list-style-type: none"> 1. demonstrating that the subdivision will be appropriately serviced and integrated with existing and planned infrastructure; and 2. ensuring that the appropriate infrastructure for the subsequent use of the land is in place at the time of subdivision or development; and 3. requiring connections to Council's reticulated systems in urban areas; or 4. requiring appropriate on-site infrastructure to be provided at the time of subdivision.

SUB - Subdivision

SUB-P5 - Require efficient and sustainable stormwater control and disposal systems to be designed and installed at the time of subdivision that:

1. incorporates water sensitive and low impact design principles, that are sufficient for the amount and rate of anticipated runoff, in accordance with Council's Land Development and Subdivision Infrastructure Standard Local Amendments Version 3.
2. mitigates the effects of development on-site using stormwater management areas to avoid inundation within the subdivision or on adjoining land, especially if sufficient infrastructure capacity is not available;
3. where feasible, utilises stormwater management areas for multiple uses, while ensuring they have a high quality interface with residential activities or commercial activities;
4. avoids and increase in sediment and/or contaminants entering waterbodies or downstream effects as a result of stormwater disposal; and
5. considers the outcomes of any consultation with tangata whenua where it is proposed to dispose of stormwater to a waterbody that has cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, including with respect to mitigation measures and opportunities to incorporate mātauranga Māori principles into the disposal method.

SUB-P8 - Require greenfield subdivision design and layout to respond positively to and be integrated with the surrounding context, including by:

1. achieving consistency with the Subdivision Design Guide, and where relevant, the Residential Design Guide;
2. maximising accessibility and connectivity with surrounding neighbourhoods through walkways, cycleways and an interconnected transport network;
3. incorporating physical site characteristics, constraints and opportunities into subdivision design;
4. minimising earthworks and land disturbance by designing building platforms that integrate into the natural landform;
5. aligning streets and designing open spaces to focus on significant views or landmarks;
6. creating allotment sizes and shapes that support a range of housing types and sizes;
7. considering whether a subdivision has the potential to compromise cultural, spiritual and/or historic values and interests or associations of importance to tangata whenua, and if so, also considering the outcomes of any consultation with tangata whenua, including with respect to:
 - a. the incorporation of mātauranga Māori principles into the design and/or development of the subdivision;
 - b. opportunities for tangata whenua's relationship with ancestral lands, water, sites, wāhi tapu and other taonga to be maintained or strengthened; and
 - c. options to avoid, remedy or mitigate adverse effects;
8. ensuring that subdivision design and the planting of new vegetation recognises the need to minimise future conflicts with roading and network utilities;
9. maximising sunlight access, outlook and amenity, including opportunities for future buildings to maximise solar gain, reduce energy and water consumption, and use renewable energy;
10. providing appropriate public open spaces that are within walkable distance from residential allotments;
11. incorporating principles of Crime Prevention Through Environmental Design; and
12. promoting sustainable stormwater management through water sensitive design solutions.

SUB-P9 - Promote safe, connected and accessible neighbourhoods by supporting subdivision that:

1. minimises the proliferation of vehicle crossings that could affect the safety of the transport network;
2. limits cul-de-sacs where the site and topographical constraints inhibit connections;
3. provides a variety of travel modes and routes within the immediate neighbourhood and between adjacent sites;
4. provides connections to public transport, nearby shops, schools, employment open spaces and other activities; and
5. provides spaces that encourage social interaction, neighbourhood cohesion and a sense of place.

Assessment: The proposal is considered to be an efficient use of land consistent with the existing pattern and character of industrial development in this area, which is indicated to be rezoned for urban use in the future and would be suitable for it noting its context as explained in the ALVE. The proposal has a coherent design, clustering industrial lots and development with other similar uses rather than placing them further south where they could fragment the landscape. The sites connect well with the local transport network and other infrastructure / servicing is available or can be supplied by the consent holder, including with sensitive design. The known archaeological pit is not proposed to be destroyed and as explained, mitigation measures have been advised by the CIA. The proposal steps lots down the topography as practical, and includes mitigation planting and consideration of stormwater disposal in accordance with the context of the site and area. As supported by assessment in the ALVE, overall character and amenity are considered to be appropriately maintained. The proposal is not considered to be contrary to the above objectives and policies.

EW - Earthworks
EW-01 - Earthworks and associated retaining structures necessary for the construction, maintenance or operation of activities are enabled, provided that adverse environmental effects, including effects on health and safety and natural hazards, are avoided, remedied or mitigated.
<p>EW-P2 - Manage earthworks that have the potential to:</p> <ol style="list-style-type: none"> 1. create new or exacerbate existing natural hazards, particularly flood events, or cause adverse impacts on natural coastal processes; or 2. result in adverse effects on: <ol style="list-style-type: none"> a) the stability of land or structures; b) visual amenity and character, or c) historic heritage, sites and areas of significance to Māori, indigenous vegetation, waterbodies or other identified features.
<p>EW-P3 - Require earthworks and any associated retaining structures to be appropriately designed, located and undertaken to avoid or minimise adverse effects by:</p> <ol style="list-style-type: none"> 1. ensuring that the works do not result in any instability of land or structures at or beyond the boundary of the site; 2. restricting cut depth and fill height; 3. limiting maximum volume or area of earthworks to maintain the predominant character of the zone and reduce effects on neighbouring properties; 4. providing adequate setbacks from site boundaries or structures; 5. demonstrating that the site will be stabilised, reinstated and/or recontoured in a manner consistent with the surrounding land; 6. controlling the movement of dust and sediment beyond the area of development, particularly to avoid nuisance or effects and/or adverse amenity effects on neighbouring sites, or silt and sediment entering stormwater system, overland flow paths and roads; and 7. following the accidental discovery protocol in the event of discovery of sensitive material.
<p>EW-P4 - Ensure earthworks are undertaken in a way that avoids adverse effects on archaeological sites and sites and areas of significance to Māori, or where avoidance is not possible, appropriately remedies or mitigates adverse effects, having regard to:</p> <ol style="list-style-type: none"> 1. the particular cultural, spiritual and/or historical values associated with the site and the extent to which these values may be affected; 2. following the accidental discovery protocol if koiwi, archaeology and artefacts of Māori origin are found; 3. the outcomes of any consultation with and/or cultural advice provided by mana whenua, in particular with respect to mitigation measures and/or the incorporation of mātauranga Māori principles into the overall scale, form and extent of the earthworks; and 4. the outcomes of any consultation with Heritage New Zealand Pouhere Taonga.

EW - Earthworks
<p>EW-P5 - Ensure that earthworks are of a type, scale and form that is appropriate for the location having regard to the effects of the activity, and:</p> <ol style="list-style-type: none"> 1. the impact on existing natural landforms and features and indigenous vegetation; 2. changes in natural landform that will lead to instability, erosion and scarring; 3. impacts on natural drainage patterns and secondary flow paths; 4. compatibility of the earthworks and the design and materials for any retaining structures with the visual amenity and character of the surrounding area; 5. the extent to which the activity mitigates any adverse visual effects associated with any exposed cut faces or retaining structures, including through screening, landscaping and/or planting.
<p>EW-P6 - Require earthworks and any retaining structures associated with future land development and/or subdivision to be designed, located, managed and undertaken in a coordinated and integrated manner, including by:</p> <ol style="list-style-type: none"> 1. managing large-scale earthworks associated with subdivision, including for the purpose of site development and/or creating roads or access to/within the subdivision: and 2. considering the appropriateness of earthworks in conjunction with site design and layout of future subdivision and/or development of land, particularly for future infill or greenfield subdivision.
<p>EW-P7 - Ensure that earthworks and any associated structures are designed to reflect natural landforms, and where appropriate, landscaped to reduce and soften their visual impact having regard to the character and visual amenity of the surrounding area.</p>

Assessment: The proposal includes management and mitigation measures to address effects of earthworks such as erosion and sedimentation, and planting to screen a cut face thereafter. Building platforms will be suitably compacted and contained, and the proposal avoids the known archaeological pit. Earthworks around the pit are otherwise controlled by a General Authority granted by Pouhere Taonga Heritage New Zealand. A monitor from hapū is to be invited to topsoil-stripping earthworks and a discovery protocol will be in place for all earthworks. The majority of the landform of the site remains intact, as will existing drainage patterns. The integrity of the balance lot to support future subdivision and development remains intact. The proposal is not considered to be contrary to the above objective and policies.

GIZ - General Industrial Zone
GIZ-O1 - Industrial activities contribute to the economic and social well-being and prosperity of the district and are enabled and able to operate effectively in the General Industrial Zone.
GIZ-O2 - The role and function of the General Industrial Zone is not compromised by non-industrial or incompatible activities or built form.
GIZ-O3 - The number of business and retail activities are limited in the General Industrial Zone to ensure the viability and vibrancy of the Commercial and Mixed Use Zones is not compromised.
GIZ-O4 - The General Industrial Zone provides a safe and functional working environment with a reasonable level of amenity.
<p>GIZ-P1 - Allow activities that are compatible with the role, function and predominant character of the General Industrial Zone, while ensuring their design and scale is appropriate, including:</p> <ol style="list-style-type: none"> 1. industrial activities 2. food and beverage retail stores; 3. trade and industry training facilities; and 4. community corrections activities.
<p>GIZ-P4 - Maintain the role, function and level of amenity appropriate to the General Industrial Zone by controlling the effects of:</p> <ol style="list-style-type: none"> 1. bulk, scale and location of structures; 2. outdoor storage; 3. proximity to waterbodies; 4. traffic and parking; 5. infrastructure and stormwater; and 6. noise and light.

GIZ - General Industrial Zone
<p>GIZ-P5 - Require any effects generated by activities to be of a type, scale and level that is appropriate for the General Industrial Zone, including by:</p> <ol style="list-style-type: none"> 1. ensuring built form is of a scale that is compatible with the role and function of the zone; 2. managing noise and light emissions to an acceptable level; and 3. controlling the size, location, design and type of signage.
<p>GIZ-P6 - Require that activities maintain on-site and streetscape amenity by:</p> <ol style="list-style-type: none"> 1. retaining, where practicable, existing trees, vegetation and established landscaping; 2. providing landscaping along road and site boundaries; 3. screening any outdoor storage; 4. providing riparian planting along waterbodies; and 5. minimising hard standing areas where appropriate.
<p>GIZ-P7 - Ensure adequate permeable surfaces within sites to avoid or mitigate any potential adverse effects on water quality, stormwater quantity and amenity values.</p>

Assessment: The proposal will result in two new industrial sites and development contributing to the business community and economy. The proposed activities are compatible with the intent of the General Industrial Zone, should it be implemented through this plan change process or another future one (which is likely). The small office component of the proposal is to support the industrial activity and is integral to it. No breaches of noise rules are proposed, industrial activities (and effects such as noise and light) will occur inside the buildings on Lots 1 and 2 and the proposal includes measures such as landscaping areas, such that amenity will be maintained. Parameters are proposed with regard to the bulk and scale of structures, stormwater management, and there are no waterbodies on the site. Road boundary landscaping is proposed, as is screening of outdoor storage and a minimum permeable surface area. The proposal is not contrary to the above objectives and policies.

DEV4 - Oropuriri Structure Plan Development Area
<p>DEV4-O1 - Urban development is enabled within the Development Area, provided it occurs in accordance with the Oropuriri Structure Plan.</p>
<p>DEV4-O2 - Infrastructure is provided in an integrated, efficient and comprehensive manner to meet the planned needs of the Development Area.</p>
<p>DEV4-O3 - Activities within and adjacent to the Development Area do not compromise the ability to develop the area in accordance with the Oropuriri Structure Plan.</p>
<p>DEV4-P1 - Allow activities that are permitted in the underlying zone and that are in accordance with the Oropuriri Structure Plan.</p>

DEV4-P4 - Ensure that activities are designed and located appropriately in the Development Area and in accordance with the Oropuriri Structure Plan, having regard to whether:

1. the type, location and density of the development is compatible with the planned urbanisation of the Development Area;
2. the provision of business and retail activities is complementary to the planned urbanisation and will serve the needs of the new community;
3. the area's topographical, natural and physical characteristics, constraints and opportunities have been integrated into the overall design and layout of the activity;
4. any risks from natural hazards to people, property and the environment will be exacerbated and/or acceptable;
5. the natural values, historic heritage values and identified features within the Development Area are maintained and/or enhanced;
6. the activity will compromise any cultural, spiritual and/or historical values, interests or associations of importance to tangata whenua that are associated with the Development Area and if so, the outcomes of any consultation with tangata whenua, in particular with respect to mitigation measures and/or the incorporation of mātauranga Māori principles into the design and development of the activity;
7. the activity provides and/or will not constrain, limit or compromise the provision of:
 - a. adequate, coordinated and integrated infrastructure to meet the planned urban needs of the area;
 - b. connected transport networks that allow ease of movement to, from and within the Development Area; and
 - c. integrated and accessible open space networks, parks and esplanade strips;
8. any adverse visual effects can be appropriately avoided, remedied or mitigated through screening, planting, building design, siting, and the retention of existing vegetation; and
9. whether staging is appropriate to ensure development occurs logically and achieves good urban form.

Assessment: The Oropuriri Structure Plan is shown below in Figure 2. The only feature on the site is an Indicative Collector Road. The proposal's potential effects on that road, and confirmation that it provides for future subdivision and development of the Structure Plan area without impacting on it, have been addressed earlier in this letter. The proposal will utilise existing infrastructure or otherwise provide servicing on-site and does not require extension of Council's infrastructure mains which could impact other subdivision and development design in the future. The proposed industrial activities are consistent with what the General Industrial Zone intends, and the planned urbanisation of the Development Area. Design of the proposal to address the site and area context (including topography and heritage values) has been addressed earlier. The proposal requires no new roads to facilitate it. Visual effects will be managed with screening and planting of native species. The proposal is a rational first 'stage' of development in this Structure Plan area, whether or not the area becomes urban in the future. If it does not, the two industrial lots will sit adjacent to and absorb into the existing industrial suburb as explained. The proposal is not considered to be contrary to the objectives and policies above.

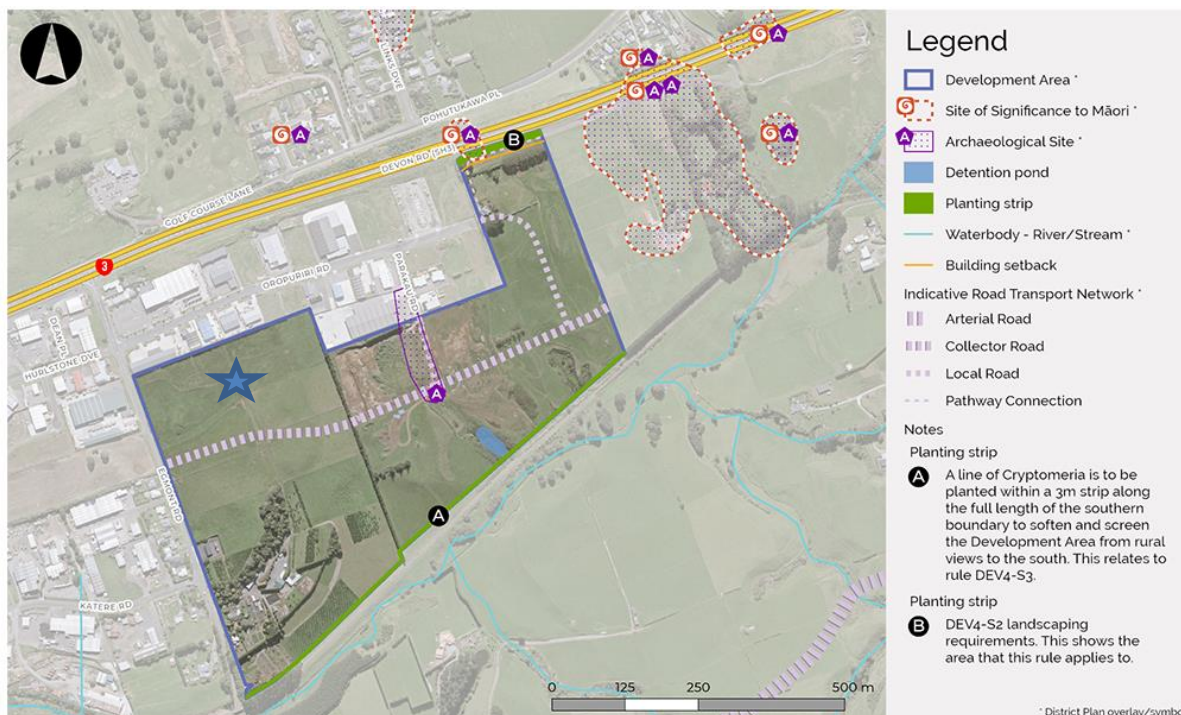


Figure 2: Oropuriri Structure Plan, site location indicated with a star

Overall, the proposal is not considered to be contrary to the objectives and policies of either the ODP or the PDP. As per Section 8.3 of the original application, the proposal is considered to pass through both gates of the gateway test under Section 104D(1) for non-complying activities.

TIMEFRAMES

Acknowledging that during 2020 and early 2021 the applicant and NPDC were collaborating in design of a stormwater pond in its own lot at NPDC's request (for which there was an amendment made to the application), nonetheless the application has been in its current form since November 2021. As also explained, the responses to the original S92 request have generally been provided since January 2020 (when the CIA was provided). Avoiding any further delays in processing is essential appreciating that you will need time to become familiar with the application detail and history. A discount on the processing fee is anticipated, whether via the discount regulations or another method.

NEXT STEPS

It would be appreciated if you can please confirm whether all points of the S92 response are considered to have been fulfilled, and what the next stage in the process is. We would be happy to meet with you to discuss any aspects of the application.

Yours sincerely,

Darelle Martin Assoc.NZPI
Intermediate Planner

APPENDICES

- Appendix A Original Application
- Appendix B Original and Amended S92 Requests
- Appendix C Cultural Impact Assessment
- Appendix D Draft Conditions
- Appendix E Archaeological Report (Exploratory Works) and General Authority (Proposed Works)
- Appendix F Record of Correspondence with Iwi / Hapū
- Appendix G Proposed Scheme and Earthworks Plans
- Appendix I Tracking Curves
- Appendix J Indicative Road Assessment
- Appendix K Draft / Indicative Comprehensive Development Design
- Appendix L Assessment of Landscape and Visual Effects

APPENDIX A

ORIGINAL APPLICATION

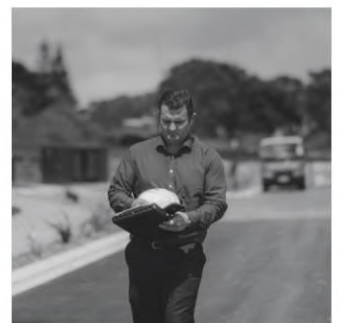
RESOURCE CONSENT APPLICATION AND ASSESSMENT OF ENVIRONMENTAL EFFECTS

Three Lot Subdivision of 19 Egmont
Road, Waiwhakaiho

for Manor Property Limited

Rev 1 - 17/06/2019

BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT



Three Lot Subdivision of 19 Egmont Road, Waiwhakaiho

for Manor Property Limited

Reviewed

Report Author



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17/06/2019

Date

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Rev 1 - 17/06/2019

CONTENTS

1	INTRODUCTION	1
1.1	Purpose	1
1.2	The Subdivision and Land Use	1
1.3	Resource Consents Required	1
1.4	Permissions Sought from other Authorities	2
2	2 THE SITE AND EXISTING ENVIRONMENT	4
2.1	2.1 Site Description.....	4
2.2	Land Use Context	5
2.3	Roading	6
2.4	Services.....	6
2.5	District Plan Overlays and Other Notable Features	6
2.6	National Environmental Standard – Soil Contamination	7
2.7	Record of Title	7
3	THE PROPOSED SUBDIVISION	8
3.1	Purpose	8
3.2	Allotments.....	8
3.3	Access.....	8
3.4	Services.....	9
3.5	Earthworks and Building Platforms	9
3.6	Future Roding	9
4	THE PROPOSED LAND USE	11
4.1	Proposed Lot Development.....	11
4.2	Lot Development Parameters	11
4.3	Traffic and Transport.....	11
5	ASSESSMENT OF ENVIRONMENTAL EFFECTS	12
5.1	Introduction.....	12
5.2	Effects on Rural Character and Amenity of the Area	12
	5.2.1 Potential Effects	12
5.3	Effects on Traffic Safety and Efficiency of Egmont Road	14
5.4	Effects Related to Servicing and Site Development	15
5.5	Future Urban Development Effects	16
5.6	Historic Heritage and Cultural Effects	16
5.7	Sites in Close Proximity	17
5.8	Effects Summary	18
5.9	Conditions.....	19
6	NOTIFICATION	21
6.1	Limited Notification.....	22
7	CONSULTATION	24
7.1	New Plymouth District Council	24
8	REGULATORY REQUIREMENTS	26

8.1	Introduction.....	26
8.2	Part 2 Assessment.....	26
8.3	Section 104D.....	26
8.4	Section 106.....	27
8.5	New Plymouth District Plan.....	27
8.5.1	<i>Character and Amenity</i>	27
8.5.2	<i>Rural Character</i>	28
8.5.3	<i>Traffic and Transport</i>	29
8.5.4	<i>Works and Services</i>	29
8.5.5	<i>Summary – New Plymouth District Plan Objectives and Policies</i>	30
8.6	Regional Policy Statement for Taranaki.....	30
8.7	Other Matters.....	30
8.7.1	<i>Precedent Effects</i>	30
9	CONCLUSION.....	31
APPENDIX A	NPDC APPLICATION FORMS	32
APPENDIX B	PROPOSED SCHEME PLAN	33
APPENDIX C	RECORD OF TITLE	34
APPENDIX D	DISTRICT PLAN ANALYSIS	35
APPENDIX E	NZAA SITE RECORDS.....	38
APPENDIX F	SITE PHOTOS	39
APPENDIX G	DRAFT EGMONT ROAD TO OROPURIRI ROAD FUTURE DEVELOPMENT PLAN	41
APPENDIX H	EARTHWORKS PLAN.....	42
APPENDIX I	SIGHT DISTANCE PLAN.....	43
APPENDIX J	TRAFFIC IMPACT ASSESSMENT	44

TABLES

Table 1.1:	Site Description Summary	1
Table 1.2:	Summary of Consent Requirements.....	1
Table 3.1:	Proposed Lots.....	8

FIGURES

Figure 2.1:	Subject Site in yellow (source: BTW).....	4
Figure 2.2:	NPDP Planning Map B28	5
Figure 2.3:	NPDP Planning Map C28.....	5
Figure 3.1:	Indicative roading in area of subject site (source: NPDC, 2019)	10
Figure 5.1:	Extract from Appendix 28, Diagram 28.1 (Source: NPDP).....	14
Figure 5.2:	Indicative areas of sites in close proximity (Source: BTW Company)	17

1 INTRODUCTION

1.1 Purpose

The purpose of this application is to seek resource consent for a three lot subdivision of 19 Egmont Road, New Plymouth, with an associated land use consent for industrial activities.

Table 1.1: Site Description Summary

Land Location:	19 Egmont Road, New Plymouth
Legal Description:	Lot 2 DP 400849
Record of Title:	401595
Site Area:	9.3525ha
Consent Sought:	Subdivision and Land Use
Zone:	Rural Environment Area
NPDP Map:	B28 & C28
Special Notations:	Arterial Road, FUD Overlay

1.2 The Subdivision and Land Use

The proposed subdivision will divide the existing 9.3525ha site into three allotments as follows. The scheme plan is provided in Appendix B, with the subdivision further explained in Section 3.

- Lot 1: 1.20ha
- Lot 2: 1.20ha
- Lot 3: 6.95ha

Proposed Lots 1 and 2 are then proposed for industrial development within nominated parameters as further explained in Section 4 below. No land use activity is proposed for proposed Lot 3 as part of this application.

1.3 Resource Consents Required

Subdivision and land use consent requirements under the New Plymouth District Plan (NPDP) are summarised as follows. Please refer to a detailed analysis of the relevant NPDP rules in Appendix D. In accordance with the bundling principle the most restrictive activity classification is applied to the overall proposal and therefore the status of this application is **Non-complying**.

Table 1.2: Summary of Consent Requirements

Rule No	Parameter	Comment	Activity Status
Rur5C	Associated with any industrial activity within 500 metres of a future urban development overlay	Buildings on proposed Lots 1 and 2 may be associated with industrial activities and are within a FUD Overlay.	Non-complying
Rur7	Daylighting requirement for buildings from a side boundary	Daylighting requirements from side boundaries may be exceeded on all sides.	Discretionary
Rur8	Daylighting requirement for buildings from a road boundary	Daylighting requirements for road boundaries may be exceeded.	Discretionary
Rur10	Maximum height - all other buildings	Buildings may be over 10m high to a maximum of 12m.	Discretionary

Rule No	Parameter	Comment	Activity Status
Rur14	Maximum area of the site covered by non habitable buildings (excluding temporary buildings) for sites less than 4ha	Each of proposed Lots 1 and 2, being less than 4ha (proposed: 1.2ha), may result in site coverage by non-habitable buildings exceeding 400m ² .	Discretionary
Rur16	Minimum setback from the road boundary for any building (excluding temporary buildings)	Building setback of 5m from a road boundary is proposed, not meeting the required 30m.	Discretionary
Rur18	Minimum setback from a side boundary, for any: other buildings (excluding temporary buildings)	5m minimum setback of non-habitable buildings from side boundaries is proposed, not meeting the required 10m.	Discretionary
Rur78	Minimum allotment size (not including the area required to provide access to rear allotments) and maximum number of allotments: where not created solely for network utilities, roads, reserves or access	Four lots of less than 20 ha each are proposed from the Parent Title, with a balance allotment of 6.95 ha meeting the 4 ha requirement.	Discretionary
Rur79	Requirement to provide practicable vehicular access to allotments from a road*, except where created solely for network utilities, roads, or reserves	The proposed vehicle accesses do not meet the required 140m separation from intersections (Oropuriri Road, Hurlstone Drive), sight distances or distances between crossings.	Discretionary
Rur81	Requirement for services - stormwater disposal, water supply and sewage disposal	Servicing will be provided to each proposed lot as appropriate.	Controlled
Rur82	Requirement for a building platform	Each lot can support an appropriate building platform however the permitted bulk and location requirements are not met.	Discretionary
Rur84	Requirement for financial contributions	Financial contributions are anticipated by the applicant.	Controlled
Rur101	Maximum daily trip generation, measured in vehicle equivalent movements: total over 24 hours	The developments on proposed Lots 1 and 2 are likely to involve land uses that generate traffic which exceeds 50 vehicle equivalent movements per site per day.	Discretionary
Rur102	Maximum daily trip generation, measured in vehicle equivalent movements: average over a seven day period	The developments on proposed Lots 1 and 2 are likely to involve land uses that generate traffic which exceeds 30 per site per day over a seven-day period.	Discretionary
OL33F	Future Urban Development Overlay – Subdivision of land	A balance lot of 20 ha is not provided with this subdivision within a Future Urban Development Overlay.	Non-complying

1.4 Permissions Sought from other Authorities

In the report entitled 'An Initial Assessment of the Archaeology of Area N' prepared for New Plymouth District Council by Geometria in 2008, 19 Egmont Road is identified as a 'potential site' for archaeological material. As such, an application for an Exploratory Archaeological Authority will be progressed with Heritage New Zealand Pouhere Taonga. The purpose of this authority will be to allow test strips to be excavated under the supervision of an archaeologist to determine whether an archaeological site is present in the areas where earthworks are proposed.

An application for discharge of stormwater from soil disturbance activities where earthworks volumes exceed 24,000m³ will be progressed with the Taranaki Regional Council, including provision of an Erosion and Sediment Control Plan.

2 THE SITE AND EXISTING ENVIRONMENT

2.1 Site Description

The subject site (Figure 2.1) is Lot 2 DP 400849 which is 9.3525ha in area. It has a 302.43m long road frontage to Egmont Road and an existing vehicle access approximately 100m north from the southern boundary. There are no existing buildings within the site with the land consisting of rolling pasture with some fencing. Site photos are provided in Appendix F.

There is a shallow gully in the north-west of the site which undulates from this point over an approximate 15m contour to the highest point in the south-west corner.

Within the New Plymouth District Plan (NPDP) the site is subject to a Future Urban Development (FUD) Overlay and the section of Egmont Road that the site fronts is an Arterial Road (Figure 2.2 and Figure 2.3). The adjoining small site to the south is Designated N68 (Powerco: Electricity Substation).



Figure 2.1: Subject Site in yellow (source: BTW)

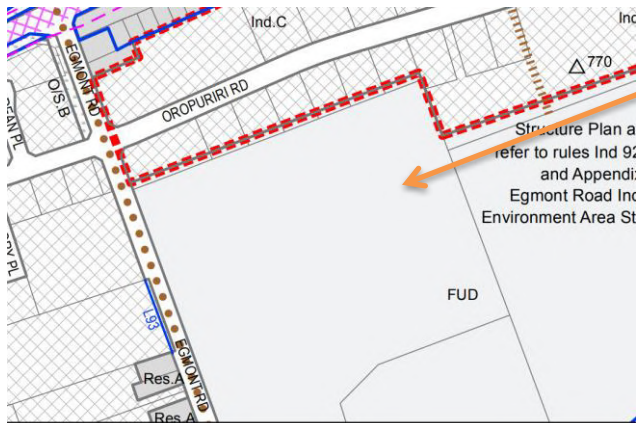


Figure 2.2: NPDP Planning Map B28

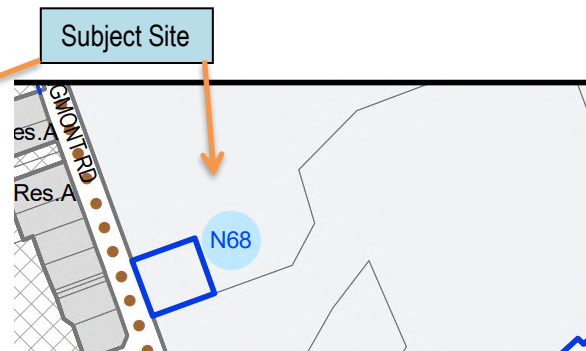


Figure 2.3: NPDP Planning Map C28

2.2 Land Use Context

Land use within the immediate vicinity of the subject site includes industrial activities to the west, north and east in keeping with the Industrial Environment Area classification of this land under the NPDP.

A small ribbon of Residential Environment Area properties with occupied dwellings lies along Egmont Road opposite the site.

There are mixed pastoral / horticultural uses to the east and south in what are currently Rural Environment Areas which are all subject to the FUD overlay. This extends to the Marton-New Plymouth Railway to the south and Henwood Road to the east.

Through the New Plymouth Land Supply Review and the Framework for Growth 2008 the site is identified as part of a 76ha area known as Area N that has been identified as a growth area for Business/Light Industrial land use. The Framework for Growth covers the period 2007-2027. The FUD overlay is a planning tool that seeks 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 confirmation of the rezoning through a plan change process.

The draft NPDP (soon to be Proposed Plan) proposes to rezone approximately half of this FUD area to an Industrial zoning, including the subject site, rather than merely transfer over the rural zoning with an urban growth overlay. It is therefore reasonable to anticipate future changes in use of this area to higher intensifications, likely industrial, with corresponding smaller lot sizes. Some of this has already occurred to the south of Oropuriri Road.

As a result of the mixed uses mentioned above, lot sizes in the area vary greatly. However, the closest six lots with the same Rural Environment Area / FUD Overlay combination are as follows:

- 55 Egmont Road – 6.7229ha;
- 63 Egmont Road – 0.8393ha;
- Lot 2 DP 492313 – 6.9348ha;
- Lot 1 DP 492313 – 1.4645ha;
- Lot 1 490929 – 1.4783ha; and
- Section 6 SO 443966 – 6.5605ha.

The subject site is the largest site in this block of Rural / FUD properties. None of these properties are of a size that allows for a large-scale farming activity as is often exhibited in the Rural Environment Area, nor do they individually contribute significant spaciousness or low density to the area.

In summary, a mixture of industrial, residential and agricultural uses typifies the character of the surrounding area. The surrounding area, including the subject site, is also anticipated to be rezoned for urban development in the future. In this respect, the area no longer retains a predominance of the larger farm blocks in excess of 20ha identified as typical of other rural areas under the NPDP.

2.3 Rooding

The subject site has one existing vehicle access point on Egmont Road, defined as an Arterial Road within the NPDP. The section of Egmont Road directly adjoining the subject site has a posted speed limit of 70km/h.

2.4 Services

The site has an existing restricted flow water connection to NPDC's reticulated service. The small gully on the site drains through a private pipe underneath Egmont Road to the Council's stormwater network. There is no other stormwater generation on the site from impervious surfaces, nor any current demand for sewer. Electricity and telecommunication services can be provided from Egmont Road.

2.5 District Plan Overlays and Other Notable Features

The FUD overlay has been discussed in section 2.2 above.

No Waahi Taonga/Sites of Significance to Maori or Archaeological Sites are located on the subject site as identified on the New Zealand Archaeological Authority website ('Archsite') or within the NPDP, Appendix 26 "Waahi Taonga Sites and Archaeological Sites Register".

In regard to other Waahi Taonga and Archaeological sites in the vicinity:

- NZAA ID: P19/322
This is included for completeness as it appears to be the closest site, however this site was investigated under archaeological authority and revealed modern farming rubbish pits. It is confirmed as not meeting the definition for an archaeological site.
- NZAA ID: P19/321, NPDP Site ID 769
This site contained pits / horticultural terraces and was previously excavated under archaeological authority for the subdivision that created these Oropuriri Road titles. P19/321 is approximately 70m from the nearest boundary of 19 Egmont Road and is considered to be isolated to within 15 Oropuriri Road. It is therefore 145m+ from any potential earthworks or building site proposed in this application.
- NZAA ID: P19/323, NPDP Site ID 770
This is a non-Maori, European tunnel of unconfirmed age, some 150m from the nearest boundary of 19 Egmont Road and 270m+ from any potential earthworks or building site proposed in this application. There have been two archaeological authorities granted for activities on this site, though no final reports are available.

Site records are attached as Appendix E.

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.

2.6 National Environmental Standard – Soil Contamination

Regulation 5 of the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 (NES) describes subdivision as an activity to which the NES applies where an activity that can be found on the Ministry for the Environment Hazardous Activities and Industries List (HAIL) has occurred.

A review of historical imagery shows the use of this site has been only for pastoral farming, most likely dairy. There is no evidence to suggest that a Hazardous Activities and Industries List (HAIL) activity has been undertaken on the site. The site is not listed as a verified HAIL site on the Taranaki Regional Council Register of Selected Land Uses (RSLU) for contaminated sites. It is considered that the NES does not apply to this application.

2.7 Record of Title

Interests listed on the Record of Title include the following:

- 19 Egmont Road (401595)

Excepting thereout all minerals, oil and mineral gases and coal as excepted and reserved by Warrant 604.

This listed interest does not restrict the proposal from proceeding. A copy of the Record of Title is attached as Appendix C.

The Parent Title in March 1999 consisted of the subject site plus Lot 1 DP 400849 to the south, which has been subdivided for the purposes of the Powerco substation utility. There are therefore only two lots currently subdivided from the Parent Title.

3 THE PROPOSED SUBDIVISION

3.1 Purpose

The purpose of the proposed subdivision, in combination with the proposed land use, is to create two lots for industrial development (proposed Lots 1 and 2). The balance Lot 3 is to be retained as a rural lot.

3.2 Allotments

Three lots are proposed as follows, with a Scheme Plan included in Appendix B.

Table 3.1: Proposed Lots

Proposed Lot	Area
Lot 1	1.2ha
Lot 2	1.2ha
Lot 3	6.95ha
Total Area	9.3525ha

3.3 Access

Proposed Lot 1 and 2 are proposed to have separate vehicle crossings for entry and exit to allow for all heavy vehicle movements to take place in a forward-facing direction. Indicative locations for the accesses are shown on the vehicle access and sight distance plans in Appendix I. Tracking curves for a semi-trailer are included on the scheme plan to demonstrate that turning into the Lots from the north, and out to the south, can comply without vehicles crossing the centre line.

Neither of the above crossings to proposed Lot 2, nor the entry crossing for proposed Lot 1, can meet the required distance of 140m from the intersection of Egmont Road and Oropuriri Road, with Hurlstone Drive intersection essentially directly opposite. The sight distance requirement of 140m is also unable to be achieved to the north along Egmont Road. Finally, proposed Access C is directly opposite the existing access to Carters at 24 Egmont Road rather than the required 10m. Consent is therefore sought to address these matters.

Indicative access locations are:

- (a) 54m from the intersection ('entry' access to proposed Lot 1), with a sight distance of 127m.
- (b) 100m from the intersection ('exit' access to proposed Lot 1), with a sight distance of 132m.
- (c) 113m from the intersection ('entry' vehicle crossing to proposed Lot 2), with a sight distance of 136m.
- (d) Proposed access D complies, with sight distance and distance from the intersection of some 177m.

Detailed design for vehicle accesses will be submitted to NDPC for approval prior to their construction. Crossings will be constructed prior to the issue of records of title for Proposed Lots 1 and 2, to the standard specified in the Council's Land Development and Subdivision Infrastructure Standard as appropriate.

Formed access to proposed Lot 3 will remain unchanged as part of this subdivision application.

3.4 Services

A sewer connection to the Council main in Egmont Road will be provided for proposed Lots 1 and 2, with proposed Lot 3 remaining a rural lot with the ability to utilise septic tank as required.

A water connection will be provided to proposed Lots 1 and 2 from the Council main in Egmont Road, with proposed Lot 3 having the ability to collect water via the traditional roof collect method of a typical rural site, as required.

Stormwater for proposed Lots 1 and 2 will be designed at the time of building consent application, once permeable areas have been identified. The proposal is to utilise methods of on-site retention and disposal such as rain-cells and soakage for rain events to a 10% AEP capacity, with additional stormwater above this volume being piped into the Council stormwater main in Egmont Road. It is therefore proposed to provide the stormwater connections for proposed Lots 1 and 2, with a Section 221 consent notice referencing the level of service required for stormwater, i.e. 10% AEP to be held onsite.

3.5 Earthworks and Building Platforms

Earthworks are proposed as part of this subdivision to create suitable contouring for building platforms, vehicle access and trafficable areas on proposed Lots 1 and 2. Approximately 37,500m³ cut and 32,500m³ fill is proposed within the subject site. Most of this is cut from a designated area in the south of proposed Lot 3, to fill proposed Lots 1 and 2 after small rises on these lots have been levelled. The excess material will become shrinkage from the virgin material which can be compacted by some 10-20%. An indicative earthworks plan is attached as Appendix H.

In terms of engineering matters, the proposed lots will each have a stable, flood free building area suitable for building foundations in accordance with the requirements of the New Zealand Building Code. A suitably qualified engineer will be appointed to supervise and certify earthworks and a report will be supplied as a condition of consent. Proposed Lots 1 and 2 will have formed and designated building platforms, while proposed Lot 3 is of sufficient size and composition to locate a building platform at time of development in the future.

While the building platforms for proposed Lots 1 and 2 will not meet the Rural Environment Area bulk and location requirements, this is addressed through the land use consent application component with this subdivision.

3.6 Future Rooding

New Plymouth District Council (NPDC) have prepared a draft District Plan which is proposed to be notified sometime later in 2019. The draft District Plan represents NPDC's latest thinking on the future for the subject site and surrounding land parcels. Importantly the draft District Plan proposes a change from rural to industrial zoning, essentially carrying forward Area Q identified in the Framework for Growth but actually rezoning it rather than just identifying it as a future growth area. The planning maps of the draft District Plan show indicative rooding through the subject site and those sites to the south and east as shown in Figure 3.1 below, which promote an extension of Katere Road south of the site as the arterial route providing access to the site and the land to the east.



Figure 3.1: Indicative roading in area of subject site (source: NPDC, 2019)

The proposed subdivision proposes Lots 1 and 2 to be located in the north-west of the site, so that the balance proposed Lot 3 may accommodate the as-yet unconfirmed roads moving east-west and north-south through the site. The provision for indicative roading is an opportunity for connection with lots to the east and south.

A draft overall plan for the FUD area of which this site is part of is provided as Appendix G. It gives an indication of how the proposed subdivision provides opportunity for comprehensive and integrated development outside of the site that is consistent with the FUD area.

4 THE PROPOSED LAND USE

4.1 Proposed Lot Development

The proposal is to provide for the development of proposed Lots 1 and 2 for land use activities outside the scope of what the Rural Environment Area and FUD Overlay rules currently allow for as permitted activities.

Development on proposed Lots 1 and 2 is not proposed for residential purposes. However, a condition preventing habitable buildings is volunteered and is anticipated as a consent notice on the Records of Title for proposed Lots 1 and 2 given the likely future industrial zoning of the site.

The lot development provisions that arise from the land use consent component of this application are not proposed to apply to proposed Lot 3. Development on proposed Lot 3 will be subject to the relevant NPDP rules.

4.2 Lot Development Parameters

Site-specific development planning for proposed Lots 1 and 2 has not been undertaken. Alternatively, a number of development parameters are volunteered and are anticipated to result in relevant conditions of land use consent. Where practicable, some of the parameters have been sourced from the draft District Plan available at the time of writing this report. They are as follows and apply only to proposed Lots 1 and 2:

- No habitable buildings are to be developed. Non-habitable buildings developed may be used for Industrial Activities.
- Maximum structure height of 15m.
- Maximum building height of 12m.
- Building setback of 5m from road and side boundaries. Setback does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe.
- All buildings, carparking areas or yard areas that are visible from an adjoining road boundary must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2m and, with the exception of vehicle crossings, be a minimum width of 2m from the road boundary.

Note: The above is an increase in landscaping height from the 1m proposed by the draft District Plan.

- No outdoor storage area shall be visible from an adjoining property or a road.
- At least 20% of the site shall be planted in grass, vegetation or landscaped with permeable materials.
- Any industrial activities exceeding 5,000m² GFA will require an Integrated Transport Assessment considering both operational and construction effects, prepared by a suitably qualified traffic specialist and submitted for approval from Council prior to undertaking the activity.

4.3 Traffic and Transport

No details are as yet confirmed or proposed and parking, manoeuvring, loading, standing, and queueing will be required to comply with the relevant standards of the NPDP at the time of development.

5 ASSESSMENT OF ENVIRONMENTAL EFFECTS

5.1 Introduction

Schedule 4 of the Resource Management Act (RMA) requires that an application for resource consent must “include an assessment of effects on the environment that includes such detail as corresponds with the scale and significance of effects that the activity may have on the environment” (RMA Schedule 4,2(3)(c)). The following assessment considers the potential adverse effects of the proposed activity on the environment.

5.2 Effects on Rural Character and Amenity of the Area

5.2.1 Potential Effects

The proposed subdivision could potentially generate adverse effects on the character and amenity of the Egmont Road rural area, as it will enable additional building platforms of a location and size that could not currently be built on as a permitted activity under the NPDP. Rural subdivision that is not carefully designed has the potential to affect the spaciousness, low-density built form and productive land use within the rural area.

However, this area is subject to the FUD overlay and highly likely to be rezoned for urban uses in the future as indicated by a change to Industrial zoning in the draft District Plan. This is an important consideration when assessing the adverse effects of the subdivision on rural character and amenity values.

The future development on proposed Lots 1 and 2 is proposed within a set of nominated parameters for industrial development which have been sourced predominantly from the draft District Plan. They are considered to best represent what is intended for this subject FUD area and would provide for industrial development on this site in a more timely manner than the awaited Proposed District Plan will provide, without compromising the future values and development potential of the area. The parameters by nature have associated levels of perceived acceptable adverse effects and therefore, in combination with the FUD Overlay’s intention for the area, less weighting can be given to the adverse effects on the Rural Environment Area.

The majority of potential and actual adverse effects from daylight, building height, floor area, and side boundary setback breaches are internal to the proposed Lots and as such are inherently accepted by the applicant as the owner of all three.

Northern lots adjacent to the subject site are used for industrial and related retail activities, not residential activities requiring higher levels of privacy, and the amenity and function of these sites is not considered to be detracted from by the effects of the proposed activities, in an unacceptable way.

With a permitted height of 10m for non-habitable buildings in the Rural Environment Area, an additional 2m is not considered to result in an unreasonably taller building that would dominate the landscape with adverse character or visual amenity effects.

Due to the position of the external northern boundary on which daylight envelope is breached by proposed Lot 1, shading effects on adjacent lots to the north are minimised. A 12m high building would only need to be some 6.3m from the boundary to comply with the required daylight envelope; the proposed 5m setback falls short of this distance by only 1.3m. The area of the daylight envelope breached is therefore not considered significant enough to detract from the amenity of the northern adjacent lots.

Privacy for the adjacent northern lots is contributed to by the compulsory evergreen strip that these lots must provide, as seen in the Egmont Road Industrial C Area Structure Plan extract (Figure 5.1) below. Overall, the northern lots are also developed with their activities facing predominantly north, with few windows and areas that are utilised by people to the south.

The maximum road daylight envelope breach will be 3.05m tall and 2.56m wide. The shading that a breach of this scale generates has only a fleeting impact on road users as they drive past and would have a less than minor adverse effect. No footpath is present, so pedestrians are not affected.

The proposal for site coverage greater than 400m² in combination with the reduced setbacks could perhaps have the most noticeable adverse effects. Such buildings on proposed Lots 1 and 2 will be more visible to road and adjacent site users and represent built form, density of development and intensity of use that is more urban than rural in nature. In light of the rezoning in the future however, development of this scale and intensity will be typical for this area. For observers off-site, the difference between a building being 5m from boundaries instead of the permitted 10m is considered to be negligible.

Adverse visual effects from the proposed development, as observed from the road and sites opposite, are reduced by the proposed frontage landscaping of at least 2m high which will provide screening and softening of the buildings and parking areas. This is over and above the requirement of the draft District Plan which currently nominates 1m high landscaping and is considered to more significantly reduce adverse effects of the developments on Lots 1 and 2.

As a permitted activity in the Rural Environment Area, two dwellings could typically be established on the proposed lots within 25m of one another, with one being up to 75% of the other in size. However, the FUD overlay permits only a single dwelling per site. The 'no habitable building' covenants for proposed Lots 1 and 2 result in an overall identical residential development right to the current situation, i.e. one dwelling, which is then limited to being constructed on proposed Lot 3. There is therefore no change in the site's potential to compromise the FUD area's future rezoning and development, in relation to residential development. This Rural area is therefore also not impacted by a higher density of residential development, avoiding associated adverse effects.

At 1.2 hectares each, proposed Lots 1 and 2 are generally larger than other lots in the surrounding industrial areas. The larger proposed Lot 3, at a significant 6.95 ha, is of sufficient size to maintain forms of productive rural land use (although on a smaller scale) and to establish a building platform that is not in close proximity to those on proposed Lots 1 and 2. In this way the proposal demonstrates an effort to maintain rural character, a spacious environment and low-density built form for the time being while this site remains in the Rural Environment Area. Proposed Lot 3 is not of a size that would be likely to lead to intensive land use that is not typical of rural character, i.e. it is too large. Design and size of proposed Lot 3 enables its use in compliance with the relevant rules for permitted and controlled Rural Environment Area activities in the NPDP.

While there are positions within proposed Lot 3 where buildings may appear more obvious, this would not be to a 'highly visible' extent. It is considered that such development would a) not represent further erosion of a rural setting; and b) not erode the character of this area while recognising its probable progression toward urban development as dictated by the FUD overlay. In the same instance, it would be unnecessary to impose strict design and visual treatments on proposed Lot 3 to make buildings appear rural; eventually those buildings will look artificially rural-themed once development had infilled around them.

The external boundary at the north of proposed Lot 1 is adjacent to the Egmont Road Industrial C Structure Plan Area compulsory landscape strip which already provides screening in perpetuity.

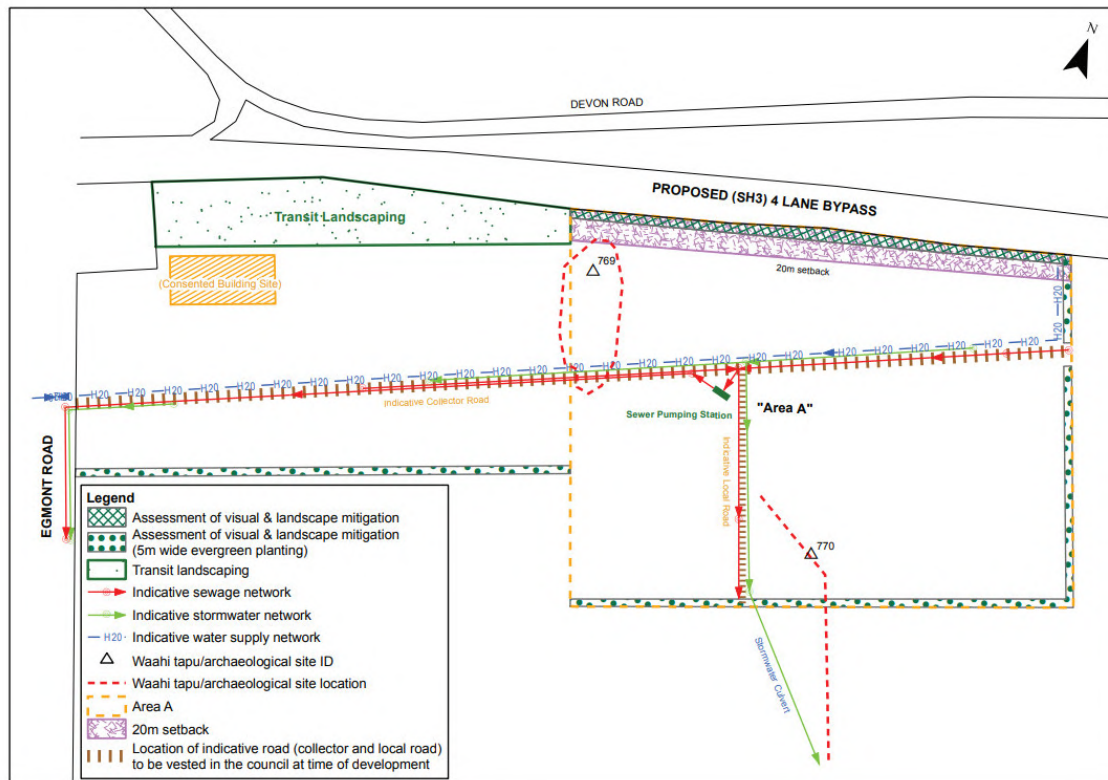


Figure 5.1: Extract from Appendix 28, Diagram 28.1 (Source: NPDP)

There are no significant natural features, vegetation or habitats for wildlife that would be adversely affected by the subdivision and proposed land use.

Overall, most potential adverse effects on rural character and amenity of the area are generally localised, not highly visible from Egmont Road or other sites, and are no more than minor. Effects are also to be considered in light of the FUD overlay, recognising that this area is most likely to represent an industrial area in the future with associated building bulk and location factors, and not a typically rural productive environment.

5.3 Effects on Traffic Safety and Efficiency of Egmont Road

Egmont Road is defined as an Arterial Road in the NPDP roading hierarchy with a posted speed of 70km/h, upon which sight visibility and intersection distance requirements of 140m, plus 10m separations between vehicle accesses, are breached by this proposal. A Traffic Impact Assessment on the effects of the proposed subdivision and land use is included as Appendix J. To summarise as per the assessment:

- The proposed vehicle accesses A-C do not meet the requirements as set out in the New Plymouth District Plan (NPDP) for distance to other intersections. The Stop controlled nature of the intersection however and the configuration of the proposed accesses as entry or exit only mean this is presents a minor safety risk. Access D meets the NPDP requirements.

- The proposed vehicle accesses A-C do not meet the requirements as set out in the NPDP for sight distance. All accesses achieve the 'Desirable' Approach sight distance requirements of AUSTROADS, however. Based on this, with the gentle vertical geometry and wide uncluttered road reserve environment of Egmont Road is not considered to present an undue safety risk.
- The proposed access C is directly opposite an existing vehicle access to the Carters store. Both the existing access and the proposed access are entry only, which greatly reduces the chance for vehicle conflicts.
- Noting the above, the proposed activity will not have an undue adverse effect on the safety or efficiency of the road network.

With regard to additional traffic generation on proposed Lots 1 and 2, the applicant is cognisant of the need to accommodate on-site parking, loading, standing and queueing spaces to meet the requirements of the District Plan at the time of development. Vehicle accesses will have been formed as described previously to maximise safety and efficiency in use for a range of vehicles including private cars and semi-trailer heavy vehicles.

Additional traffic generation is proposed to be permitted for buildings up to a maximum of 5000m² Gross Floor Area per site. Should this area be exceeded, an Integrated Transport Assessment will be required to address the effects of this traffic generation and to remain in compliance with the conditions of this consent.

The additional traffic generation is acknowledged to not be typical of rural character, however in association with the proposed use, it is considered to be in an appropriate location and scale for the area, being on the edge of existing industrial sites and with appropriate access arrangements as explained.

Any likely increase in traffic levels, or other adverse effects on the road transportation network, as a result of the subdivision and land use can be managed through appropriate design which can be controlled through consent conditions.

While it yet has no legal effect on this application, a future strategic roading pattern is identified in the draft District Plan. The proposed subdivision design takes into account these indicative roads by proposing no new boundaries that have a direct interaction with them. There remains space within proposed Lot 3 for the position of these indicative roads to be altered in the future should the District Plan review process require it, or to otherwise be constructed in proposed Lot 3 in their current location.

5.4 Effects Related to Servicing and Site Development

The current stormwater disposal situation will continue on proposed Lot 3, with any greater generation able to be addressed at time of building consent noting that any increase in stormwater run-off will be insignificant.

The stormwater disposal provisions proposed for Lots 1 and 2 are considered to address the volume of stormwater that can be reasonably expected to be generated and disposed of on-site. Both lots have sufficient area to dispose of this stormwater volume (10% AEP rain events) on-site and will have a connection to the Council's system as a secondary method only. While recently approved industrial subdivisions have not commonly required on-site stormwater disposal, the subject proposal is considered to be more in-line with modern Council infrastructure planning and is overall more sustainable than off-site disposal with its associated effects and additional pressure placed on Council infrastructure.

Each lot will be effectively serviced for sewage disposal and water supply as previously explained in Section 2.4.

There is no extra demand placed on network utilities that cannot fit within the capacity of the services available at this time and no costs proposed to upgrade infrastructure. Effects from the servicing required for two additional allotments is considered to be localised and of a small scale. No ability to service adjoining allotments is hindered by the proposed subdivision and land use.

There is nothing proposed to make the allotment suitable for subdivision that would have undue adverse effects on the landform or natural hazard events. Nor do any natural hazards have any particular effects on the allotment that require methods of avoidance or mitigation.

5.5 Future Urban Development Effects

The potential adverse effects of establishing an industrial land use and buildings within 500m of a FUD Overlay are minimal from this proposal, which involves land adjacent to existing Industrial Environment Areas and which is earmarked for rezoning for industrial uses by the draft District Plan.

Given the moderate and reasonable scale of the subdivision proposed and the allowance for flexibility in the indicative roading network, it is considered that the subdivision will not reduce the ability of the subject site and the wider FUD area to be developed in a comprehensive and integrated manner.

In terms of the potential number of landowners for this site, the subdivision creates only two additional ownership rights. Potential adverse effects are not considered to apply to the same scale or magnitude for the subject proposal as they could do for a proposal for six lots for example, and are therefore acceptable. Coherent and integrated development of this FUD area is anticipated through the uncomplicated relationship with the other lots in the FUD area, and the proposed development parameter restrictions for Lots 1 and 2 in keeping with the draft District Plan industrial rules available at this time.

The need for connections to adjacent lots is acknowledged and provided for. It has been explained previously that the subdivision allows for the potential for a road to the adjacent eastern lot, already somewhat indicated by the design of that lot with an apparent access strip (Lot 1 DP 492313).

The subdivision will not complicate the interaction with the adjacent southern lots (Lot 2 DP 522097 and Lot 1 DP 400849) because there is proposed to remain only one lot (proposed Lot 3) adjoining those two neighbouring lots. Furthermore, there remains the potential for an indicative road to be formed through proposed Lot 3 to these lots.

The proposal does not inhibit infrastructure network planning for the future. On the contrary, the provision for potential indicative roading formation as shown on the draft District Plan is an opportunity for expanding the servicing network along these roads. These roads are indicated on the draft Egmont Road to Oropuriri Road Future Development plan provided in Appendix G. This indicative design shows the site and roads fitting well into this future area which is designed with an industrial character and corresponding lots.

5.6 Historic Heritage and Cultural Effects

There is not comprehensive archaeological evidence for the greater Area N, nor for 19 Egmont Road. The proposed mitigation measure for potential effects on unknown archaeological and Waahi Taonga sites is to apply for an Exploratory Archaeological Authority from Heritage New Zealand, which involves consultation with hapu. Test strips will then be excavated under the supervision of an archaeologist to determine whether an archaeological site is present in the areas where earthworks

are proposed. If archaeological evidence is found, an application for a General Archaeological Authority will be progressed which involves a greater scale and magnitude of both archaeological assessment and consultation with hapu. There are considered to be appropriate measures in place to address potential adverse effects on hapu and historic heritage at this time.

5.7 Sites in Close Proximity

To summarise effects on other sites, an aerial photograph of the site and indicative adjacent properties is provided below, with an assessment of effects on each identified block following.



Figure 5.2: Indicative areas of sites in close proximity (Source: BTW Company)

(1) Along Egmont Road: The establishment of proposed Lots 1 and 2 and their respective industrial activities will appear as a natural progression and extension of Egmont Road / Oropuriri Road / Hurlstone Drive industrial area. The greater frontage length of proposed Lot 3 will thereafter remain as rural pastoral area and provides sufficient visual open space. Some of the Egmont Road sites are in the Industrial Environment Area which has a lower aesthetic / amenity / character expectation than residential sites. Nonetheless, these values will be maintained for the sites that are residential. There are less than minor effects on any other Egmont Road site, including the Carter's site as the access has been explained in Appendix J to continue to function without adverse effects from that proposed for Lot 2.

(2) South: There will remain only one lot (Lot 3) adjacent to these sites which is no different from the current situation. The potential to observe a single dwelling on proposed Lot 3 is no different to the current residential development right and thus avoids adverse effects. Development on proposed

Lots 1 and 2 will have the Oropuriri Road industrial area as a backdrop which is anticipated to aid in blending with existing activities and built form. Lots 1 and 2 also have spatial separation from southern sites with Lot 3 acting as a buffer between them. Potential connectivity with roads and services for future development is maintained. There are less than minor effects on the identified southern sites.

(3) North: Being mostly developed for light industrial / warehouse uses, most activities on these sites occur within the buildings, and a landscape strip provides a further buffer for visibility between those sites and the subject site. Overall, including the reasons explained in Section 5.2, there are less than minor adverse effects on any northern site.

(4) East: The creation and development of proposed Lots 1 and 2 is separated from adjacent eastern sites by some 100m. A dwelling on proposed Lot 3 is unlikely to be constructed close to them, being more likely to be closer to Egmont Road where servicing is available. Given the existing mixed small-medium scale productive rural and industrial uses (i.e. not sensitive activities) of the area, visibility and other effects of the proposed subdivision and development would not be unacceptable. Potential connectivity with roads and services for future development is maintained. Adverse effects on eastern sites are less than minor.

Persons who own and use the adjacent sites are more likely to be affected by the proposed subdivision than any others. For the reasons explained above however, it is considered that adverse effects on any person would be less than minor. Therefore it is considered there are no affected parties for this application.

5.8 Effects Summary

Overall, it is considered that the proposed subdivision and land use results in an increase in density that can be accommodated in this Rural / FUD area for the following reasons:

- Proposed Lot 3 is of a size and shape to support continued use for rural activities for the foreseeable future. It continues to contribute to rural character and amenity while this FUD area transitions from Rural to Industrial zoning and uses.
- Proposed Lots 1 and 2 are of a sufficient size and shape, with nominated land use restrictions / parameters to allow for their development to an appropriate scale and intensity.
- The subdivision creates relatively low additional demand for servicing and in particular will see a reasonable volume of stormwater generated by proposed Lots 1 and 2 disposed of on-site. Servicing on proposed Lot 3 can be addressed if actual development of the sites occurs.
- Considering the permitted construction of only a single dwelling in total, combined with the general separation of Lots 1 and 2 from other properties and compatibility of industrial development with the wider area, actual and potential adverse effects on any other site or person are considered to be less than minor.
- The subdivision and development design do not jeopardise the indicative roads within the draft District Plan nor servicing infrastructure of the area. In this way the potential for future connections between 19 Egmont Road and other sites in this FUD area is maintained.
- The design of the subdivision and land use controls proposed for Lots 1 and 2 provides for the site and surrounding sites to be developed in a comprehensive and integrated manner in the future and therefore does not undermine future urban development potential.

Overall any actual or potential adverse effects on the wider environment from the proposed subdivision are considered to be acceptable and no more than minor.

5.9 Conditions

The suite of commitments and mechanisms to provide these for both the subdivision and land use components of this application are summarised as follows:

Subdivision	
Commitment	Mechanism
Detailed design for vehicle accesses will be submitted to NDPC for approval prior to their construction. Crossings will be constructed prior to the issue of records of title for Proposed Lots 1 and 2, to the standard specified in the Council's Land Development and Subdivision Infrastructure Standard as appropriate.	Condition of consent
A sewer connection to the Council main in Egmont Road will be provided for proposed Lots 1 and 2.	Condition of consent
A water connection will be provided to proposed Lots 1 and 2 from the Council main in Egmont Road.	Condition of consent
Stormwater disposal for proposed Lots 1 and 2 will be designed at the time of building consent application, once permeable areas have been identified. The proposal is to utilise methods of on-site retention and disposal such as rain-cells and soakage for rain events to a 10% AEP capacity, with additional stormwater above this volume being piped into the Council stormwater main in Egmont Road. It is therefore proposed to provide the stormwater connections for proposed Lots 1 and 2.	Connections for stormwater via condition of consent Consent notice on Records of Title for Lots 1 and 2 referencing the level of service required for stormwater, i.e. 10% AEP to be held onsite.
In terms of engineering matters, the proposed lots will each have a stable, flood free building area suitable for building foundations in accordance with the requirements of the New Zealand Building Code. Proposed Lots 1 and 2 will have formed and designated building platforms	Condition of consent for building platform reports
A commitment to preventing additional rights for development of habitable buildings is volunteered.	Consent notice on the Records of Title for proposed Lots 1 and 2

Land Use – applicable to proposed Lots 1 and 2 only	
Commitment	Mechanism
Non-habitable buildings developed may be used for Industrial Activities.	Condition of consent
Maximum structure height of 15m.	Condition of consent

Maximum building height of 12m.	Condition of consent
Building setback of 5m minimum from road and side boundaries. Setback does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe.	Condition of consent
All buildings, carparking areas or yard areas that are visible from an adjoining road boundary must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2m and, with the exception of vehicle crossings, be a minimum width of 2m from the road boundary.	Condition of consent
No outdoor storage area shall be visible from an adjoining property or a road.	Condition of consent
At least 20% of the site shall be planted in grass, vegetation or landscaped with permeable materials.	Condition of consent
Any industrial activities exceeding 5,000m ² GFA will require an Integrated Transport Assessment considering both operational and construction effects, prepared by a suitably qualified traffic specialist and submitted for approval from Council prior to undertaking the activity.	Condition of consent

6 NOTIFICATION

Under Section 95A a consent authority must assess an application to determine whether or not it should be publicly notified. To assist the Council the step by step process is set out below with comments.

Step 1: Mandatory Public Notification – s95A(2) and (3)

Criteria		Comment
(a)	Public Notification at Applicant's request - s95A(3)(a)	No - The applicant has not requested public notification
(b)	Public Notification is required under section 95C (s95A(3)(b))	No – Any further information requests will be satisfied within the timeframe agreed to.
(c)	Public Notification is required as the application is a joint application with an application under section 15AA of the Reserves Act 1977, to exchange recreation reserve land (s95A(3)(c))	No

Mandatory public notification is not required under Step 1.

Step 2: Public Notification Precluded in Certain Circumstances – s95A (4) and (5)

Criteria		Comment
(a)	Rules or National Environmental Standards that preclude public notification – s95A(5)(a)	No
(b)	Any Controlled Activities – s95A(5)(b)(i)	No
(c)	Subdivision - Restricted Discretionary, Discretionary – s95A(5)(b)(ii)	No
(d)	Residential Activities - Restricted Discretionary, Discretionary – s95A(5)(b)(ii)	No
(e)	Boundary Activities – Restricted Discretionary, Discretionary or Non Complying – s95A(5)(b)(iii)	No
(f)	A prescribed activity – s360H(1)(a)(i)	No because there are no prescribed activities under s360H(1)(a)(ii) at the time of lodging this application.

As the application is not precluded from public notification it has been assessed against Step 3.

Step 3: Public Notification Required in Certain Circumstances – s95A(7-8)

Criteria		Comment
(a)	The application is for one or more activities and any of those activities is subject to a rule or NES which requires public notification – s95A(8)(a)	No

Criteria		Comment
(b)	Does the activity have, or is it likely to have, more than minor adverse environmental effects, in accordance with s95D?	No - see effects assessment in Section 5.

In deciding whether adverse effects are more than minor under Section 95D, the consent authority must disregard any effects on persons who own or occupy the land over which the activity will occur, or any land adjacent to that land. They must also disregard any effect on a person who has given written approval to the relevant application. No affected parties have been identified for written approval.

For reasons discussed in Section 5 of this report, it is considered that the adverse effects of the proposal on the wider environment will be no more than minor.

Step 4: Public Notification in Special Circumstances - s95A(9)

Criteria		Comment
(a)	Do special circumstances exist that warrant the public notification of the application	There are no special circumstances as there is nothing that is unusual, abnormal or exceptional about this application.

Conclusion on public notification

In accordance with the steps as set out in Section 95A it is considered there is no requirement to publicly notify the application.

6.1 Limited Notification

Where the application is not publicly notified, an assessment of section 95B of the RMA is undertaken to determine whether or not to limited notify the application. To assist Council, we provide the following information regarding the steps included in s95B(2-10)

Step 1: Certain Affected Groups and Affected Persons must be notified - s95B(2)-(4)

Criteria		Comment
(a)	Are there any affected protected customary rights groups – s95B(2)(a)	No
(b)	Is the activity on or adjacent to or may affect land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 – s95B(3)(a)	No

Step 2: Limited Notification Precluded in Certain Circumstances – s95B(5)(6)

Criteria		Comment
(a)	The application is for one or more activities and each activity is subject to a rule or NES that precludes Limited Notification – S95B(6)(a)	No
(b)	The application is a controlled activity landuse -s95B(6)(b)(i)	No
(c)	The application is a prescribed activity (see section 360H(1)(a)(ii))	No because there are no prescribed activities under s360H(1)(a)(ii) at the time of lodging this application.

As the application is not precluded from limited notification it has been assessed against Step 3.

Step 3: Certain other persons must be notified – s95B(7)

Criteria		Comment
(a)	For Boundary Activities, is the owner of an allotment with an infringed boundary affected under s95E	NA
(b)	If the activity is prescribed under section 360H(1)(a)(ii), is a person in these regulations considered affected under s95E?	No because there are no prescribed activities under s360H(1)(a)(ii) at the time of lodging this application.
(c)	For any other activity, are there any affected persons under s95E?	No - see effects assessment in Section 5.

As an activity that is not precluded from limited notification Council must assess the application against s95B(8) to determine whether a person is an affected person in accordance with section 95E.

For reasons as outlined in the effects assessment in Section 5 above, no persons are considered to be adversely affected by the proposed development.

Step 4: Further Notification in Special Circumstances - s95B(10)

Criteria		Comment
(a)	Do special circumstances exist that warrant notification of the application to any other persons not already determined to be eligible for limited notification (excluding persons assessed under section 95E as not being affected persons)	There are no special circumstances as there is nothing that is unusual, abnormal or exceptional about this application.

Conclusion on limited notification

In accordance with the steps as set out in Section 95B it is considered there is no requirement to limited notify the application. Therefore, the application is able to be processed on a non-notified basis.

7 CONSULTATION

Pursuant to Section 36A of the RMA, there is no duty to consult about a resource consent application. However, it is considered best practice to consult with those parties considered to be potentially adversely affected by a proposal.

7.1 New Plymouth District Council

Initially, a two-lot subdivision essentially halving the site from east to west was proposed, with no associated land use provisions. A meeting was held at NPDC on 22 November 2018 with NPDC staff Rowan Williams (Team Leader Consents) and Peter Wilson (Development Engineer), and BTW Company staff on behalf of the Applicant: Keith Preston (Licensed Surveyor), Aaron Edwards (Senior Planner), Sean Husband (Senior Civil Engineer) and Darelle Martin (Intermediate Planner).

Matters to be addressed in the forthcoming application, as raised by Rowan and Peter, included the following:

- Creating potential difficulties for comprehensive development of the FUD area from the site being subdivided into multiple lots in separate ownership.
- Potential adverse effects on roading and servicing connections with other lots in the FUD area, from design of a subdivision that causes dislocation from surrounding lots.
- Creating higher roading and servicing demand than what is able to be met now or provided for in the near future by Council, causing reactive infrastructure provision that is not coherently planned for the FUD area.

The design of the subdivision and the assessment of environmental effects intended to address these matters. However, after feedback from and further consultation with NPDC, the following points were raised in a Section 92 request:

- Additional future development rights for habitable buildings and their effects on future zoning.
- The uncertainty of the location of indicative roads in relation to being enforced by proposed boundaries, and the cultural effects of establishing the roads.
- The potential to set a precedent by the granting of the application.
- Assessing the application against Part 2.

The subdivision was then revised to the current three-lot proposal with an associated land use consent application.

In this regard, a meeting to discuss the new proposal was held at NPDC on 12 April 2019 with NPDC staff: Rowan Williams (Team Leader Consents), Debbie Taplin (Development Engineer), Nicola Laurenson (Consultant Planner); the Applicant (Chris Herd), and BTW Company staff on behalf of the Applicant: Keith Preston (Licensed Surveyor) and Darelle Martin (Intermediate Planner).

Matters to be addressed in the application, as raised by Rowan, Debbie and Nicola, included the following:

- Immediate and future vehicle access and traffic generation.
- Servicing of new lots, with particular attention to stormwater disposal.
- A suite of conditions for establishment of non-rural land use activities on proposed Lots 1 and 2.

- Effects of the proposal on the Rural Environment Area and Future Urban Development Overlay.

The design of the subject subdivision and proposed controls on the future land use activities on proposed Lots 1 and 2 in the assessment of environmental effects is considered to address the matters raised in the Section 92 request from the previous application and from those raised in the most recent pre-application meeting.

8 REGULATORY REQUIREMENTS

8.1 Introduction

The regulatory framework comprises the relevant sections of the RMA, the objectives and policies of the NPDP and the Regional Policy Statement for Taranaki (RPS).

The proposal requires consent for the rules set out in Section 1.3 above. Where more than one activity is involved and those activities are inextricably linked, the general rule is that the activities should be bundled and the most restrictive activity classification applied to the overall proposal; in this instance this activity status is Non-complying.

As the proposal is considered a Non-complying activity overall it must be considered pursuant to Sections 104, 104B and 104D of the RMA.

8.2 Part 2 Assessment

The recent decision in the Court of Appeal in *R J Davidson Family Trust v Marlborough District Council* [2018] NZCA 316 has further influenced the way in which Part 2 should be assessed.

In circumstances where it is clear that a plan is “prepared having regard to Part 2 and with a coherent set of policies designed to achieve clear environmental outcomes” the Court envisaged that “the result of a genuine process that has regard to those policies in accordance with s 104(1) should be to implement those policies.” Reference to Part 2 would not add anything, and “could not justify an outcome contrary to the thrust of the policies”¹.

In respect of the NPDP and other relevant planning documents, it is acknowledged that the NPDP became operative prior to the likes of the Regional Policy Statement. However, it is considered that:

- The NPDP and RPS have been prepared with a coherent set of policies designed to achieve clear environmental outcomes; and
- There are no relevant objectives or policies that have shortcomings.

Therefore, an assessment of this application against Part 2 would not necessarily add anything to the evaluative exercise required in this particular case.

8.3 Section 104D

Section 104D outlines the thresholds of the ‘gateway test’. An application for a non-complying activity must pass through one of these gateways in order for it to be considered under section 104 of the RMA.

Overall and considering all adverse effects assessed in Section 5, it is considered that the adverse effects of the activity on the environment will be no more than minor.

The proposal has been assessed against the objectives and policies of the NPDP and the RPS. The proposal on balance is not considered to be contrary to the relevant objectives and policies of either document as demonstrated within the assessment in Section 8.5 and Section 8.6 below.

The application therefore passes through both gates of the gateway test under Section 104D(1) for non-complying activities.

8.4 Section 106

The proposal is not considered to be contrary to the provisions of Section 106 of the RMA. The site is not located within an identified natural hazard area in the NPDP and is not deemed to be at significant risk from natural hazards. The subdivision and subsequent use of the land is not likely to accelerate, worsen, or result in material damage from natural hazards. Sufficient legal and physical access will be provided.

8.5 New Plymouth District Plan

The relevant objectives and policies set out in the NPDP Management Strategy are discussed as follows:

8.5.1 Character and Amenity

Issue 1	The adverse effects of activities on the character of areas and on other activities
Objective 1	To ensure activities do not adversely affect the environmental and amenity values of areas within the district or adversely affect existing activities
Policy 1.1	Activities should be located in areas where their effects are compatible with the character of the area
Policy 1.2	Activities within an area should not have adverse effects that diminish the amenity of neighbouring areas, having regard to the character of the receiving environment and cumulative effects
Objective 1A	To ensure that activities within and adjacent to the Future Urban Development Overlay do not adversely affect the ability to rezone and subsequently develop areas identified as Future Urban Growth Areas.
Policy 1A.1	Activities within the Future Urban Development Overlay should be located and undertaken in a manner that does not have any actual or potential adverse effects on the future rezoning and subsequent development of land identified as a Future Urban Growth Area.
Policy 1A.2	Subdivision of land within the Future Urban Development Overlay should be located and undertaken in a manner that does not have any actual or potential adverse effects on the future rezoning and subsequent development of land identified as a Future Urban Growth Area.
Policy 1A.3	Activities within the Rural Environment Area should be undertaken in a manner that does not have any actual or potential adverse effects on the future rezoning and subsequent development of adjacent Future Urban Growth Areas as identified by the Future Urban Development Overlay.

Assessment: The NPDP encourages aggregation of similar activities to ensure adverse effects on character are minimised. In this instance the proposal is to create two lots with associated industrial development that is very similar to that adjacent and in the area, with a balance lot on a property that has been previously subdivided from a larger working farming unit. The surrounding area features a number of transitional rural lots that are no longer used for large-scale productive agricultural purposes, and also industrial lots. The proposal is considered to be consistent with the character and receiving environment of the surrounding area.

There will not be undue pressure nor constraints placed on Council's planning for infrastructure as a result of this consent. The proposal is for two additional lots' demands which is serviceable and does not require a wider network assessment.

Similarly, roading has been explained previously to take into account and be compatible with both the current and potential future transport network of the area.

Future development of this site and FUD area remains feasible with this land in three lots – two of which are developed for industrial purposes - with separate owners. The proposed subdivision and land use have no adverse effects on the future rezoning or development of either the subject

allotment or the FUD area as a whole. It is considered that the proposal is consistent with, and not contrary to, the above objectives and policies.

8.5.2 Rural Character

Issue 4	Loss or reduction of rural amenity and character.
Objective 4	To ensure the subdivision, use and development of land maintains the elements of rural character.
Policy 4.1	Control the density and scale of subdivision by providing for one small allotment where there is a large balance area that promotes Spaciousness & a Low Density, Production Orientated Environment.
Policy 4.2	Control the density, scale, location and design of subdivision by providing limited opportunities for small allotment subdivision.
Policy 4.3	Control the density, scale, location (including on-site location) and design of activities by; <ul style="list-style-type: none"> (a) Imposing a maximum height for all buildings to allow for rural uses to operate. (b) Providing a maximum area that can be covered by buildings to control the effects of larger scale activities on small sites. (c) Requiring buildings to be setback from the road boundary in order to maintain spaciousness. (d) Requiring buildings to be setback from the side boundary to maintain separation between buildings and related activities. (e) Providing for the relocation of buildings to ensure they are reinstated. (f) Requiring landscaping (planting and screening) to mitigate the effects of: <ul style="list-style-type: none"> (i) Outdoor storage areas visible from an adjoining residential environment area or New Plymouth Entrance Corridor and; (ii) Vehicle parking either visible from the road or an adjoining Residential Environment Area or New Plymouth Entrance Corridor; (iii) of large substations and switching stations. (g) Imposing controls on the size, height, location, content, number and duration of advertising signs. (h) Imposing controls on the quantity, composition and reinstatement of excavation and fill to ensure adverse effects are mitigated.
Policy 4.5	Ensure that the design of subdivision and development is sensitive to the surrounding environment. In particular the following design principles will be considered: <ul style="list-style-type: none"> (a) Ensure appropriate overall density by maintaining the level of built form expected in the rural environment. (b) Ensure the intensity and scale of the development is in keeping with Rural Character. (c) Ensure that allotments and buildings are in context with the surrounding environment and are positioned to recognise natural features in the landform. (d) Ensure that allotments and buildings are sited and designed in a manner that is integrated with the surrounding environment with minimal disturbance to the landform by considering: <ul style="list-style-type: none"> (i) softening with vegetation related to the area and treatment of boundary elements; (ii) Building design of a form and scale that is in keeping with the landscape; (iii) the use of materials, that are in keeping with the environment, including consideration of colour and low reflectivity; (iv) low level infrastructure and services that is rural in nature. (e) Consistency of any full discretionary activity with design guidelines. (f) Consideration towards any recommendations from a design panel.
Policy 4.6	Retain vegetation, particularly indigenous vegetation and require the planting of new vegetation to mitigate the effects of activities.
Policy 4.7	Buildings, plantation forests and shelter belts should not adversely affect adjoining properties by shading.
Policy 4.8	Activities within the rural environment should not generate traffic effects that will adversely affect rural character and the intensity of traffic generation should be of a scale that maintains rural character.

Assessment: Having previously been subdivided, the subject site is unable to retain a 20ha balance area however the balance lot is of a size that contributes to spaciousness and a production orientated environment along this portion of Egmont Road. The two industrial allotments are also of a substantial size at 1.2 ha each.

While the proposed development does not comply with the Rural Environment Area bulk and location standards, there are alternative standards nominated to limit development to an appropriate density, scale, location and design with regard to the FUD Overlay and likelihood of future rezoning.

The design of the proposal has been explained to be coherent with the surrounding mixed-use environment which is transitioning from rural to urban use, through aspects such as lot sizes, development parameters including landscaping, and consideration to possible future indicative road linkages with neighbouring properties. Appropriate daylight access is maintained for adjoining properties.

Traffic generation will not be typically rural in character however again, this is in the context of the greater purpose of this area as a developing urban environment.

Overall, the proposal will maintain rural character in the Egmont Road area at an appropriate level given its transitional nature, and is overall not contrary to the above objective and policies.

8.5.3 Traffic and Transport

Issue 20	Adverse effects of activities on the safe and efficient operation of the district's road transportation network
Objective 20	To ensure that the road transportation network will be able to operate safely and efficiently.
Policy 20.1	The movement of traffic to and from a site should not adversely affect the safe and efficient movement of vehicles, both on-site, onto and along the road transportation network.
Policy 20.3	Potential conflict between vehicles, pedestrians and cyclists moving on the road transportation network should be minimised to protect the safety and efficiency of road and footpath users.
Policy 20.7	Subdivision should not adversely affect the safe and efficient operation of the road transportation network.

Assessment: While the creation of additional lots with industrial development creates additional vehicle accesses along Egmont Road, as described in Section 5.3 of the AEE any potential effects on road safety or efficiency are considered to be acceptable. The proposal is considered to be consistent with the above objective and policies.

8.5.4 Works and Services

Issue 22	Adverse effects due to increased demand on infrastructure, community facilities and requirements for new areas of open space
Objective 22	To avoid the adverse effects of subdivision, use and development by ensuring appropriate and sufficient infrastructure, community facilities and new areas of open space are provided.
Policy 22.1	Subdivision and development should provide: A safe potable water supply for consumption, health and hygiene and for firefighting purposes, of sufficient capacity to meet the needs of the anticipated subsequent land uses. A means for the collection and disposal of stormwater in a manner that avoids the uncontrolled ponding, or over land flow over any area following subdivision. A way to dispose of sewage in a sanitary manner which minimises adverse effects on the health and functioning of the environment. For connection to reticulated water, stormwater and sewerage systems where they are available and it is practical to do so. Sufficient areas of new open space to meet local community needs.
Policy 22.2	Where there is new or increased demand for infrastructure, community facilities or new areas of open space, they should be provided for on a fair and reasonable basis by the applicant.

Assessment: As described in Section 3.3 existing services will be retained and remain appropriate and sufficient servicing needs will be provided for with new connections or on-site servicing. There

is no significant anticipated extra demand for infrastructure. The proposal is not contrary to Objective 22 and Policies 22.1 and 22.2.

8.5.5 Summary – New Plymouth District Plan Objectives and Policies

Overall, taking the broad judgment that is required, it is considered that the subdivision will be consistent with, and not contrary to, the objectives and policies of the NPDP.

8.6 Regional Policy Statement for Taranaki

The RPS for Taranaki came into effect on 1 January 2010 and sets the framework for resource management policies including policies relating to the natural physical resources of Taranaki. The purpose of the document is to “promote the sustainable management of natural and physical resources in the Taranaki Region by providing an overview of resource management issues... and identifying policies and methods to achieve integrated management of natural and physical resources in the region” (Taranaki Regional Council, 2010).

The RPS seeks to promote sustainable urban development whilst improving the quality of life by improving better social, environmental and economic outcomes. Objectives and policies within the Built Environment chapter (Chapter 15) of the RPS recognises the need to provide for appropriate, subdivision, use, development environment in the Taranaki Region, while avoiding, remedying or mitigating any adverse effects on the environment in order to maintain character and amenity values.

The proposed subdivision and land use application enables efficient use of an existing site whilst avoiding and mitigating adverse effects on rural character and amenity. It does so while also providing for future urban development of the site and surrounding area. Overall the proposal is considered to be consistent with the intent of the RPS.

8.7 Other Matters

8.7.1 Precedent Effects

A consent authority must be consistent in their interpretation of the provisions of the RMA. However, a consent authority is not formally bound by a previous resource consent decision as it is unlikely two resource consent applications will ever be the same; although one may be similar to another. Each resource consent application must therefore be considered on a case by case basis and on its own merits. The most that can be said is that the granting of one consent may well have an influence on how another application should be dealt with. The extent of that influence will obviously depend on the extent of the similarities.

This application is for a comprehensive proposal including both subdivision and land use with a number of strict controls to provide Council with certainty on the outcome of the development that the subdivision enables. As demonstrated in previous assessment under Section 5 above, the proposal will provide for future development, roading and servicing opportunities for the subject site and the wider FUD area. It will also allow for development of two industrial sites along a key transport route and immediately adjacent to existing industrial activities, within a suite of restricted parameters to ensure development is at an appropriate scale and intensity. It is considered that this is a somewhat unique proposal and, if granted, is not easy to replicate in another application with the expectation of an identical outcome. This applies to applications on other sites in either this FUD area or others in the district.

It is therefore considered that granting resource consent to this proposal would not set a harmful precedent whereby comprehensive and integrated design of FUD areas is impacted, and in turn would not undermine the integrity of the NPDP rules, objectives and policies.

9 CONCLUSION

This report provides an assessment of Manor Property Limited's application to undertake a three lot subdivision of the rural property at 19 Egmont Road, Waiwhakaiho (legally described as Lot 2 DP 400849), with an associated land use application for industrial activities on two lots. An assessment of the proposal has been made against Section 104, 104B, 104D and Part 2 of the RMA, and against the rules, objectives and policies of the NPDP and RPS.

The report concludes that any actual and potential adverse effects on the wider environment resulting from the proposal would be no more than minor, and acceptable. The proposal would not overall be contrary to the objectives and policies of the NPDP and RPS. The proposal therefore passes the gateway test for non-complying activities. It is considered that the subdivision will achieve the broad purpose of the RMA to promote the sustainable management of natural and physical resources.

No persons are considered to be adversely affected by the proposed subdivision and land use. Therefore, the application is able to be processed on a non-notified basis.

APPENDIX A NPDC APPLICATION FORMS



This form must be submitted with a completed application cover page form.

1. Applicant details

1a. I am the Property owner Lessee Agent authorised by owner/lessee

1b. Full name

First name(s) Surname

1c. Electronic service address

1d. Telephone

Mobile Landline

1e. Postal address or alternative method of service under section 352 of RMA 1991

2. Property owner details

Provide details below for the property owner if different to 1. above

2a. Full name

First name(s) Surname

2b. Electronic service address

2c. Telephone

Mobile Landline

3. Description of proposed activity

3a. Description of activity

3b. Description of the site at which activity is to occur

3c. Description of any other activities that are part of the proposal

3d. Details of additional resource consents required for this activity

No additional resource consents are required.
 Additional resource consents are required.
 Please provide details of the required resource consents, and whether these have been lodged.

3e. District Plan rule(s) not being met

3f. Proposed start date

Please turn over

OFFICE USE ONLY

Date received	<input type="text"/>	Application #	<input type="text"/>	Planner's Pre-check	<input type="text"/>
Time received	<input type="text"/>	Document #	<input type="text"/>	Signature	<input type="text"/>
Received by	<input type="text"/>	Property ID	<input type="text"/>	Date	<input type="text"/>
Receipt #	<input type="text"/>	Land ID	<input type="text"/>		
Amount paid	\$ <input type="text"/>				

1. Iardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

3. Description of proposed activity - continued

3g. Description of subdivision

3h. Type of subdivision Fee simple Cross lease
 Boundary adjustment Right of way or other easement
 Unit title Cancellation of amalgamation covenant

3i. Number of new lots

4. Information included in application

I confirm that I have assessed my proposed activity against the relevant matters of the RMA, and have attached the assessment and all other required information as listed:

- Part 2 Purpose and Principles of the Act
- Section 104 Consideration of Applications
- Schedule 4, including an Assessment of Environmental Effects (AEE).
- Scheme plan. Your scheme plan must show the following items:
 - Position of all new boundaries.
 - Areas of all new allotments (unless a cross-lease, company-lease, or unit plan).
 - Locations and areas of new reserves to be created, including esplanade reserves/strips.
 - Locations and areas of any existing esplanade reserves/strips and access strips.
 - Locations and areas of any parts of the bed of a river or lake to be vested in a territorial authority under section 237A.
 - Locations and areas of any land within the coastal marine area (which is to become part of the common marine and coastal area under section 237A).
 - Locations and areas of land to be set aside as new roads.
- Floor plan.
- Elevation plan. Your plan must show the groundlines and the view of your site, from the ground up, from all boundaries.
- Written approvals from affected parties. Contact the Council if you are unsure of who the potentially affected parties might be.
- Application fee. Refer to the subdivision fees and charges schedule.

7. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this application. For the purposes of processing this application the Council may disclose that personal information to another party. If you want to have access to, or request correction of, that personal information, please contact the Council.

8. Applicant's declaration and privacy waiver

By signing this application, or by submitting this application electronically, I confirm that I am authorised to make such an application, that the information contained in this application is true and correct and that I have read, understood and agree to such terms and conditions applying to this application. I acknowledge and agree to the disclosure of my personal information in respect of this application.

A signature is not required if this application is submitted electronically.

If you are signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

<input type="text"/>	<input type="text"/>
First name(s)	Surname
<input type="text"/>	<input type="text"/>
Signature	Date



This form must be submitted with a completed application cover page form.

1. Applicant details

1a. I am the Property owner Lessee Agent authorised by owner/lessee

1b. Full name

First name(s) Surname

1c. Electronic service address - this must be provided for fast-track consent applications

1d. Telephone

Mobile Landline

1e. Postal address or alternative method of service under Section 352 of RMA 1991

2. Property owner details

Provide details below for the property owner if different to 1. above

2a. Full name

First name(s) Surname

2b. Electronic service address

2c. Telephone

Mobile Landline

3. Fast-track application details

3a. Is this a fast-track controlled land use application? Yes No (proceed to 4.)

3b. If yes, please indicate whether you opt out or do not opt out of the fast-track resource consent process I opt out I do not opt out

Under the fast-track resource consent process the Council must give notice of the decision within 10 working days after the date the application was first lodged, unless the applicant opts out of the process at the time of lodgement. A fast-track application may cease to be a fast-track application under Section 87AAC(2) of the RMA.

4. Description of proposed activity

4a. Description of activity

4b. Description of the site at which activity is to occur

4c. Description of any other activities that are part of the proposal

4d. Details of additional resource consents required for this activity No additional resource consents are required. Additional resource consents are required. Please provide details of the resource consents required, and whether these have been lodged.

Please turn over

OFFICE USE ONLY

Date received	<input type="text"/>	Application #	<input type="text"/>	Planner's Pre-check	<input type="text"/>
Time received	<input type="text"/>	Document #	<input type="text"/>	Signature	<input type="text"/>
Received by	<input type="text"/>	Property ID	<input type="text"/>	Date	<input type="text"/>
Receipt #	<input type="text"/>	Land ID	<input type="text"/>		
Amount paid	\$ <input type="text"/>				

1. Iardet Street, Private Bag 2025, New Plymouth 4342, New Zealand. Telephone 06-759 6060, Fax 06-759 6072, Email enquiries@npdc.govt.nz, Website www.newplymouthnz.com

4. Description of proposed activity - continued

4e. District Plan rule(s) not being met

Rural Rules 5c, 7, 8, 10, 14, 16, 18, 101, 102

4f. Proposed start date

ASAP

5. Information included in application

I confirm that I have assessed my proposed activity against the relevant matters of the RMA:

- Part 2 Purpose and Principles.
- Section 104 Consideration of Applications.
- Schedule 4, including an Assessment of Environmental Effects (AEE).

I have attached this assessment and all other required information as listed below:

- Site plan. Your site plan must show the following items:
 - Scale and north orientation.
 - Existing and proposed buildings.
 - Building dimensions and distances to boundaries.
 - Trees, fences, landscaping, screening and contours.
 - Car parking, loading facilities and access points.
 - Signs.
- Floor plan.
- Elevation plan. Your plan must show the groundlines and the view of your site, from the ground up, from all boundaries.
- Written approvals from affected parties. Contact the Council if you are unsure of who the potentially affected parties might be.
- Application fee. Refer to the land use consents fees and charges schedule.

6. Post-approval contact details for monitoring purposes

6a. Full name

Chris

First name(s)

Herd

Surname

6b. Electronic service address

Chris@knightgroup.co.nz

6c. Telephone

021 228 4673

Mobile

06 759 0030

Landline

7. Privacy statement

The Privacy Act 1993 applies to the personal information provided in this application. For the purposes of processing this application the Council may disclose that personal information to another party. If you want to have access to, or request correction of, that personal information, please contact the Council.

8. Applicant's declaration and privacy waiver

By signing this application, or by submitting this application electronically, I confirm that I am authorised to make such an application, that the information contained in this application is true and correct and that I have read, understood and agree to such terms and conditions applying to this application. I acknowledge and agree to the disclosure of my personal information in respect of this application.

A signature is not required if this application is submitted electronically.

If signing on behalf of a trust or company, please provide additional written evidence that you have signing authority.

First name(s)

Surname

Signature

Date



1. Property details

1a. Site address
 (Specify unit/level number, location of building within site/block number, building name and street name)

19 Egmont Road, Waiwhakaiho, New Plymouth

1b. Current lawfully established use

Rural

1c. Legal description

Lot 2 DP 400849

1d. Rapid number

2. Property owner details

2a. Owner name

Manor Property Limited

First name(s)

Surname

2b. Name of additional owner(s)/company/trust

2c. Contact person
 (if different from above)

Chris Herd

2d. Postal address
 (include postcode)

59 Rimu Street, New Plymouth 4312

2e. Contact details

06 759 0030

Phone

021 228 4673

Mobile

Fax

2f. Email

Chris@knightgroup.co.nz

3. Payer details

3a. Required for invoice



Applicant
 - proceed to 4



Owner
 - proceed to 4



Other
 - provide details below

3b. Name in full

Manor Property Limited

3c. Postal address

59 Rimu Street, New Plymouth 4312

Note: Please also email to darelle.martin@btw.nz

4. Description of project

4a. Detailed description of the development/project

Three lot subdivision with associated land use consent for industrial activities on two lots. Described in the application.

4b. Will business activities take place when building is completed?



Yes

























No

Please turn over

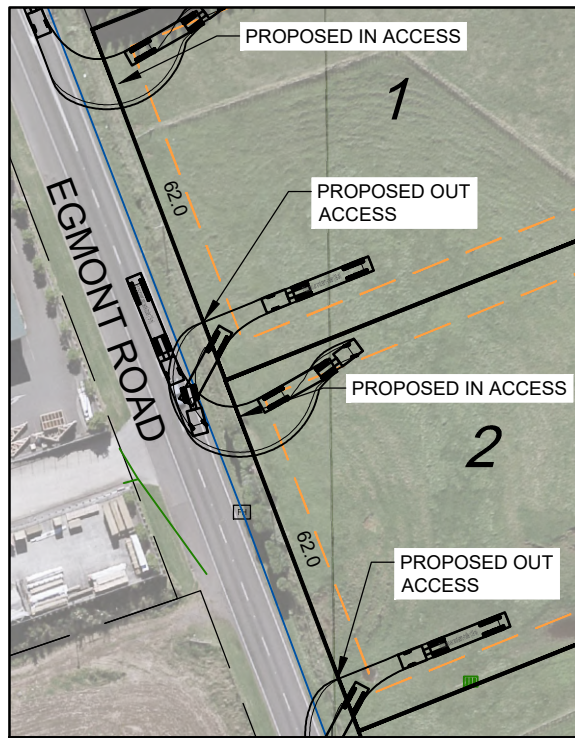
5. Council applications for this project

OFFICE USE ONLY

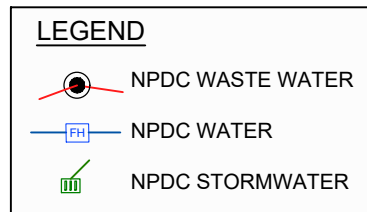
	Application attached	Have applied already (write the application number if known)	Information provided
5a. Common applications			
 Project information memorandum	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Building consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Vehicle crossing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Encroachment licence	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Land use resource consent	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Deemed permitted boundary activity notice.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Subdivision resource consent	<input checked="" type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Sewer connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Stormwater connection/disconnection.....	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Water connection/disconnection	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5b. Non-residential applications			
 Discharge of trade waste consent	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Alcohol licensing	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Food premises registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Health Act registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
(Hairdressing, camping ground, funeral parlour, offensive trade)			
 Beauty registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5c. Other project authorisations			
 Swimming pool registration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Temporary obstruction on road reserve	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Temporary road closure	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Easements through Council-owned reserve land	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
5d. Other project requirements			
 Rapid number request	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Contractors parking space reservation	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>
 Existing street damage declaration	<input type="checkbox"/>	<input type="text"/>	<input type="checkbox"/>

APPENDIX B PROPOSED 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



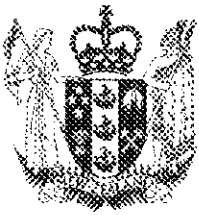
**Lots 1-3 being a Proposed Subdivision of
Lot 2 DP 400849**

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

Prepared by: K. Preston
Checked by: KB
Licensed Cadastral Surveyor
Date: April 2019
Job No. 180802.02 Drawing No. 180802.02-01 REV 2

Drawn by: KP
Date: 11/04/2019
Date: 16/04/2019

APPENDIX C RECORD OF TITLE



**RECORD OF TITLE
UNDER LAND TRANSFER ACT 2017
FREEHOLD
Search Copy**




R.W. Muir
Registrar-General
of Land

Identifier 401595
Land Registration District Taranaki
Date Issued 04 February 2008

Prior References

TNK3/363

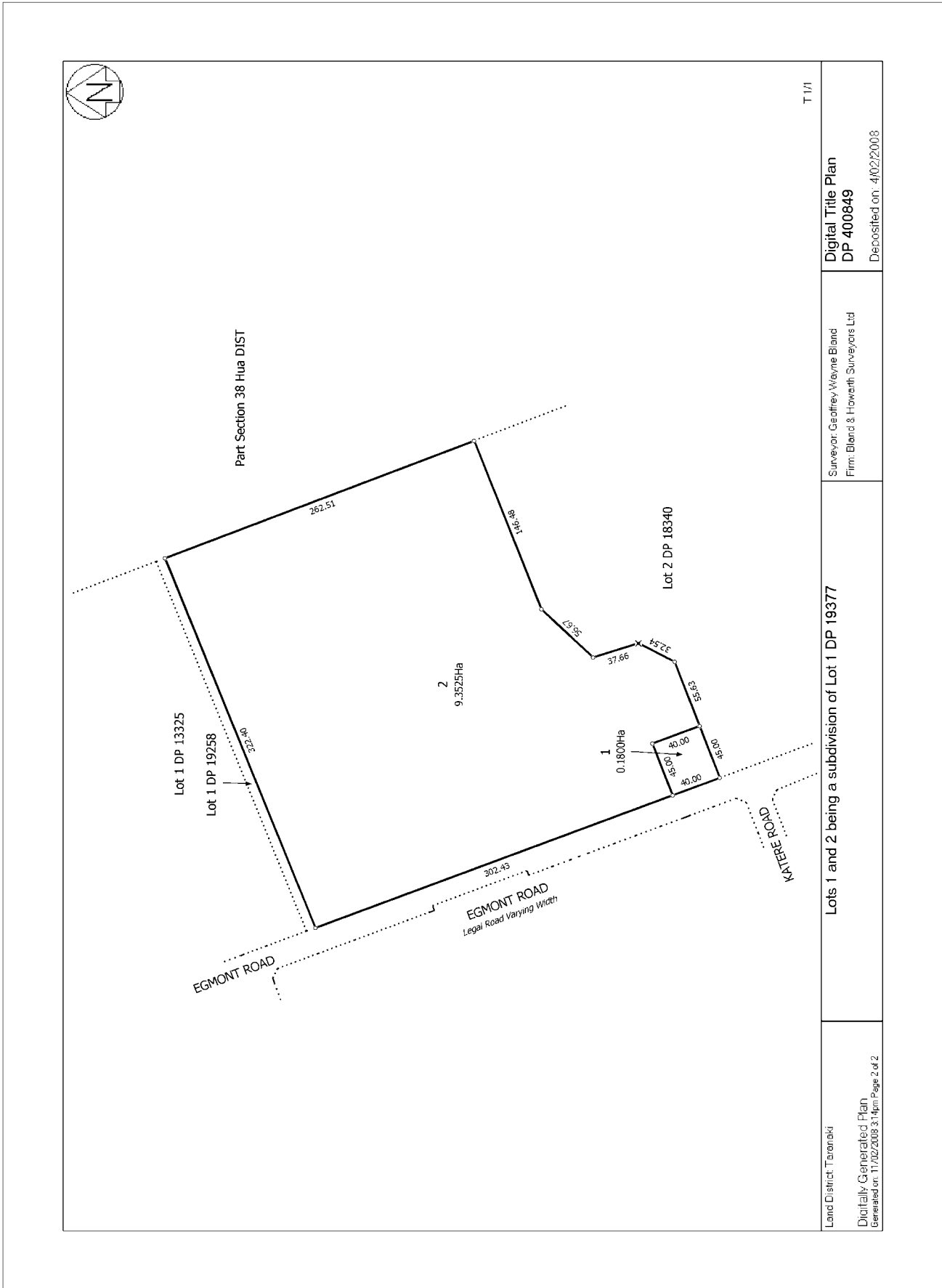
Estate Fee Simple
Area 9.3525 hectares more or less
Legal Description Lot 2 Deposited Plan 400849

Registered Owners

Manor Property Limited

Interests

Excepting thereout all minerals, oil and mineral gases and coal as excepted and reserved by Warrant 604
11403723.3 Mortgage to ASB Bank Limited - 5.4.2019 at 4:38 pm



T 1/1

Land District: Taranaki Digitally Generated Plan Generated on: 11/02/2008 3:14pm Page 2 of 2	Lots 1 and 2 being a subdivision of Lot 1 DP 19377	Surveyor: Geoffrey Wayne Bland Firm: Bland & Howarth Surveyors Ltd	Digital Title Plan DP 400849 Deposited on: 4/02/2008
--	--	---	--

APPENDIX D DISTRICT PLAN ANALYSIS

D.1 NPDP Subdivision Rules

Rule number	Parameter	Comment	Activity Status
Rur78	Minimum allotment size and maximum number of allotments.	The NPDP allows for up to 3 allotments of not less than 4000m ² if a balance allotment of 20ha is maintained. No balance area of that size is to be provided (largest: proposed Lot 3 of 6.95ha). Up to 4 allotments of less than 20ha each are provided for from the Parent Title if there is a balance area that exceeds 4ha in area. The proposal complies with a total of 4 lots from the Parent Title and proposed Lot 3 is 6.95ha.	Discretionary
Rur79	Requirement to provide practicable vehicle access to allotments from a road.	All lots have the ability for legal and practicable vehicle access. The proposed vehicle accesses are explained in Section 3.3 and do not comply with distances form intersections, sight distances and separation between crossings.	Discretionary
Rur81	Requirement for services – stormwater disposal, water supply and sewage disposal.	At the time of development, all proposed Lots will have all necessary servicing for stormwater, water supply and sewage disposal in line with the requirements of Appendix 22.2.	Controlled
Rur82	Requirement for a building platform.	Building platforms can be provided for in line with the requirements of Appendix 22.1 however they do not meet Rural Environment Area building bulk and location rules	Discretionary
Rur84	Requirement for a financial contribution.	The applicant accepts that financial contributions may be required in line with Appendix 5.	Controlled
OL33F	Subdivision of land	A Controlled standard of a minimum allotment size of 20ha applies. The proposal cannot comply with this parameter as the largest lot is 6.95ha.	Non-complying

D.2 NPDP Land Use Rules - Applicable to Proposed Lots 1 and 2 Only

Rule number	Parameter	Comment	Activity Status
Rur5C	Structures and buildings associated with any industrial activity within 500 metres of a Future Urban Development Overlay	Development may be associated with industrial activities and the sites are within the FUD Overlay.	Non-complying
Rur7	Daylighting requirement for buildings from a side boundary	Buildings on proposed Lots 1 and 2 may not comply on any of the proposed side boundaries. The daylight envelope may be exceeded by buildings up to 12m high with 5m setbacks. <u>Northern boundaries:</u> At a 5m setback, a building would exceed the daylight envelope by 1.85m in height, until a point some 6.3m from the boundary where 12m in height becomes compliant with the daylight envelope. <u>Eastern boundaries:</u> At a 5m setback, a building would exceed the daylight envelope by 3.05m in height, until a point some 7.56m from the boundary where 12m in height becomes compliant with the daylight envelope. <u>Southern boundaries:</u> At a 5m setback, a building would exceed the daylight envelope by 5.5m in height, until a point some 12.86m from the boundary where 12m in height becomes compliant with the daylight envelope.	Discretionary
Rur8	Daylighting requirement for buildings from a road boundary	Western (road) boundaries: At a potential 12m high, with a 5m road boundary setback, buildings could exceed the height envelope by 3.05m, until a point 7.56m from the front boundary where 12m in height becomes compliant with the daylight envelope.	Discretionary
Rur10	Height of buildings (all other than habitable)	It is proposed that buildings be constructed up to 12m high, exceeding the permitted 10m standard.	Discretionary
Rur14	Maximum area of the site covered by non habitable buildings (excluding temporary buildings) for sites less than 4ha	It is proposed that the area of proposed Lots 1 and 2 covered by non-habitable buildings will exceed 400m ² per lot / site.	Discretionary
Rur16	Minimum setback from the road boundary for any building (excluding temporary buildings)	Proposed minimum setback from the road boundary is 5m, exceeding the required 30m.	Discretionary

Rur18	Minimum setback from a side boundary, for any: other buildings (excluding temporary buildings)	5m minimum side boundary setback is proposed, exceeding the permitted 10m standard.	Discretionary
Rur39 - 59	Signage	No signage is proposed as part of this application and the applicant is cognisant of the need for signage associated with the future Lot 1 and 2 land uses to comply with the NPDP rules.	N/A
Rur60	Earthworks	The proposed earthworks are in association with this subdivision consent.	Permitted
Rur72	Landscaping of side boundaries for outdoor storage areas, visible to FUD Overlay	Outdoor storage areas are not proposed to have a solid fence or landscaping that meet the height and screening requirements as required on the boundaries between Lots 1, 2 and 3.	Discretionary
Rur99	Requirement to provide landscaping, where a site contains eight or more formed car parking spaces or an equivalent sized parking area, visible from an adjoining road	Proposed Lots 1 and 2 will be developed in accordance with the proposed landscaping condition of Section 4.2 which will achieve the requirements of Rur99.	Permitted
Rur101	Maximum daily trip generation, measured in vehicle equivalent movements: total over 24 hours	Per site on proposed Lots 1 and 2, vehicle equivalent movements are likely to exceed 50 per day after development.	Discretionary
Rur102	Maximum daily trip generation, measured in vehicle equivalent movements: average over a seven day period	Per site on proposed Lots 1 and 2, vehicle equivalent movements will exceed an average of 30 per day after development.	Discretionary

APPENDIX E NZAA SITE RECORDS

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE RECORD FORM (NZMS260) NZMS 260 map number P19 NZMS 260 map name NZMS 260 map edition		NZAA METRIC SITE NUMBER P19/321 DATE VISITED September 2006 SITE TYPE pit SITE NAME: MAORI OTHER	
Grid Reference		Easting 2607761 Northing 6239657	
1. Aids to relocation of site (attach a sketch map) 45 meters south of Devon Rd, and 307 meters east of Egmont Rd, in a farm paddock parallel to a hedge at the end of a line of houses along Devon Rd which have been destroyed to make way for the new bypass.			
2. State of site and possible future damage The site is currently farmland but is in reasonably good condition although it is under threat from proposed subdivision.			
3. Description of site (full details, history, local environment, references, sketches) A storage site for Maori gardening – with four pits still visible on the ground over a strip of land 45 meters long. The possible extent of this site is drawn in the map below and is most likely much larger than the 4 pits visible on the surface.			
4. Owner Address		Tenant/Manager Address	
5. Nature of information			
Photographs			
Aerial photographs			
6. Reported by Address Hans Bader-Geometria PO Box 68-653, Newton, Auckland		Filekeeper Date	
7. Keywords			
8. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code			
Latitude S		Longitude E	
_ _ Type of site		_ _ Present condition & future danger of destruction	
_ _ Local environment today		_ _ Security code	
_ _ Land classification		_ _ Local body	

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION
SITE DESCRIPTION

NZMS 260 map number
NZMS 260 map name
NZMS 260 map edition

NZAA METRIC SITE NUMBER P19/321

DATE VISITED

SITE TYPE

SITE NAME: MAORI

OTHER



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE RECORD FORM (NZMS260) NZMS 260 map number P19 NZMS 260 map name NZMS 260 map edition		NZAA METRIC SITE NUMBER P19/323 DATE VISITED September 2006 SITE TYPE historic tunnel SITE NAME: MAORI OTHER	
Grid Reference		Easting 2607951 Northing 6239559	
1. Aids to relocation of site (attach a sketch map) 200 meters south of Devon Rd, and 117 meters east of P19/321, in a farm paddock.			
2. State of site and possible future damage The site is currently under farmland but is in reasonably good condition although it is under threat from proposed subdivision.			
3. Description of site (full details, history, local environment, references, sketches) A 220 meter long tunnel was dug from the mid section of the property towards the stream along the railway corridor. This is recorded as a possible archaeological site P19/323. From hearsay it was built in 1915. To date we could not find any documentary evidence of this tunnel. The type of tunnel could have been dug during the decades on either side of 1900, therefore it is possible that the construction of this feature was undertaken pre 1900 and would constitute a protected archaeological site. Only documentary evidence of this tunnel will verify the proposed construction date. It was used for irrigation by the farmer.			
4. Owner Address		Tenant/Manager Address	
5. Nature of information			
Photographs			
Aerial photographs			
6. Reported by Address		Filekeeper Date	
Hans Bader-Geometria PO Box 68-653, Newton, Auckland			
7. Keywords			
8. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code			
Latitude S		Longitude E	
_ _ Type of site		_ _ Present condition & future danger of destruction	
_ _ Local environment today		_ _ Security code	
_ _ Land classification		_ _ Local body	

<p>NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE DESCRIPTION NZMS 260 map number NZMS 260 map name NZMS 260 map edition</p>	<p>NZAA METRIC SITE NUMBER P19/323 DATE VISITED SITE TYPE SITE NAME: MAORI OTHER</p>
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NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

SITE DESCRIPTION

NZMS 260 map number

NZMS 260 map name

NZMS 260 map edition

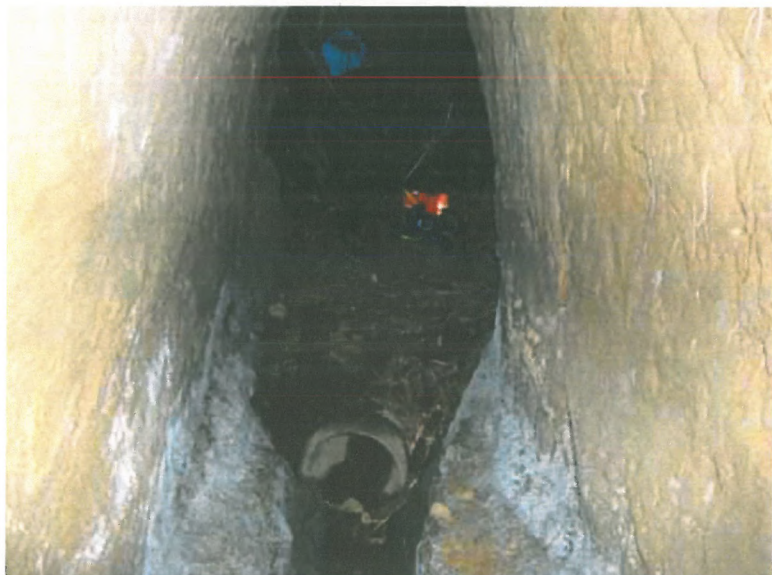
NZAA METRIC SITE NUMBER P19/323

DATE VISITED

SITE TYPE

SITE NAME: MAORI

OTHER



NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION SITE RECORD FORM (NZMS260) NZMS 260 map number P19 NZMS 260 map name NZMS 260 map edition		NZAA METRIC SITE NUMBER P19/321 DATE VISITED updated May 2009 SITE TYPE horticulture SITE NAME: MAORI OTHER	
Grid Reference		Easting 2607761 Northing 6239657	
1. Aids to relocation of site (attach a sketch map) 45 meters south of Devon Rd, and 307 meters east of Egmont Rd, in a farm paddock parallel to a hedge at the end of a line of houses along Devon Rd which have been destroyed to make way for the new bypass.			
2. State of site and possible future damage The site is destroyed.			
3. Description of site (full details, history, local environment, references, sketches) On the basis of .5 ha geomagnetic survey an area with possible fire features was chosen to be investigated as part of a S11 authority. From the experience at 131 Mangati Road, trenches of 4m x 6m with a baulk of 1m between was chosen as excavation method. This allowed to observe both area features and stratigraphy at equal weighting. A mechanical digger undertook the topsoil stripping. Hand excavation of small test trenches along some of the baulks inside the features revealed areas of disturbance impacting onto the subsoil. No clear pattern could be observed. Though the areas of disturbances relate to sloping terraces filled with burn-off. The disturbances are interpreted as the result of successive use of the digging stick for the purpose of planting either kumara or potato. No soil amelioration has been observed, therefore it seems likely that potatoes were planted in smallish garden beds arranged parallel along the slope. On the other side of the ridge a row of pits filled with sandy soil could indicate similar sized garden beds, though much deeper and with sand mixed into the soil. This would be indicative of kumara growing. It is hoped that further microfossil analysis will help to indicate the type of crop most likely to be grown here.			
4. Owner Address		Tenant/Manager Address	
5. Nature of information			
Photographs			
Aerial photographs			
6. Reported by Address Hans Bader-Geometria PO Box 68-653, Newton, Auckland		Filekeeper Date	
7. Keywords Maori horticulture			
8. New Zealand Register of Archaeological Sites (for office use) NZHPT Site Field Code			
Latitude S		Longitude E	
_ _ Type of site		_ _ Present condition & future danger of destruction	
_ _ Local environment today		_ _ Security code	
_ _ Land classification		_ _ Local body	

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

SITE DESCRIPTION

NZMS 260 map number
NZMS 260 map name
NZMS 260 map edition

NZAA METRIC SITE NUMBER P19/321

DATE VISITED updated May 2009

SITE TYPE horticulture

SITE NAME: MAORI

OTHER

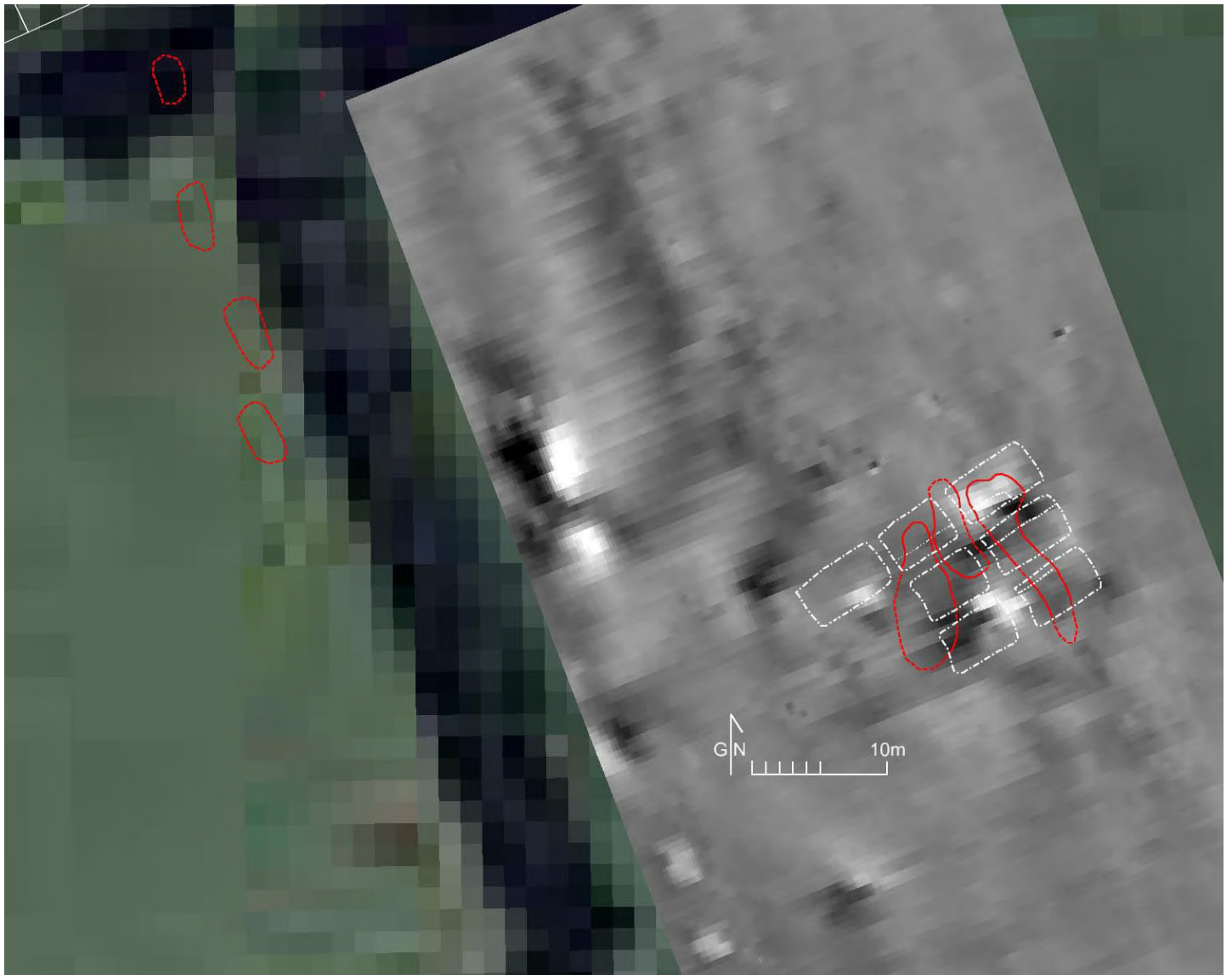


Fig.1: Excavation area and recorded features- excavation trenches to the East and sand pits to the West.

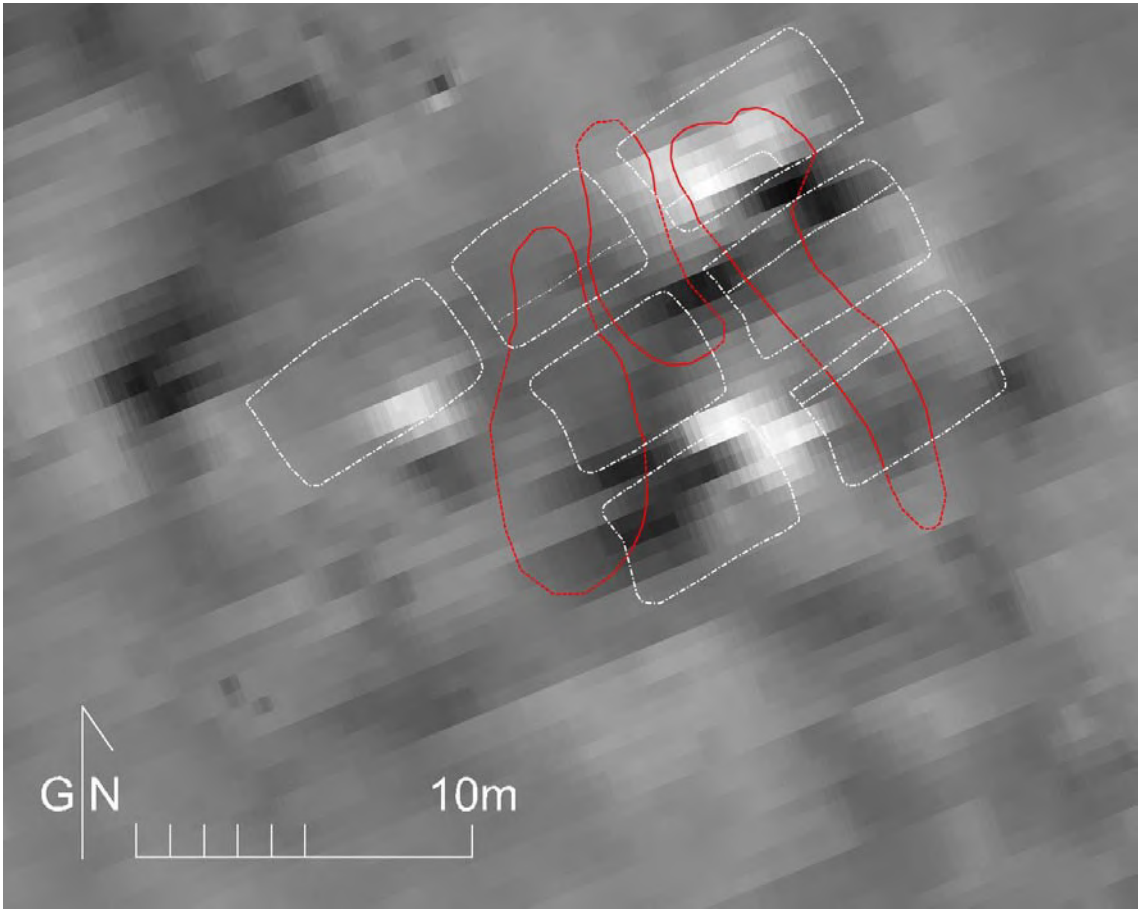


Fig.2: Excavation area – Garden beds in red.

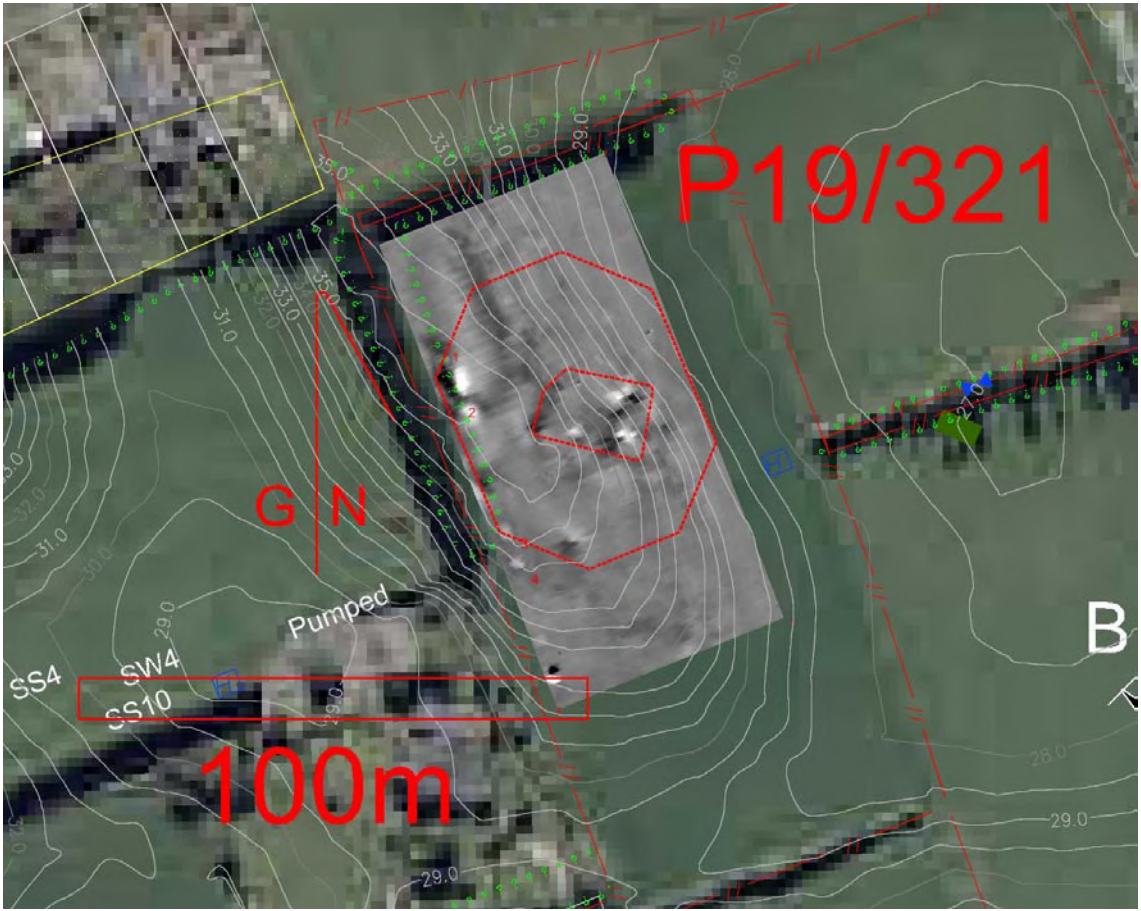


Fig.3: Geomagnetic survey which guided excavation areas.



Fig.4: Excavation area.



Fig.5: Initial topsoil stripping showing burn-off areas.



Fig.6: Small test trench showing sloping terrace of garden bed filled by burn-off.



Fig.7: Test trench showing modification of subsoil by digging sticks.



Fig.8: Test trenches showing modification of subsoil by digging sticks.



Fig.9: Test trench through sandy pit.



Fig.10: Row of sandy pits along north western slope.

APPENDIX F SITE PHOTOS



F.1.1 *View from the site frontage south-east along Egmont Road.*



F.1.2 *View from the north-west corner of the site, of the mixed residential / industrial uses along Egmont Road.*



F.1.3 *View of Egmont Road and road boundaries, proposed Lots 1 and 2 indicated, with remainder of frontage apportioned to proposed Lot 3.*



F.1.4 *View of track through proposed Lot 3 roughly in position of indicative roading on draft NPDP (moving away from gate), existing vehicle crossing to be retained for proposed Lot 3.*

APPENDIX G

DRAFT EGMONT ROAD TO OROPURIRI ROAD FUTURE DEVELOPMENT 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.



LEGEND	
	NPDC WASTE WATER
	NPDC WATER
	NPDC STORMWATER

DRAFT



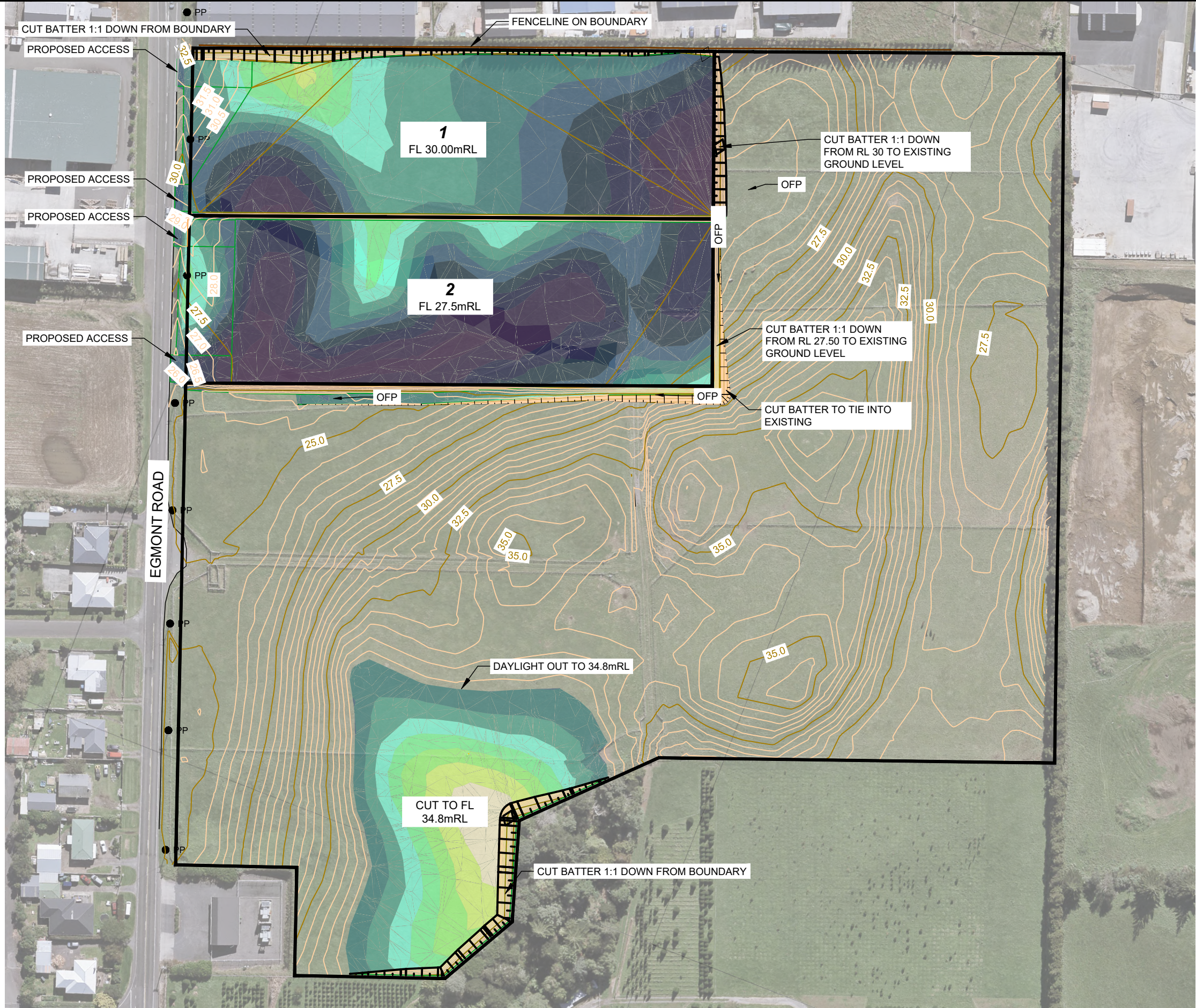
LOCAL BODY: New Plymouth District Council
 APPLICANT: NPDC
 COMPRISED IN: NA
 SCALE: 1:4000

**EGMONT ROAD TO OROPURIRI ROAD
 FUTURE DEVELOPMENT**

Prepared by: K. Preston
 Drawn by: KP
 Checked by: XX
 Date: 14/05/19
 Date: XX/XX/18
 Licensed Cadastral Surveyor
 Date: MAY 2019 Job No.180802.03 Drawing No. 180802.03-01-Rev2

APPENDIX H EARTHWORKS PLAN

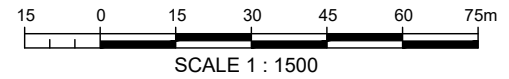
File Name: J:\2018\180802\180802.02 Ind 3 Lot\DWG\180802-02 EARTHWORKS.dwg - SHT 1 Plot Date: 17/06/2019 Plot Time: 11:46



EARTHWORKS KEY

COLOUR	FILL DEPTH RANGE MIN.	FILL DEPTH RANGE MAX.

EARTHWORKS VOLUMES
 CUT 37500m³ (10-20% SHRINKAGE/COMPACTION ALLOWANCE TO FILL)
 FILL 32500m³



Disclaimer:
 Areas and dimensions may be subject to scale error.
 Scaling from this drawing is at the users risk.



NO.	DATE	BY	CHKD	APPR	OPER	REVISIONS	DESCRIPTION	NUMBER	TITLE

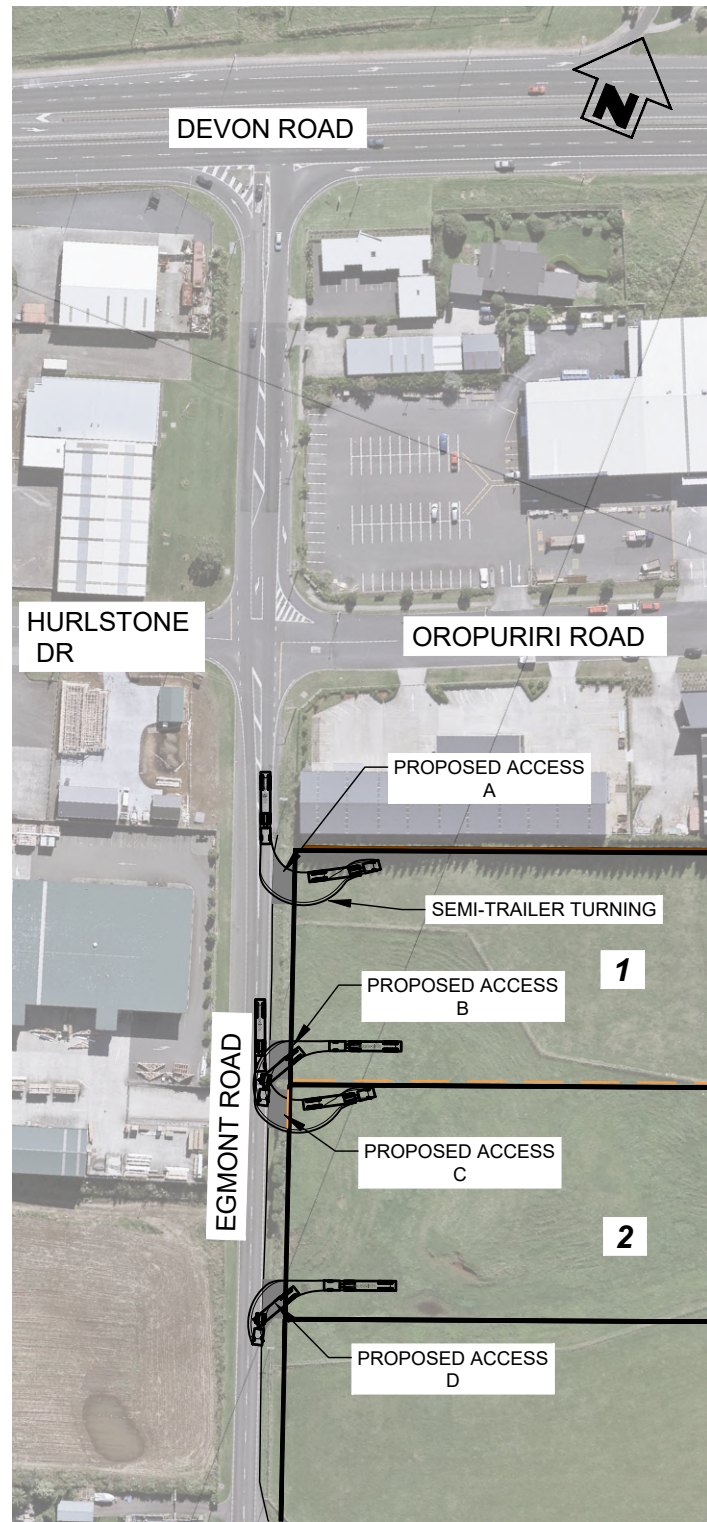
GENERAL NOTES
 1. Coordinates in terms of : NA
 2. Elevations in terms of : NA
 3. Contour interval is : 0.5

LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	NAME DATE
DRAWN	KP 08/05/2019
CHECKED	-

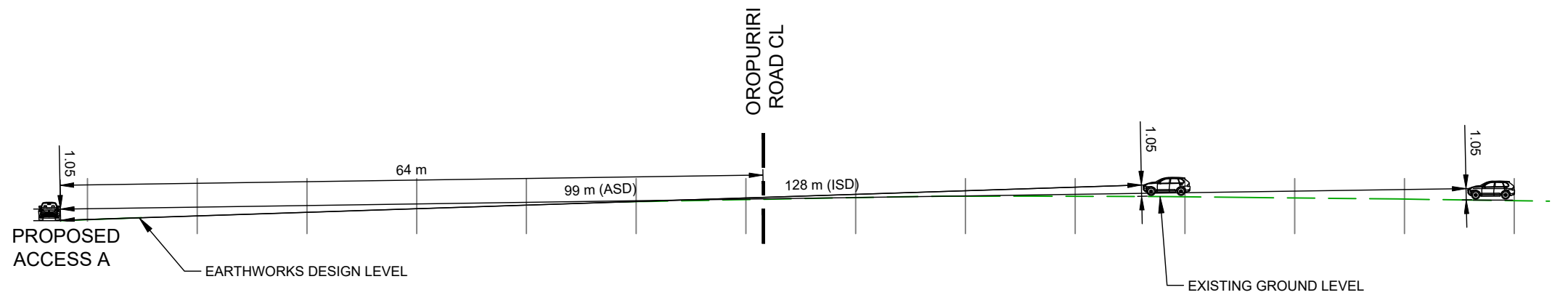
TITLE		MANOR PROPERTY LTD	SHEET	1	REVISION	0
		3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD	DRAWING No.	180802.02-02		
		EARTHWORKS PLAN	ORIGINAL SIZE	A3		

APPENDIX I SIGHT DISTANCE PLAN

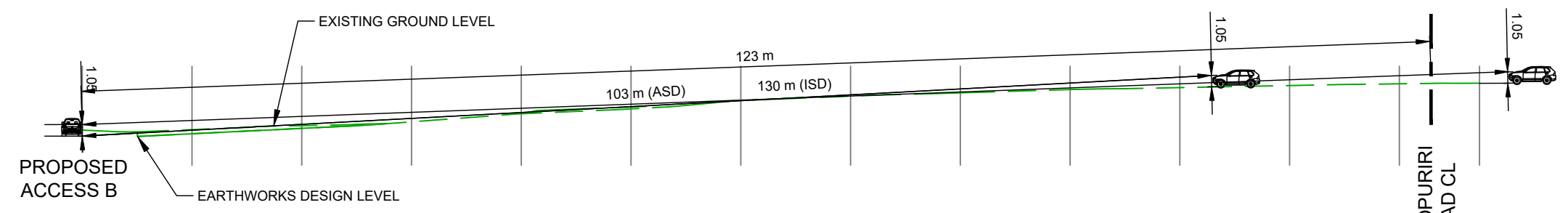
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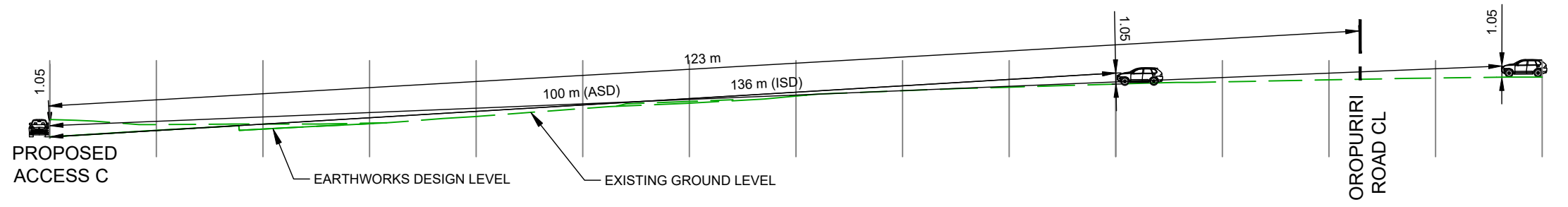
SIGHT DISTANCE PLAN
SCALE 1:2000



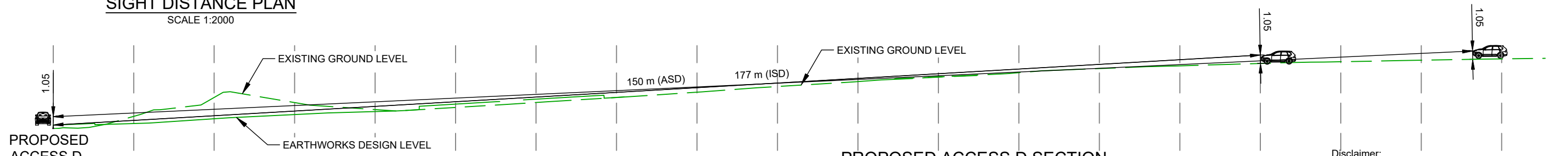
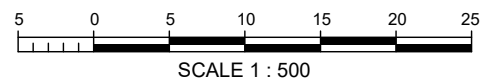
PROPOSED ACCESS A SECTION
SCALE 1:500



PROPOSED ACCESS B SECTION
SCALE 1:500



PROPOSED ACCESS C SECTION
SCALE 1:500



PROPOSED ACCESS D SECTION
SCALE 1:500

Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.



NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
REVISIONS							REFERENCE DRAWINGS	

GENERAL NOTES
 1. Coordinates in terms of : NA
 2. Elevations in terms of : NA
 3. Contour interval is : 0.5

LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	NAME DATE
DRAWN	KP 08/05/2019
CHECKED	- -

TITLE		MANOR PROPERTY LTD	
		3 LOT INDUSTRIAL SUBDIVISION-19 EGDMONT ROAD	
		SIGHT DISTANCE PLAN	
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
A3	180802.02-02	2	1

APPENDIX J TRAFFIC IMPACT ASSESSMENT

17th June 2019

Chris Herd
Manor Property Ltd

Dear Chris,

Traffic Impact assessment - 19 Egmont Rd

An assessment of the traffic impact from the proposed 3 lot subdivision has been undertaken, and specifically included:

- Review of proposed activity
- Onsite manoeuvring
- Effect on the existing road network

This letter summarises the investigation, discussion and recommendations from that assessment.

SITE DESCRIPTION

The site itself is located at 19 Egmont Road, Bell Block, New Plymouth (Lot 2 DP 400849), approximately 220 metres from SH3 Devon Road, Figure 1.



Figure 1: Site overview

The site is currently rolling pasture, approximately 9.3525 ha in area. It has a 302 m long road frontage to Egmont Road and an existing vehicle access approximately 100 m north of the southern boundary.

PROPOSED ACTIVITY

The proposed activity is well covered in the BTW Assessment of Environment Effects (AEE), dated 17 June 2019.

In summary, the site is proposed to be subdivided into three allotments. This will create two lots for industrial development (Proposed Lots 1 and 2). The balance Lot 3 is to remain as a rural lot. The scheme plan is shown below in Figure 2.

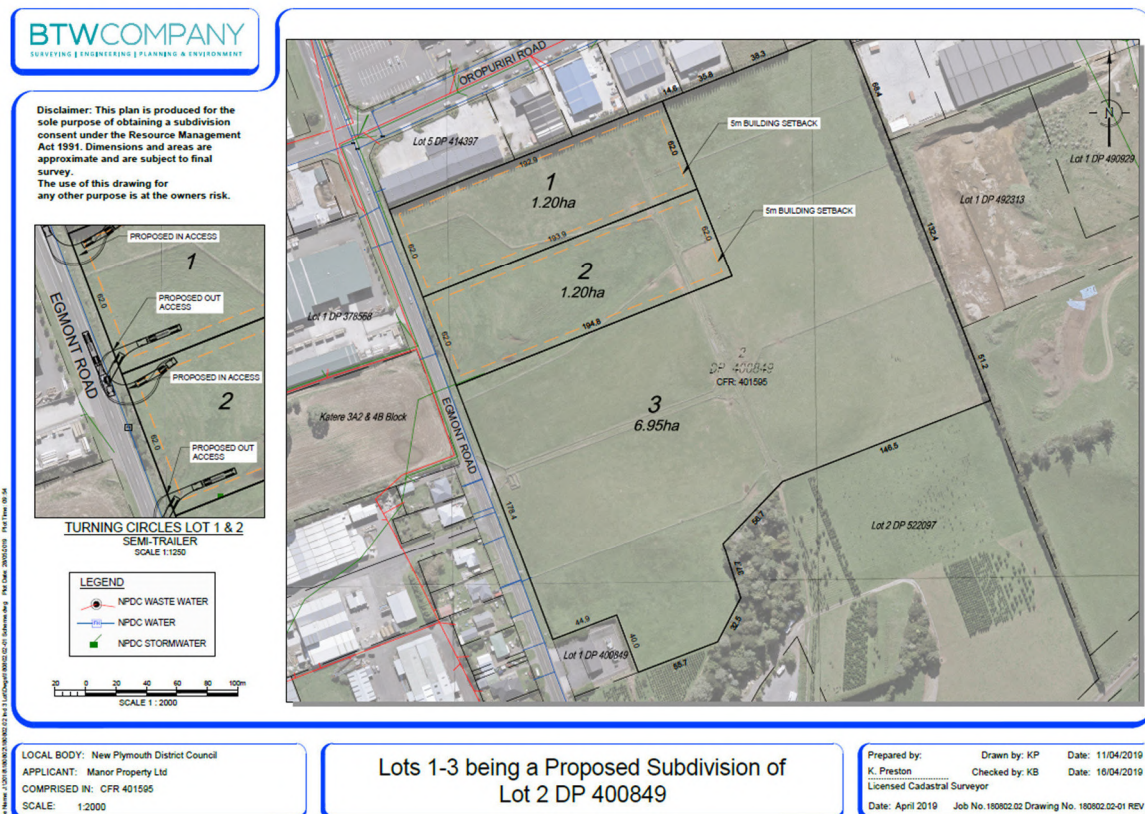


Figure 2: Proposed scheme plan for the subdivision

EXISTING ROAD NETWORK

Egmont Road is defined as an Arterial road in the New Plymouth District Plan (NPDP) roading hierarchy.

Egmont Road commences from State Highway 3 (SH3) as a sealed two lane, two-way road (8.8 metre seal width and marked centreline).

On 7 October 2016, New Plymouth District Council estimated traffic count data on Egmont Road. This recorded an Average Annual Daily Traffic (AADT) of 2,500 vehicles per day (9% heavy vehicles) (VPD).

Egmont Road is straight in the vicinity of the subdivision, with a slight downwards grade from south of the Oropuriri Road intersection.

ASSESSMENT

The assessment has considered:

- The four proposed vehicle access points for the proposed Lots 1 and 2
- The existing vehicle access point for the balance Lot 3

VEHICLE ACCESS POINTS

The subdivision will create four new vehicle access points, named A, B, C and D from North to South along Egmont Road. Each lot will have 2 accesses, an entry only (A, C) and an exit only (B, D). This is shown below in Figure 3.

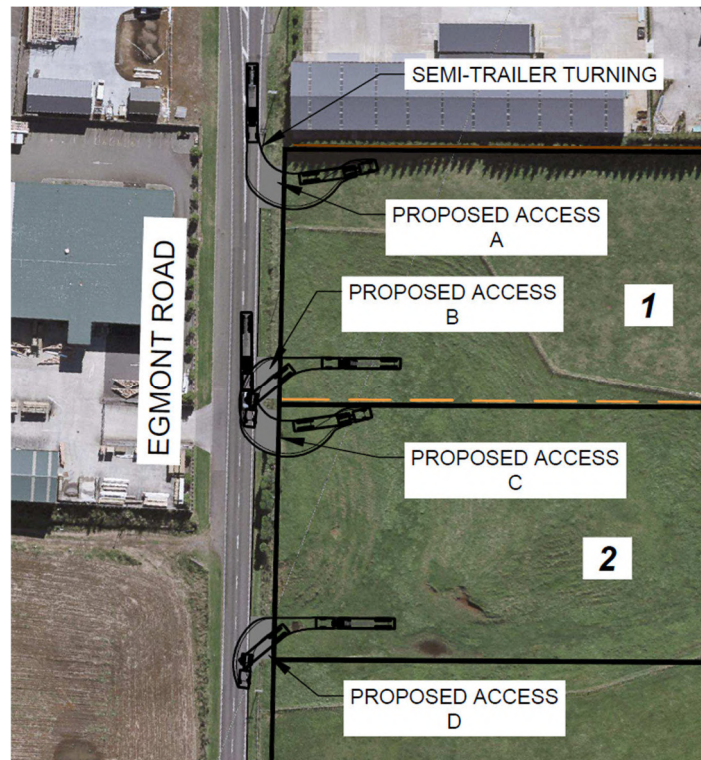


Figure 3: Proposed Vehicle Accesses

Distance to intersection

The distance to the intersection of Oropuriri Road and Hurlstone Drive for accesses A-D is 54 m, 100 m, 113 m and 162 m respectively as shown in the plan in Appendix A. Accesses A-C do not meet the distance to intersection requirements of the NPDP.

The distances from the intersection that are achieved for accesses A-C are considered sufficient to minimise opportunities for traffic conflicts and confusion.

The closest Access A is limited to entry-only use, minimising potential for conflicts as no traffic will be exiting onto Egmont Road at this proximity to the intersections. Both Oropuriri Road and Hurlstone Drive have compulsory stop markings, with traffic therefore moving slower than at a give-way intersection.

Sight distance

The Intersection sight distances based on two points 1.05 m above the ground are 128 m, 130 m, 136 m and 177 m from the proposed accesses A-D respectively. Accesses A-C do not achieve the NPDP minimum of 140 m as set out in Table 23.5.

The Approach Sight Distance (ASD) from AUSTRROADS Part 5 Table 6.3 for each access based on an object height of 0.0 m, the 'desirable' 2.5 seconds and corrected for the average 4% grade is 95 m. This distance is exceeded for all accesses A-D - with 99 m, 103m, 100 m and 150 m respectively.

The vertical geometry of Egmont Road, with a gradual roll off and then near constant grade means that while the 140 m sight distance is not achieved at the standard height of 1.05 m (as per the Diagram 23.6 standard), the majority of a vehicle bulk above this (e.g. windscreen, cab) will be visible over the brow of the hill. These factors combined with the formation of Egmont Road being straight, with an uncluttered 20 m wide road reserve, provides sight distances that are sufficient to maintain safety and efficiency for access and road users.

Based on this, the Intersection sight distances for accesses A-C are therefore not considered to be significant deviations from the standard that cause any unacceptable adverse effects. These distances provide sufficient time for traffic approaching proposed Lots 1 and 2 at 70 km/h to observe any traffic movements occurring at the accesses and safely stop.

These distances are shown in Appendix A.

Distance from other vehicle accesses

Access C is proposed to be opposite that to Carters. The Carters entrance is restricted to an entry only, with vehicles exiting this site into Gregory Place to the west of the site. Access C is also proposed to be entry only. This reduces the potential for confusion or conflicts with Carters access users, as traffic exiting proposed Lot 2 does so some 50 m further south along Egmont Road. The wide road and shoulder widths along this section will also reduce the chance for conflict between vehicles.

Vehicle manoeuvring

It has been demonstrated that the largest anticipated service vehicles (Heavy Service Vehicle, which caters for manoeuvring for Extra Heavy Service Vehicles) for future development on proposed Lots 1 and 2 can enter and exit the site without crossing the centre line of Egmont Road. The subject portion of Egmont Road has a speed limit of 70 km/h.

The additional traffic generation on proposed Lots 1 and 2 will be accommodated with on-site parking, loading, standing and queueing spaces to meet the requirements of the District Plan at the time of development. Vehicle accesses will be formed as described previously to maximise safety and efficiency in use for a range of vehicles including private cars and semi-trailer heavy vehicles.

Existing Lot 3 vehicle access

The existing vehicle access will be retained for the proposed Lot 3. It is considered to be of an acceptable standard to continue to service this lot.

SUMMARY

From the assessment, the following has been established:

- The proposed vehicle accesses A-C do not meet the requirements as set out in the New Plymouth District Plan (NPDP) for distance to other intersections. The Stop controlled nature of the intersection however and the configuration of the proposed accesses as entry or exit only mean this presents a minor safety risk. Access D meets the NPDP requirements.
- The proposed vehicle accesses A-C do not meet the requirements as set out in the NPDP for sight distance. All accesses achieve the 'Desirable' Approach sight distance requirements of AUSTROADS, however. Based on this, with the gentle vertical geometry and wide uncluttered road reserve environment of Egmont Road is not considered to present an undue safety risk.
- The proposed access C is directly opposite an existing vehicle access to the Carters store. Both the existing access and the proposed access are entry only, which greatly reduces the chance for vehicle conflicts.

Noting the above, the proposed activity will not have an undue adverse effect on the safety or efficiency of the road network.

Yours sincerely,



Jess Battaerd (BE Civil)
Civil Engineer

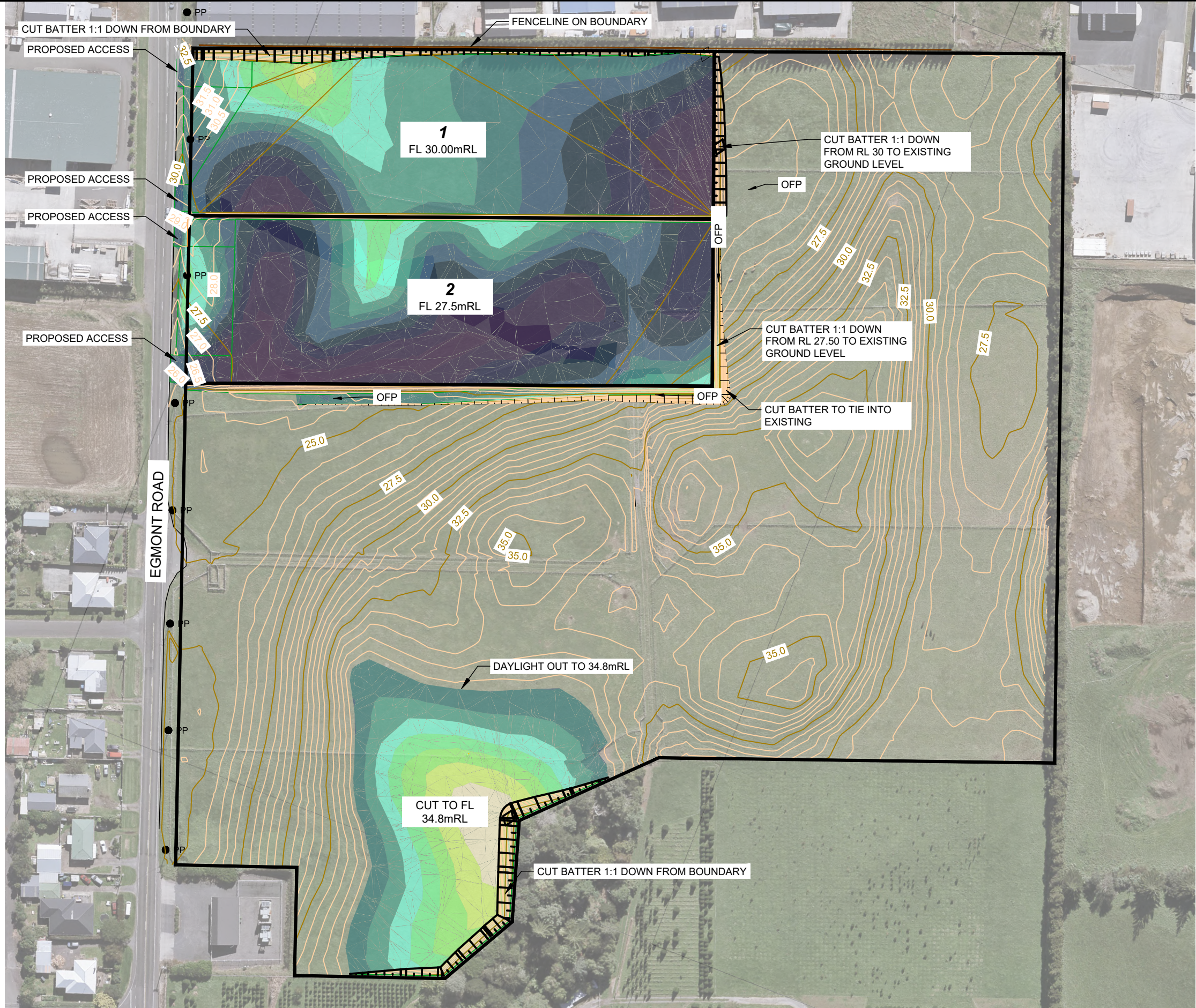
Appendices:

- Appendix A – Sight Distances and Manoeuvring Plan
- Appendix B – Site photographs

APPENDIX A

SIGHT DISTANCE AND MANOEUVRING PLAN

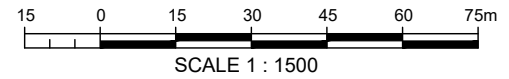
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EARTHWORKS KEY

COLOUR	FILL DEPTH RANGE MIN.	FILL DEPTH RANGE MAX.

EARTHWORKS VOLUMES
 CUT 37500m³ (10-20% SHRINKAGE/COMPACTION ALLOWANCE TO FILL)
 FILL 32500m³



Disclaimer:
 Areas and dimensions may be subject to scale error.
 Scaling from this drawing is at the users risk.



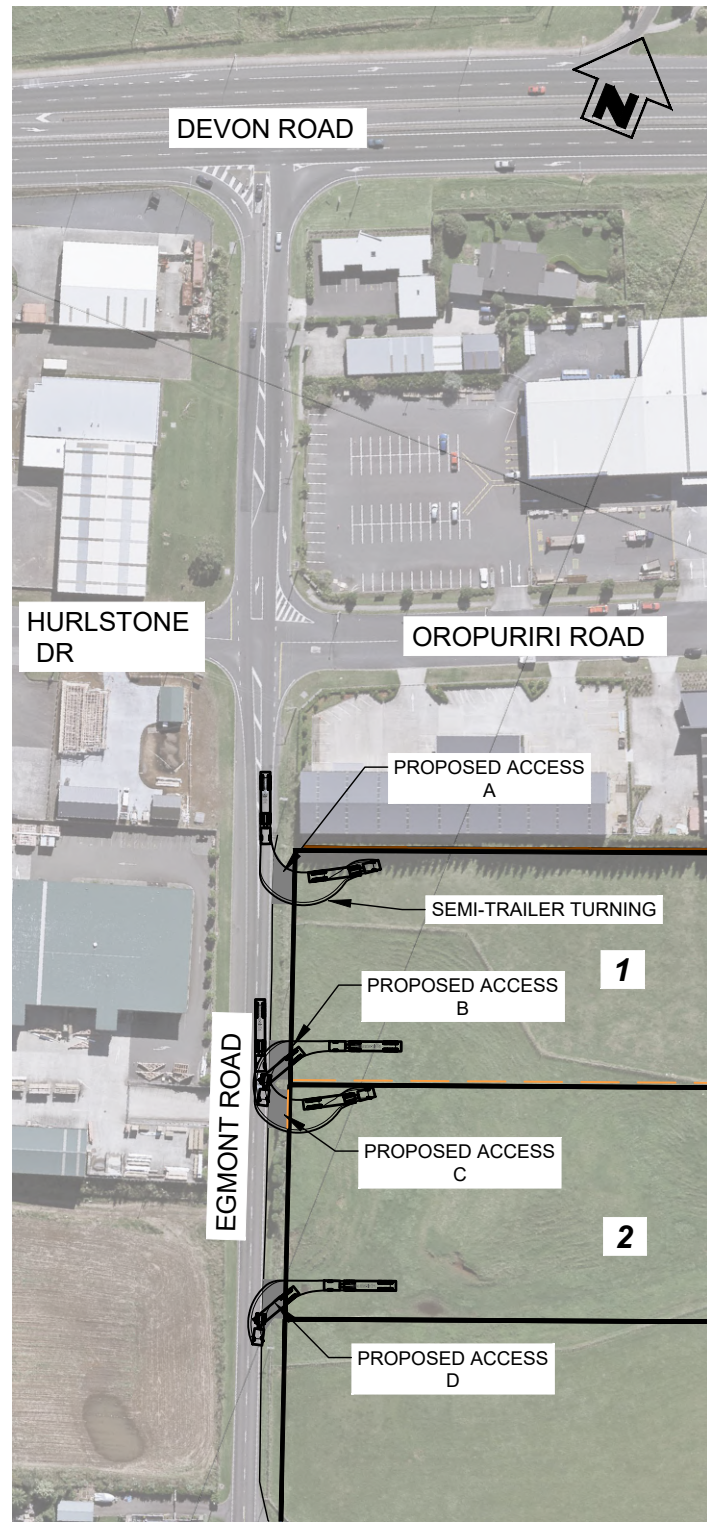
NO.	DATE	BY	CHKD	APPR	OPER	REVISIONS	DESCRIPTION	NUMBER	TITLE

GENERAL NOTES
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 2. Elevations in terms of : NA
 3. Contour interval is : 0.5

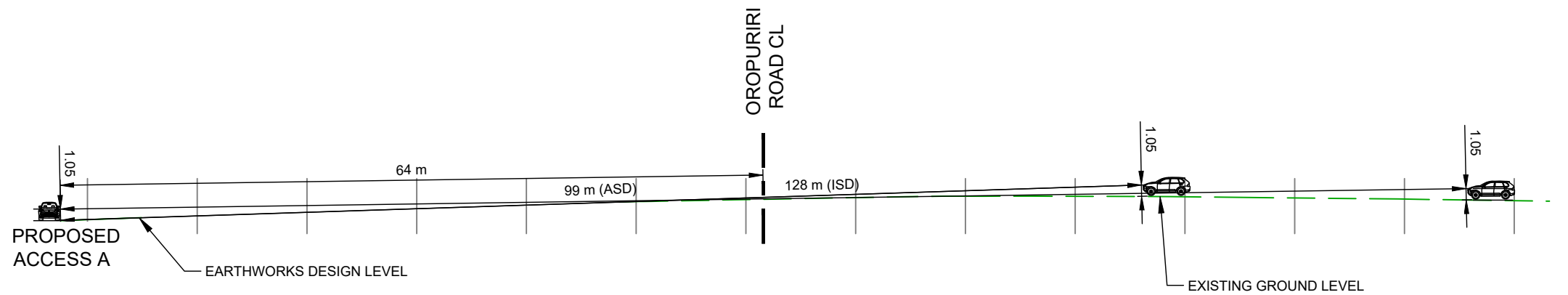
LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	NAME DATE
DRAWN	KP 08/05/2019
CHECKED	-

TITLE		MANOR PROPERTY LTD		3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD		EARTHWORKS PLAN	
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION				
A3	180802.02-02	1	0				

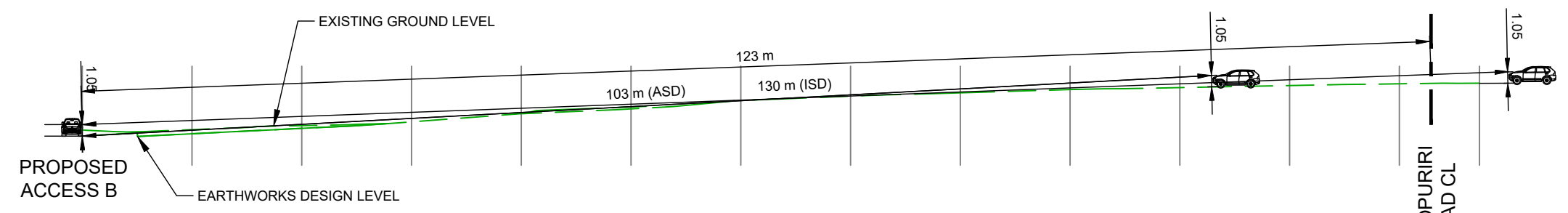
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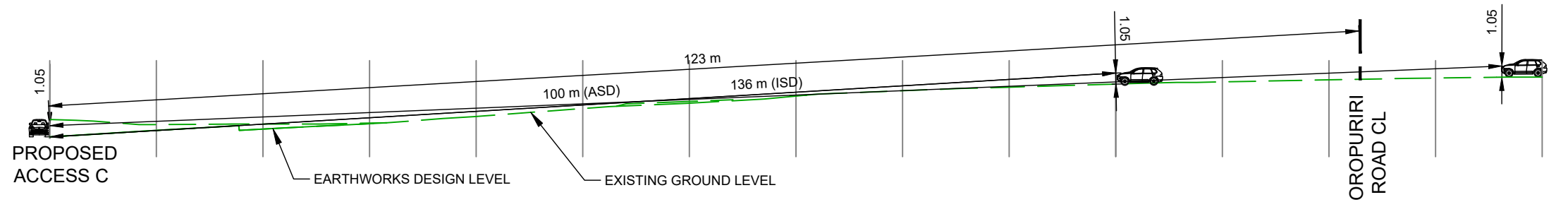
SIGHT DISTANCE PLAN
SCALE 1:2000



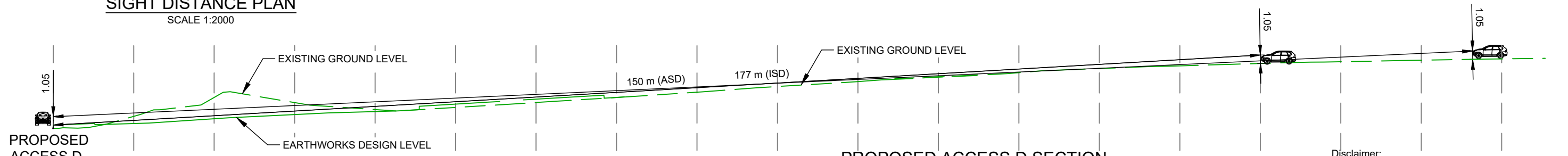
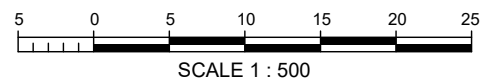
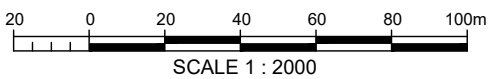
PROPOSED ACCESS A SECTION
SCALE 1:500



PROPOSED ACCESS B SECTION
SCALE 1:500



PROPOSED ACCESS C SECTION
SCALE 1:500



PROPOSED ACCESS D SECTION
SCALE 1:500

Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.



NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
REVISIONS							REFERENCE DRAWINGS	

GENERAL NOTES
1. Coordinates in terms of : NA
2. Elevations in terms of : NA
3. Contour interval is : 0.5

LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	NAME DATE
DRAWN	KP 08/05/2019
CHECKED	- -

TITLE		MANOR PROPERTY LTD	
		3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD	
		SIGHT DISTANCE PLAN	
ORIGINAL SIZE	DRAWING No	SHEET	REVISION
A3	180802.02-02	2	1

APPENDIX B

SITE PHOTOGRAPHS



Figure B 1: Looking south down Egmont Road from Oropuriri/Hurlstone Road intersection towards proposed site



Figure B 2: Looking south down Egmont Road from north of Oropuriri/Hurlstone Road intersection. View height approx. 1.05 m.

APPENDIX B

ORIGINAL AND AMENDED S92 REQUESTS



When replying please quote LUC19/47535 and SUB19/47312

8 July 2019

Manor Property Limited
C/- BTW Company Ltd
PO Box 551
NEW PLYMOUTH

Dear Darelle

RESOURCE CONSENT APPLICATION – FURTHER INFORMATION REQUEST

Application number: LUC19/47535 and SUB19/47312
Applicant name: Manor Property Limited
Address: 19 Egmont Road, New Plymouth
Activity Description: 3 lot subdivision and industrial land use application

I am requesting further information to better understand your proposal's effect on the environment and the ways any adverse effects might be mitigated.

Requested information

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.
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.
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 achieved both for turning left and right out of each access.
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?
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?
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?
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 provide this information in writing within 15 working days. Before this ends, please let me know if you can't respond in time and need an alternative date or if you refuse to provide the information. While I am waiting for you to respond, I will not work on your application and the days will be excluded from the timeframe.

Refusing to provide the information

If you refuse to provide the information, or if you do not submit the information within 15 days (or by another other agreed time), the RMA requires that we publicly notify your application.

If this happens, you will be required to pay the fee for notification in full before we proceed with the notification of your application.

Next steps

Once you have provided the requested information, I will review what you have provided to make sure it adequately addresses all of the points of this request and will provide a revised date for the decision.

Please feel free to contact me on 0274601136 if you wish to discuss your application further.

Yours sincerely

Laura Buttimore
Consultant Planner

Darelle Martin

Subject: [#BTW180802] 19 Egmont Road - Planning Meeting

From: Richard Watkins <Richard.Watkins@npdc.govt.nz>

Sent: Monday, 15 August 2022 2:58 pm

To: Darelle Martin <darelle.martin@btw.nz>

Cc: Rowan Williams <rowan.williams@npdc.govt.nz>; Cam Twigley <Cam.Twigley@btw.nz>; 'Chris Herd ManorBuild' <chris@manorbuild.co.nz>; laura@lbplanning.co.nz; Zane Wood <Zane.Wood@npdc.govt.nz>

Subject: RE: [#BTW180802] 19 Egmont Road - Planning Meeting

EXTERNAL MESSAGE

Hi Darrelle,

Laura has helpfully provided a summary of the matters that are still outstanding in terms of the request for further information that was made in July 2019. Using the original further information request, the information that I have concluded needs to be provided (highlighted in yellow) is as follows:

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,.
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)
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. (Completed)
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? Completed
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? I understand that this is still outstanding.
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:
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 landuse 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?

Please provide an assessment of the effects of the proposal on rural character and amenity stemming from the proposed landuse activities on proposed Lots 1 & 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.

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 & Rur18).

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.

Once the above information is received, a notification assessment will then be able to undertaken including whether there are any affected persons such as adjacent residents and mana whenua.

Due to other work that Laura Buttimore has been engaged in since the initial receipt of this application, there is now the potential for there to a perceived conflict of interest. It has been decided therefore that an alternative processing planner will need to be engaged to continue with the consideration of this resource consent. Once you are in a position to do so, can you please advise whether you wish for NPDC to recommence the processing of this resource consent and we will commence reallocating the application to another planner to provide them with a chance to familiarise themselves with the proposal and the issues associated with it.

Kind regards,

Richard Watkins
Principal Planner

New Plymouth District Council | Liardet St | Private Bag 2025 | New Plymouth 4340 | Ph 06-759 6060 Mobile 0272 605 977

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APPENDIX C

CULTURAL IMPACT ASSESSMENT

Ngati Tawhirikura Cultural Impact Assessment

Proposed Subdivision – 19 Egmont Road, New Plymouth | Manor Property Limited

Table of Contents

Introduction	4
Engagement with manawhenua/tangata whenua	4
Tangata whenua kaitiaki	4
Kaitiakitanga.....	4
Cultural Impact Assessment objectives and process	6
Objectives	6
Purpose	6
Receiving Environment & Proposal Description	7
Receiving Environment	7
Subdivision application	7
Proposed land re-zoning and future development.....	8
Planning framework.....	9
Te tiriti o Waitangi	9
Resource Management Act 1991.....	9
Te Mana o te Wai.....	10
Tai Whenua, Tai Tangata, Tai Ao – an iwi planning document for Te Atiawa.	11
The Regional Freshwater Plan for Taranaki	11
The Operative New Plymouth District Plan 2005	11
The Proposed New Plymouth District Plan 2019	11
Summary	11
Tangata whenua associations/values	13
Te Ao Māori – Māori world view	13
Mātauranga – Knowledge systems	13
1. Kaitiakitanga – Guardianship, enhance, protect, preserve.....	13
2. Rangatiratanga – Exercise authority, self-determination, sovereignty	13
3. Mana Whenua – Inherited user rights.....	14
4. Mauri – Life force, energy, life principle	14
5. Hauora – Health, wellbeing.....	14
6. Ki uta ki tai – Integrated, interconnected approach	14
Assessment of effects on tangata whenua values.....	16
Introduction and scope	16
Actual and potential adverse effects of the proposal	16
Integrated development	16
Mangaone	16
Earthworks and construction effects.....	17

Land uses, built environment including landscaping.....	18
Ongoing Engagement.....	19
Summary and conclusions	19
Appendix 1 – development proposal.....	21
Appendix 2 – potential future development plan	22
Appendix 3 – initial archaeological assessment (relevant excerpts)	23

Introduction

Engagement with manawhenua/tangata whenua

1. Ngati Tawhirikura hapū with the support of Te Kotahitanga o Te Atiawa Trust (the Trust) have prepared this cultural impact assessment to assess the effects of a proposed three lot subdivision at 19 Egmont Road, New Plymouth (Lot 2 DP 400849) on the beliefs, values or physical being of tangata whenua associated with this area. Only tangata whenua who *whakapapa* have the mandate to carry out CIAs, and only tangata whenua can determine the issues that affect themselves and to what extent these may be.
2. For a variety of reasons, including time and resource constraints and information sensitivity, a CIA can never be a full cultural assessment. A CIA is both a process and a document. The completion of the CIA does not signal the end of tangata whenua's interest in this proposal or the obligations of the applicant to tangata whenua. The process will continue at least until such time as the issues that have been raised by tangata whenua have been fully addressed.
3. The application process has commenced, with the Council issuing a Request for Information (RFI) pursuant to section 92 of the Act; this includes the provision of a Cultural Impact Assessment for the proposed subdivision and associated activities.

Tangata whenua kaitiaki

4. The rohe of Ngati Tawhirikura hapū are a cultural landscape of historical importance. It was occupied and utilised to sustain our people and contains a wealth of occupation such as marae (meeting house), kāinga nohoanga (dwelling place), umu (oven), wāhi mahi kohātu (quarry sites), ara tawhito (traditional travel routes), māra (gardens), Tauranga waka (canoe landing sites), Tauranga ika (customary fishing grounds), mahinga kai (customary freshwater fishing grounds), wāhi pakanga (battle sites), pā (fortified villages) and urupā (n.b. this is a non-exhaustive list).
5. Today however, many sites and areas have been destroyed by development and those that remain are in varying conditions of degradation. Ngati Tawhirikura seek to protect our cultural landscapes from inappropriate subdivision, use and development; to ensure new development avoids any further degradation, and where possible begin to remediate the effects activities have had on this cultural landscape over time.
6. Since the 1950s urban expansion and the continual industrialisation of this part of the rohe of Ngati Tawhirikura has resulted in the on-going destruction and disturbance of the cultural landscape in this area, exacerbating the alienation of the whenua from Ngati Tawhirikura. The cumulative effects of successive planning decisions, district schemes, Regional and District Plans which have imposed industrial land uses onto Ngati Tawhirikura, that have not provided for the cultural landscape continues to impact on the relationship Ngati Tawhirikura is able to have with its lands, water, sites wāhi tapu and other taonga in this area. The acceleration in the past 10 years highlights the difficulties in maintain capacity to participate meaningfully.

Kaitiakitanga

7. Through the relationship with ngā kaitiaki atua, hapū have a duty or obligation to their ancestors, those living and future generations to come, to take care of, and protect places of cultural significance, natural resources and other taonga (collectively nga taonga tuku iho – the treasures passed down) in their rohe. In former times, kaitiaki controlled and regulated access over natural

resources within their rohe. Kaitiaki (an inherited role that included the guardianship of natural resources) were mandated by and on behalf of whanau, hapū and iwi to care for and protect the productive and spiritual well-being of ngā taonga within a particular rohe. The duty of kaitiaki is to protect and strengthen both the intangible mauri and the physical well-being of the resource, place or taonga.

8. Kaitiaki carried out their responsibilities and obligations using kaitiakitanga - the responsibilities and customs used by kaitiaki to take care of ngā taonga tuku iho. This included a system of resource management practices, rules and techniques for managing natural resources which were both practical and spiritual in nature and included concepts such as tapu (sacredness) and Rahui (temporary restrictions on use).
9. Tangata whenua believe that these kaitiaki obligations still exist; that they still have relevance and that iwi still have a right to practice them. Kaitiakitanga is carried out through the use of tikanga (customs), kawa (protocol) and mātauranga Māori (traditional knowledge) which have all been developed and passed down through the generations, for example through waiata, karakia, and whakatauki as well as through oral tradition. The practices associated with kaitiakitanga are also closely linked with mana (status and pride) and tino rangatiratanga (self-determination).

Cultural Impact Assessment objectives and process

Objectives

10. To:

- document cultural values, interests and associations (including beliefs) of the specific area or resource; and
- identify the potential effects of the proposed activity on these; and
- recommend methods to support (positive impacts), avoid, remedy or mitigate (adverse impacts) those effects.

Purpose

11. To assist the Applicant, Heritage New Zealand Pouhere Taonga, Taranaki Regional Council and the New Plymouth District Council in meeting their statutory obligations under the Resource Management Act 1991, and the Heritage New Zealand Pouhere Taonga Act 2014 including:

- preparation of an Assessment of Environmental Effects (AEE) (s.88(2)(b) and the fourth schedule of the RMA);
- requests for further information (s.92) in order to assess the application;
- providing information to assist the council in determining notification status (s.95-95E);
- providing information to enable appropriate consideration of the relevant Part 2 matters when making a decision on an application for resource consent (s.104); and
- consideration of appropriate conditions of resource consent (s.108).

Receiving Environment & Proposal Description

Receiving Environment

12. As noted in paragraph 4 above, the rohe of Ngati Tawhirikura supported our way of life. A range of sites, features, areas and resources are located throughout the area. The cultural landscape the application site is located within includes a number of Pa and Papakainga, (e.g. Aotere/Parapara-iti, Pararoa, Katere, Mangaone, Te Orupuriri), and reserves (Katere).
13. This way of life was enabled by significant natural features in the area like the Mangaone. Over time, the size and path the Mangaone follows has been significantly modified as the land around the stream has changed and been more intensively developed. As a result, water quality has been degraded, and the life supporting capacity of the river compromised. This has severely impacted on the mauri of Mangaone.
14. Similarly, the relatively recent history of industrial development in this area, resulting in significant earthwork and modification to the contour of the land. This pattern of development has resulted in an almost constant interference of sites and areas of significance to Ngati Tawhirikura. This is compounded with the subsequent built environment not reflecting the cultural landscape of this area (noting the features above), and as such these are no longer prominent in the landscape.

Subdivision application

15. The proposal is described at Section 3 of the application. The following are some of the key attributes as we understand them in relation to this CIA.
16. Manor Property Limited are proposing a three-lot subdivision and associated land-use consent for the land at 19 Egmont Road to be developed for industrial purposes. Two of these allotments are proposed to be developed initially; with a subsequent proposal to occur for the balance at some point in the future. The scheme plan is attached as appendix 1.
17. The application sets out a number of conditions/consent notice provisions for the two small allotments (lots 1 & 2) as follows:
 - a. *No habitable buildings are to be developed. Non-habitable buildings developed may be used for Industrial Activities.*
 - b. *Maximum structure height of 15m.*
 - c. *Maximum building height of 12m.*
 - d. *Building setback of 5m from road and side boundaries. Setback does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe.*
 - e. *All buildings, carparking areas or yard areas that are visible from an adjoining road boundary must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2m and, with the exception of vehicle crossings, be a minimum width of 2m from the road boundary. Note: The above is an increase in landscaping height from the 1m proposed by the draft District Plan.*
 - f. *No outdoor storage area shall be visible from an adjoining property or a road.*
 - g. *At least 20% of the site shall be planted in grass, vegetation or landscaped with permeable materials.*

h. Any industrial activities exceeding 5,000m² GFA will require an Integrated Transport Assessment considering both operational and construction effects, prepared by a suitably qualified traffic specialist and submitted for approval from Council prior to undertaking the activity.

18. Construction of the proposed three-lot subdivision will require 24,000m³ of earthwork. An indicative earthwork plan provided in the application is attached as appendix 2.
19. The archaeological record in this area is incomplete; in response the applicant is proposing an Exploratory Authority pursuant to the HNZPT to enable an exploratory survey of the site prior to commencing the substantive earthwork.
20. Stormwater generated from the development is proposed to be disposed of on-site. Based on the RFI we understand that the stormwater infrastructure in this area is at capacity; noting that a small amount of stormwater from the application site currently enters the reticulation. Specific plans for on-site disposal are not provided. Wastewater and potable water connections are available into the existing infrastructure network.

Proposed land re-zoning and future development

21. The Proposed District Plan was notified on the 23rd of September 2019. The application site is proposed to be re-zoned to General Industrial, with an indicative roading layout included on planning maps. The process of reaching this re-zoning has not included any comprehensive structure planning of the area.

Planning framework

Te tiriti o Waitangi

22. The purpose of CIA is to ensure that the spiritual and physical well-being of a resource, area or site is maintained and that their kaitiaki obligations are upheld. These roles and responsibilities apply to the ocean, rivers, lakes, forests, fisheries and wildlife as they do to natural resources.
23. These resources were guaranteed to tangata whenua under Article 2 of the Treaty of Waitangi and Te Tiriti o Waitangi (the Māori language version) for as long as tangata whenua so desired. Tangata whenua have not relinquished these rights and responsibilities. Below is a transcript of the Second Article of te Tiriti o Waitangi followed by the translation into English (Professor IH Kawharu) and the first part of "Article the Second" of the Treaty of Waitangi.

"Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga Hapū, ki nga tangata katoa o Nu Tirani te tino rangatiratanga o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wāhi wenua e pai ai te tangata nona te Wenua - ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona."

"The Second The Queen of England agrees to protect the Chiefs, the subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the Chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent." (trans. IH Kawharu)

"Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full and exclusive and undisturbed possession of their land and Estates, Forests, Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession....."

24. Since the signing of the Treaty of Waitangi in 1840, land and other natural resources have been gradually alienated from Tangata Whenua. This has diminished the authority of iwi, hapū and whanau over nga taonga tuku iho for which kaitiaki responsibilities were previously held. Despite this loss, the tikanga, rights and responsibilities over natural resources by manawhenua iwi, hapū and whanau still remain strong.

Resource Management Act 1991

25. The Resource Management Act 1991 (RMA or the Act) further affirms both the guarantee set out in Article 2 of the Treaty, as well as the rights and responsibilities of Tangata Whenua. In brief, the purpose of the RMA is *"the sustainable management of natural and physical resources"*¹ with the Principle of the RMA (sections 6-8) requiring all persons exercising functions and powers under the Act to:
- recognise and provide for matters of national importance. These include the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and

¹ Part 2, Section 5, RMA 1991

other taonga²; and the protection of historic heritage from inappropriate subdivision, use and development; and

- have particular regard to other matters including kaitiakitanga, where this is defined in the RMA as *“the exercise of guardianship; and in relation to a resource, includes the ethics of stewardship based on the nature of the resource itself”*; as well as the maintenance and enhancement of the quality of the environment; and
- take into account the principles of the Treaty of Waitangi, noting that these principles of the Treaty are not the same as the Treaty of Waitangi itself. These principles have been developed from debate and case law over the exact meanings of the words and represent a simplification and summary of the basic concepts and agreements contained within the two original documents, the Treaty of Waitangi and Te Tiriti o Waitangi. These principles now appear in various New Zealand statutes and under the RMA is of particular importance to tangata whenua in terms of resource management. Key principles in regard to this application include:
 - Retention of rangatiratanga: “The Maori Chiefs looked to the Crown for protection from other foreign powers, for peace and for law and order. They reposed their trust for these things in the Crown believing that they retained their own rangatiratanga and taonga.” Per Justice Bisson.
 - Duty to Consult: The responsibility to act in good faith and reasonably puts the onus on the Crown to make an informed decision, in many cases that will require consultation.
 - Duty of active protection: The Crown has a duty to actively protect Māori interests in the use of their lands and waters³.

Te Mana o te Wai

26. The National Policy Statement for Freshwater Management (NPS-FM) recognises that fresh water has a deep cultural meaning to Aotearoa. Te Mana o te Wai is a concept described with the NPS-FM; and recognises that each water body has its own mauri and its own mana which must come first to protect the integrity of the water body. Upholding Te Mana o te Wai requires provision for Te Hauora o te Taiao (the health of the environment), Te Hauora o te Wai (the health of the waterbody, and Te Hauora o te Tangata (the health of the people).
27. The NPS-FM includes clear direction regarding the concept of Te Mana o te Wai and its consideration through resource management process. Importantly for this application, this includes consideration of integrated management of freshwater resources by all local authorities. This includes ensuring tangata whenua rights and interests are reflected in freshwater management.
28. The application site is located within the Waiwhakaiho catchment, specifically draining to the Mangaone stream. The Mangaone Stream is recognised as a statutory acknowledgement area through the Te Atiawa Claims Settlement Act 2016. In the opinion of tangata whenua this catchment is severely degraded, with a number of threats to water quality, quantity and use

² Case law has defined that ‘ancestral lands’ do not have to be in Māori ownership; however the Court of Appeal found that councils and courts should base resource management decision on the well-being of the community as a whole even if that was at the expense of a segment of the community, including Māori.

³ The Treaty of Waitangi is a living document to be interpreted in a contemporary setting. New principles are constantly emerging and existing ones are modified. However, the key principles of the Treaty of Waitangi were outlined by the Court of Appeal in *New Zealand Māori Council v Attorney-General* [1987] 1 NZLR 641.

elevated in the Mangaone due to the level of urban development within its catchment. This opinion is supported by recent monitoring of the waterbody, as well as

29. The proposed NPS-FM 2019 elevates Mahinga Kai as a compulsory value to be considered in the management of freshwater, alongside others, to inform the target to maintain or improve the health of a waterbody.

Tai Whenua, Tai Tangata, Tai Ao – an iwi planning document for Te Atiawa.

30. Tai Whenua, Tai Tangata, Tai Ao is an iwi planning document for Te Atiawa. This document is required to be taken into account through resource management process, including the consideration of resource consent applications. This iwi planning document contains a number of directive policies relevant to the proposal. These include:

- dual notification processes (hapū and iwi), as well as ongoing engagement with tangata whenua through the planning process;
- a preference for structure planning, particularly at time of proposed re-zoning;
- land development, including earthworks and urban design;
- stormwater management and support for low impact urban design; and
- the quality of the built environment.

The Regional Freshwater Plan for Taranaki

31. The Regional Freshwater Plan for Taranaki contains a number of provisions relevant to the application, mainly for the construction phase, and the management of stormwater. Consent may be required for the earthwork in the construction phase of the proposal due to the size of area to be active. This is pursuant to rule 27 of the RFWP (fully discretionary).

The Operative New Plymouth District Plan 2005

32. The New Plymouth District Plan contains several provisions relevant to this application. Two areas in particular are methods which protect historic heritage, subdivision provisions and the adoption of NZS4404:2010 Land Development and Subdivision Infrastructure Standards with local amendments.

The Proposed New Plymouth District Plan 2019

33. The Proposed New Plymouth District Plan was notified on 23 September 2019. There are a number of provisions which have immediate legal effect that will require weighting in the decision of this subdivision, and associated land use application. Key provisions with legal effect are those relating to Archaeological Sites (HH-P16), Sites and Areas of Significance to Māori and Waterbodies.

34. The P-NPDP also brings NZS4404:2010 Land Development and Subdivision Infrastructure Standards with local amendments in as a reference document.

35. A structure plan titled the Oropuriri Structure Plan is included in the Development Areas chapter of the plan.

Summary

36. The Treaty of Waitangi/Te Tiriti o Waitangi 1840, particularly Article 2, conferred on tangata whenua a right in respect of full exclusive and undisturbed possession of their lands and estates, forests, fisheries and other properties/taonga. The RMA, regional and district planning documents, and tangata whenua management plans, are amongst the legislation, policies and

statements that affirm the manawhenua status of tangata whenua. The role of kaitiaki in regard to the management and monitoring is affirmed as is the relevance and practice of kaitiakitanga.

Tangata whenua associations/values

Te Ao Māori – Māori world view

37. Ngati Tawhirikura hapū have a holistic view of the environment based around whakapapa (genealogy) and whanaungatanga (relationships), connecting us and all physical and spiritual things in the world. Our relationship with the environment stems from our whakapapa to Papatūānuku (Earth Mother) and Ranginui (Sky Father) who gave rise to many children, also known as the Atua (guardians) of the domains of the natural world. Therefore, it is important to understand that potential impacts of any proposed activity would be conceptualised holistically. For example, we would not consider environmental impacts separately to impacts on health and wellbeing.
38. Over the last 200 years the prominence of the Māori worldview has been eroded across the political landscape of Aotearoa/ New Zealand. This began with the denigration of Rangi, Papa and the other Atua with the arrival of the early Christian missionaries. This continued with the gradual loss of control by tangata whenua over land and other resources. The strengthening of the Western Worldview's focus over this time on the individual and his material needs has further eroded the values inherent in the Māori Worldview. It is of no coincidence that over this time the condition of natural resources has degraded and the amount available for use have diminished. The reversal of this trend both in the condition of natural resources and the relevance of Te Ao Māori is welcomed by tangata whenua.
39. The values that this application is assessed against in this CIA are informed by this world view. In the context of the proposal at 19 Egmont Road described above, the following values are appropriate:

Mātauranga – Knowledge systems

40. Mātauranga can be described as “the pursuit and application of knowledge and understanding of te taiao, following a systematic methodology based on evidence, incorporating culture, values and world view”. It draws on the knowledge of our ancestors, contributes to present day knowledge, and passes on to our future generations. It is dynamic and has the ability to adapt and respond to all situations. Mātauranga is intergeneration and is passed down through whakapapa, waiata (song), haka (war dance), whakataukī (proverbs), pūrākau (legends), kōrero tuku iho (ancestral stories), or whakairo (carvings). Some of our mātauranga is described below as the rationale for our cultural values.
41. Through these concepts of Te Ao Māori and mātauranga, Ngati Tawhirikura has developed the following cultural values which are the basis from which inform our decision-making processes, to sustain and enhance our environment and its resources.
 1. Kaitiakitanga – Guardianship, enhance, protect, preserve
42. For Ngati Tawhirikura, kaitiakitanga is an active intergenerational responsibility to care for, preserve and enhance the mauri of our natural and cultural resources within our rohe, today and for future generations. Linked to this is the concept of *Tau utu utu*; reciprocity or giving back what from where you take.
 2. Rangatiratanga – Exercise authority, self-determination, sovereignty
43. Rangatiratanga in relation to natural resources connects back to our value of kaitiakitanga. For us, Rangatiratanga is the right of Ngati Tawhirikura to exercise authority and self-determination

and have an integral part in the decision-making processes around the management of our natural and cultural resources within our rohe.

3. Mana Whenua – Inherited user rights

44. Through confiscation, we were disenfranchised from our lands, and as a consequence ahi kā (the power associated with the possession of land) was lost. These events impeded our ability, as tangata whenua (people of the land), to live off the land and provide for our people, however we are reasserting mana whenua over our lands.

45. Mana whenua connects back to our value of rangatiratanga. For Ngati Tawhirikura, mana whenua can be defined as inherited user rights, which guarantees us the mana to utilise, manage, sustain, protect and enhance our natural and cultural resources within our rohe in accordance with tikanga for the betterment of Ngati Tawhirikura uri.

4. Mauri – Life force, energy, life principle

46. For Ngati Tawhirikura, mauri is the life force or life essence. It is an intangible and intrinsic value. It is held by all things through whakapapa linking back to Atua origins. Humans as well as animals, rocks, stones, lands, forests, mountains, oceans and rivers have their own mauri. Ecosystems also collectively have mauri, which manifests as the ecosystem's ability to sustain and preserve life, and as such a disruption to that life force causes negative effects to the ecosystem and the resources it contains. Mauri is therefore central to our role as kaitiaki and we seek to ensure the mauri of the ecosystem, the natural environment and its resources are protected and enhanced for future generations.

5. Hauora – Health, wellbeing

47. For Ngati Tawhirikura, there is a clear link between a healthy environment and our cultural, economical, spiritual and physical well-being. We see ourselves as part of the environment rather than separate from it. Subsequently, it is important to understand that the potential environmental impacts of any proposed activity would be conceptualised holistically, and not considered in isolation to impacts on our health and wellbeing.

6. Ki uta ki tai – Integrated, interconnected approach

48. Linked to Hauora, ki uta ki tai is a whole-of-landscape approach, understanding and managing interconnected resources and ecosystems from mountains to the sea. It acknowledges the reciprocal relationship between people and the environment. It encourages integration with the natural landscape and required proactive engagement. It relies on the idea that the mauri of a river cannot be assessed in isolation of its surroundings and must be based on the mauri of interrelated components in the wider catchment (i.e. a Māori concept of integrated catchment management). In this instance this CIA has identified/adopted a number of key principles in relation to integrated management around freshwater as follows:

- a. Papatūānuku – Our relationship with the land–Papatūānuku–will pre-determine our relationship with water:
 - i. Protect and enhance ecosystem health of all receiving environments.
 - ii. Co-design with nature an integrated and regenerative approach to urban development.
 - iii. Address pressures on waterbodies close to source.
- b. Ngā wai tuku kiri – “Our waters are a gift of life provided to us by our tūpuna”:
 - i. Recognise and respect mana motuhake – the whakapapa and relationship that mana whenua have with water ecosystems in their rohe.

- c. Tāngata – “Our environments are places of human occupation”
 - i. Identify and consider the community values for urban water and reflect them in decision-making.
 - ii. Optimise environmental, social and cultural benefits when investing in buildings and infrastructure.
- d. Te hāpori me te wai – “The community’s love and care for water is enduring”:
 - i. Uphold and foster kaitiakitanga and custodianship of urban water ecosystems.
 - ii. Collect and share information to promote common understanding of urban water issues, solutions and values.
- e. Tiakina mō apōpō – “In building future resilience, our connectedness with the environment is our strength”:
 - i. Increase resilience to natural hazards and climate change.
 - ii. Conserve and reuse water resources.
 - iii. Design with low carbon footprint

Assessment of effects on tangata whenua values

Introduction and scope

49. This assessment of actual or potential effects on tangata whenua values resulting from the application is made cognisant of the resource consent processes that are relevant in this instance, the direction of relevant policy frameworks set out above, and the scope of applicable rules/assessment criteria.
50. Damage to, or destruction of important historical records of human occupation whether middens, artefacts, structures, and other cultural material and the like results in both a spiritual and physical loss to tangata whenua. It should also be noted that application site sits within the cultural landscape. This landscape goes much further than the physical and tangible "things" and covers: ☐
- biodiversity-conservation remediation, enhancement and long-term environmental sustainability;
 - social benefits derived from the cultural weight of the landscape, and sense of place;
 - the retention of aesthetic, historic and traditional values;
 - ensuring long-term site access for tangata whenua;
 - scientific benefits which holds not only material but also traditional information relevant to indigenous, historic and anthropological research; and
 - symbolism - for example, heritage ownership and "identity".

Actual and potential adverse effects of the proposal

Integrated development

51. The proposed subdivision is running ahead of the proposed plan, and complete structure planning of the broader area proposed to be re-zoned to General Industrial. Whilst it is appreciated the applicant has provided a potential development proposition for remaining part of Area N to be re-zoned, the absence of a complete structure plan process that provides for all of the areas, features and values in the area, and manages development in relation to these is not considered best practise.
52. The Oropuriri Structure Plan has been developed without the benefit of cultural advice, and as such omits a number of key provisions necessary to recognise and provide for the relationship Ngati Tawhirikura has with this area. We encourage proactive engagement and acknowledgement of capacity restrictions.
53. Area specific provisions developed and confirmed through a structure planning process and included in the Proposed District Plan to guide/manage the development of individual properties is required to provide for the value *ki uta ki tai* as articulated above.
54. Ngati Tawhirikura consider this to be the role of NPDC to undertake, facilitate to ensure that this is available to manage the subsequent development of proposed Lot 3, and the broader area proposed to be re-zoned. The monitoring of such activities is crucial.

Mangaone

55. Ngati Tawhirikura consider waterbodies including the Mangaone our tūpuna. This is encapsulated in the whakatauki *ko au te wai, ko te wai ko au – I am the water and the water is me*.

56. Prior to the level of degradation, and modification of the environment in its catchment, one of the reasons Mangaone was important was the abundant resources which sustained the physical and metaphysical needs of the papakainga and communities along its banks. The wetlands and associated water bodies were important because of resources such as raupo, water, ferns, berries, birds, fish, flax and kaimoana. The river fish and whitebait were caught from particular purpose-built sites called whakaparau.
57. The area between Egmont Road and following through Wendy Place to Katere Reserve was a natural catchment bowl for water which fed into the Katere Reserve. Although it is a spring fed wetlands, this site is now under stress with diversion of water by piping and the disruption to the water tables.
58. As noted above, today the Mangone is degraded to a point where its mauri is severely disrupted, and many of these activities are unable to occur.
59. The limited capacity in the existing infrastructure to provide for stormwater generated from the development is noted as stated in the request for further information. Ngati Tawhirikura understand that detailed engineering design generally occurs later in the subdivision process; however, in this instance any infrastructure solution and land use subsequently established on the site must demonstrate how it is actively contributing to the remediation of Mangaone.
60. As a minimum this must avoid any further contamination of the waterbody from new land uses which will require more sophisticated stormwater management and design than what has occurred in this catchment in the past. The existing application is not clear on how this may be achieved, and we note that until the nature and scale of the specific land use, and associated potential for contaminants to migrate into the Mangone via any stormwater system this is difficult to assess and design for.
61. The application proposes a minimum of 20% of the site be retained as permeable surfaces that are grassed or landscaped. In order to give effect to our values in this area, and the key role this condition may play in achieving te mana o te wai greater specification in the condition regarding the location and role of those permeable surfaces (i.e. as a part of a water sensitive design solution receiving and treating stormwater from the remainder of the site) is required.
62. Longer term, considering the level of development across the remainder of the Area N to proposed to be re-zoned, the limitation of stormwater capacity, and how other infrastructure services will be provided to contribute toward the remediation of effects on the Mangaone is not clear in the application, or the Proposed District Plan provisions. In the absence of this information we are unable to assess the level of these effects against the values set out above.

Earthworks and construction effects

63. Significant earthwork of the site is proposed to facilitate the establishment of the subdivision and subsequent industrial land uses. This will alter overland stormwater flow paths, generally levelling lots 1 and 2 of the application site filling in the gully area and levelling hills in the southern portion of the site. Potential effects of the proposed earthwork on the receiving environment including previously un-recorded archaeological sites and/or sites and areas of significance to Māori, sediment entrained in stormwater run-off migrating into sensitive environments, as well as adverse visual effects (both temporary and permanent) resulting from the change in landform.

64. As noted in preliminary archaeological advice received due to the level of ploughing and other agricultural practises it is not possible to identify potential archaeological sites in general vicinity from surface assessment alone. Importantly, it is not possible to discount that further sites are located within the earthwork area. Given the location of the application site, the frequency of sites being found on adjacent and adjoining properties at time of development, and preliminary archaeological advice It is reasonable to suspect that archaeological material of a cultural nature will be encountered within the application site.
65. Considering this, the approach by the applicant to apply for an exploratory authority from HNZPT to further investigate the site is supported. Once the presence or absence of sites, and the nature of any sites are confirmed from this investigation, a further course of action will be recommended by Ngati Tawhirikura hapū.
66. Taking this approach is considered necessary to inform the value of rangatiratanga, and kaitiakitanga articulated above. The provisions of Tai Whenua, Tai Tangata, Tai Ao are directive regarding the protection of wāhi tapu.
67. It is considered that potential sediment effects can generally be managed through staging of the earthwork to be undertaken, ensuring adequate silt fencing, settlement pond systems and bunding in place, as well as ensuring the discharge of any stormwater generated from the site through the construction phase is to land until such time as the area can be remediated are sufficient to mitigate any actual or potential adverse effects resulting from this aspect of the application.
68. It is recommended that a condition of consent requiring these issues to be addressed through a construction management plan is included. Further, this construction management plan should be certified by Ngati Tawhirikura hapū prior to implementation. Certification would align with the values of kaitiakitanga and rangatiratanga above. Management of stormwater in this manner would align with the provision of Tai Wenua, Tai Tangata, Tai Ao, and therefore take into account this iwi planning document.
69. Potential effects resulting from the change in landform are proposed to be generally mitigated through the remediation of the site, including the resulting built environment. We consider these further below. It is important to note that this change in context (from farmland with existing topographical features, to a level industrialised environment) impacts on the cultural landscape.

Land uses, built environment including landscaping

70. The application is proposing to develop Lots 1 and 2 for industrial land uses, in line with the urban development in the broader area. There is limited detail on the nature or scale of industrial use or building form other than a maximum height being proposed of 12 meters for buildings or 15 metres for structures. Based on
71. The cumulative result of these design elements is the on-going erosion of the cultural land scape. Ngati Tawhirikura hapū recommend a number of design amendments to this that better enable the proposed built environment to reflect the cultural landscape the site is located within. These include:

- a. The opportunity to provide a name for the development reflecting this location, including the naming of internal roads and access.
- b. Amendments to the landscaping plan to native species; particularly those which are food for those native birds and lizards commonly recorded in this location, and to support key native ecosystems in the vicinity of the application site.
- c. The adoption of low impact urban design methods of stormwater treatment and disposal, including from internal roads, access ways and parking areas. Where possible this includes allowing flowing water access to sunlight, and treatment through wetland systems prior to disposal into land.

72. These design considerations go some way to implementing the value of hauora outlined above. It is recommended that the applicant engages representatives of hapū to work alongside landscape architects and other professionals to. These are considered alternative methods to inform the consideration of the existing policies of the NPDP contained in Issue 19 – Tangata Whenua. Tai Whenua, Tai Tangata, Tai Ao includes a number of provisions which provide direction and address these matters that applicant and regulatory bodies must take into account.

Ongoing Engagement

73. This cultural impact assessment should be treated as a summary to this point. It is anticipated that impact assessment will continue through the consenting process, as well as through the potential re-zoning of the broader area as proposed. This will require ongoing engagement between the applicant, regulatory bodies, and Ngati Tawhirikura hapū.

74. It is expected that a combination of engaging hapū to provide expert advice, as well as conditions of consent that facilitate and require dialogue will provide for this ongoing engagement.

Summary and conclusions

The receiving environment contains a number of significant sites, areas and features, including the Mangaone stream. The proposal has the potential to adversely affect Mangaone through the contribution of poorly managed stormwater and wastewater resulting in further contaminants entering the waterbody. It also has the potential to protect, acknowledge and remediate the environment, and respond to cultural values present in this location. To ensure actual and potential effects on Mangaone, previously un-recorded archaeological sites of a Māori origin, and hapū are avoided, remedied or mitigated by this subdivision proposal it is considered that:

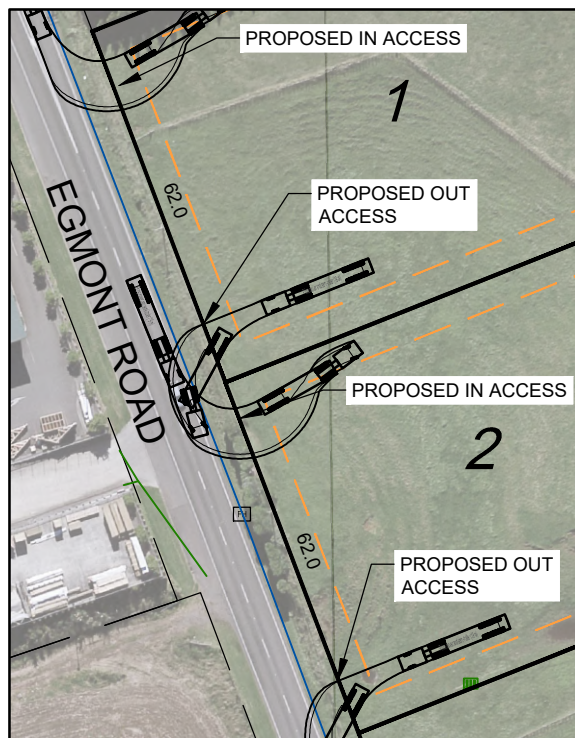
1. Further archaeological information is sought to confirm the presence or absence of archaeological material and identify potential hotspots elsewhere in the application site. Once the exploratory authority is exercised, and this is known further impact assessment work to inform any consequential earthwork 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.

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.

Appendix 1 – development proposal

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

LEGEND

- NPDC WASTE WATER
- NPDC WATER
- NPDC STORMWATER

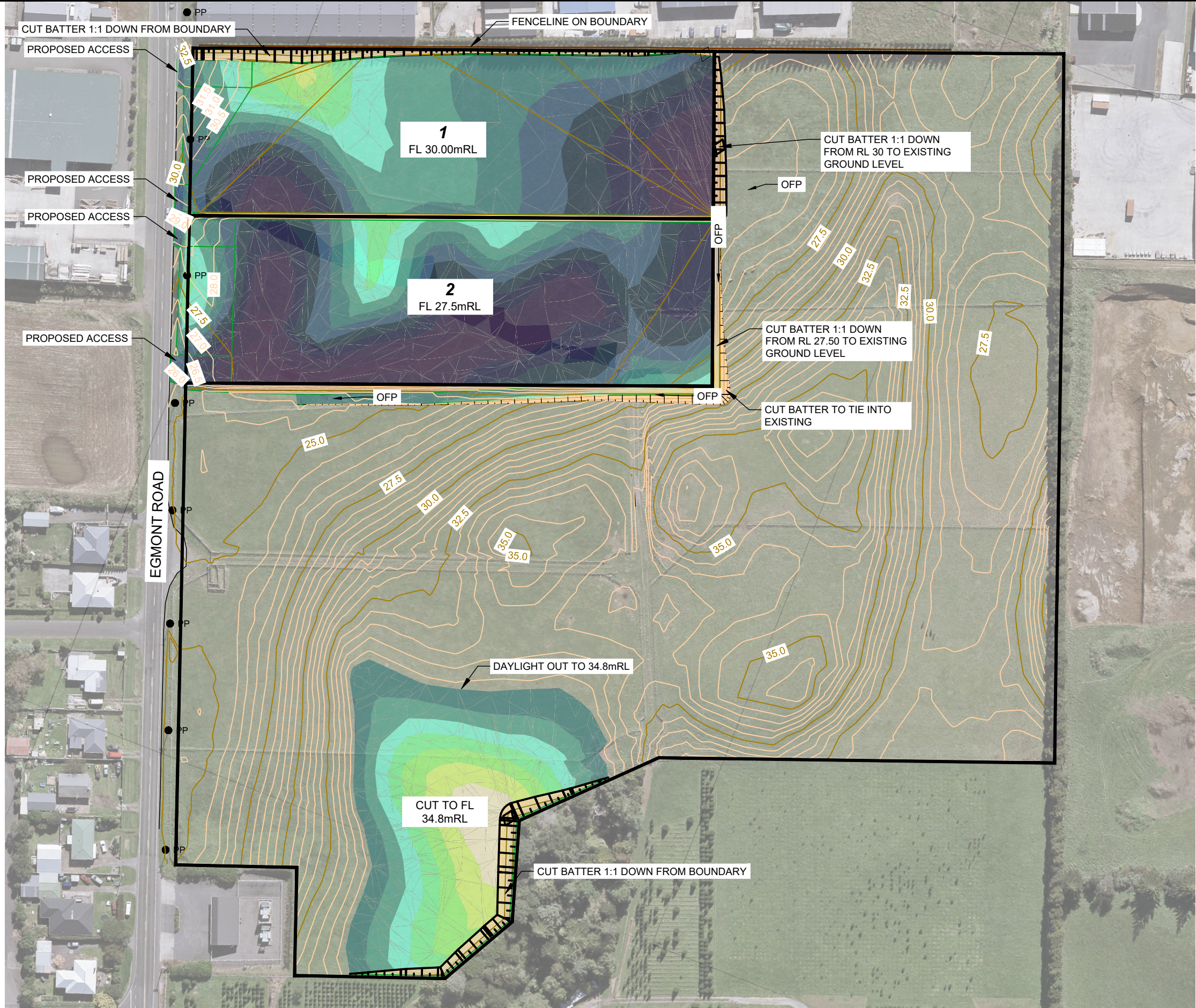


**Lots 1-3 being a Proposed Subdivision of
Lot 2 DP 400849**

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

Prepared by: K. Preston
Checked by: KB
Date: 11/04/2019
Date: 16/04/2019
Licensed Cadastral Surveyor
Date: April 2019 Job No. 180802.02 Drawing No. 180802.02-01 REV 2

File Name: J:\2018\180802\180802.02 Ind 3 Lot\DWG\180802-02 EARTHWORKS.dwg - SHT 1 Plot Date: 17/06/2019 Plot Time: 11:46



EARTHWORKS KEY

COLOUR	FILL DEPTH RANGE MIN.	FILL DEPTH RANGE MAX.

EARTHWORKS VOLUMES
 CUT 37500m³ (10-20% SHRINKAGE/COMPACTION ALLOWANCE TO FILL)
 FILL 32500m³



Disclaimer:
 Areas and dimensions may be subject to scale error.
 Scaling from this drawing is at the users risk.



NO.	DATE	BY	CHKD	APPR	OPER	REVISIONS	DESCRIPTION	NUMBER	TITLE

GENERAL NOTES
 1. Coordinates in terms of : NA
 2. Elevations in terms of : NA
 3. Contour interval is : 0.5



LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	NAME DATE
DRAWN	KP 08/05/2019
CHECKED	- -

TITLE		MANOR PROPERTY LTD	
3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD		EARTHWORKS PLAN	
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
A3	180802.02-02	1	0

Appendix 2 – potential future development 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.

KEY




 EXISTING OVERLAND FLOW PATH
 POTENTIAL STORMWATER PIPES

NOTE: ALL OTHER SERVICES TO CONNECT TO SUPPLY IN EGMONT ROAD WITH INDIVIDUAL CONNECTIONS TO EACH LOT WITHIN THE DEVELOPMENT INCLUDING:

- WATER
- SEWER
- GAS
- POWER
- UFF

DRAFT

LEGEND

 NPDC WASTE WATER
 NPDC WATER
 NPDC STORMWATER



File Name: J:\2018\180802\180802.02 Ind 3 Lot Dwg\180802.02-01 Scheme.dwg Plot Date: 02/09/2019 Plot Time: 13:33

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




FUTURE DEVELOPMENT

Prepared by: K. Preston
 Drawn by: KP
 Checked by: -
 Date: 02/09/2019
 Licensed Cadastral Surveyor
 Date: Sept 2019 Job No. 180802.02 Drawing No. SHT 2
 180802.02-01 REV 2

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LEGEND

-  NPDC WASTE WATER
-  NPDC WATER
-  NPDC STORMWATER

DRAFT



LOCAL BODY: New Plymouth District Council
 APPLICANT: NPDC
 COMPRISED IN: NA
 SCALE: 1:4000

**EGMONT ROAD TO OROPURIRI ROAD
 FUTURE DEVELOPMENT**

Prepared by: K. Preston
 Drawn by: KP
 Checked by: XX
 Date: 14/05/19
 Date: XX/XX/18
 Licensed Cadastral Surveyor
 Date: MAY 2019 Job No.180802.03 Drawing No. 180802.03-01-Rev2

File Name: J:\2018\180802\180802.03 Overall Ind\Drawings\180802.03-02 FUD.dwg Plot Date: 14/05/2019 Plot Time: 07:46

Appendix 3 – initial archaeological assessment (relevant excerpts)

Archaeological Assessment and Geophysical Surveys

Area N

Bell Block, Taranaki

September 2010

Prepared for:

New Plymouth District Council
Liardet Street
New Plymouth 4310

Prepared by:

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The logo for Geometria, featuring the word "Geometria" in a bold, yellow, sans-serif font.

Quality Information

Document: Archaeological Assessment and Geophysical Survey, Area N, Bellblock, Taranaki

Date: September 2010

Prepared by: Daniel McCurdy
Russell Gibb

Revision History

Revision	Revision Date	Details	Authorized Name
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Draft	30-09-2010	Issued to client	McCurdy
Draft2	20-10-2010	Internal Review	Gibb
Final Draft	24-10-2010	External Peer Review	Holdaway

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Reference: 2010/NPDC/Area_N/Area_N_Archaeological_Assessment

Table of Contents

1.0 Introduction 8

 1.1 Historic Places Act 10

 1.2 The Resource Management Act 1991 10

2.0 Background Mapping 11

 2.1 Land Use Change 11

 Early (1950s) land-use 11

 Land-use change ca. 2005 11

 Post 2005 land-use change 11

 2.2 Archaeological Sites 15

 Property 1 (DP 133325) and 2 (DP 403718) Twelve Gauge Limited 18

 Property 3 (Lot 2 DP400849) Wheeler Holdings 19

 Property 4 PowerCo. 22

 Property 5 (Lot 2 DP18340) David and Noeline Sampson 23

 Property 6 (Lot 2 DP 403718) Keith and Evelyn Cummings 24

 Property 7 26

 Property 8 and 9 (1C2B2) Caskey 27

 Property 10 (MBLK 2B3B5 Hoewaka None) Ian and Patricia Rowe 33

 Property 11 NPDC 41

 Property 12 NPDC 41

 Property 13 43

 Property 14 NPDC 44

 Property 15a and 15b NPDC 45

 Property 16a (Lot 2 DP414614) Yong Kim 46

 Property 16a (Lot 1 DP414614) MacDonald's Restaurants (NZ) Limited 48

4.0 Geophysical Surveys 49

 4.1 Background 49

 4.2 Geophysical Surveys in Properties 3 and 6 50

 Property 3 – Grid 1 51

 Property 3 – Grid 2 52

 Property 6 – Grid 3 52

 4.3 Geophysical Surveys in Property 10 53

 Grid 5 – Rear orchard 54

 Grid 6 – Middle Orchard 55

 Grid 7 – Upper Orchard 56

 4.4 Geophysical survey in Property 15a 57

5.0 Discussion 59

6.0 Recommendations 62

7.0 Conclusions 62

8.0 Acknowledgements: 63

9.0 References 63

Figures

Figure 1: Location of Area N Cadastral Parcels investigated for this report. (Source: New Plymouth District Council 2010).	9
Figure 2: Area N, landscape features ca. 1950s.	12
Figure 3: Area N, 2005.	13
Figure 4: Area N 2010 showing the Bell Block bypass construction and development of commercial area along the Egmont Road/bypass corner. (Source: New Plymouth District Council).	14
Figure 5: Area N recorded archaeological sites (overlaid on 2010 aerial).	15
Figure 6: Archaeological sites P19/321, P19/322 and P19 334.	16
Figure 7: Excavated extent of P19/262 in relation to properties 8, 9 and 10.	16
Figure 8: Excavated extent of P19/331 showing contiguous residential area to the north under which more of the settlement lies.	17
Figure 9: Survey Plan ML 795 showing location of house site recorded as NZAA P19/261.	17
Figure 10: Properties 1 and 2 (outlined in blue).	18
Figure 11: Exposed bank cutting on the boundary of southern boundary of Property 1, facing south towards Property 6.	19
Figure 12: Location of Property 3 (outlined in blue) including Areas 1-5 and references from text	20
Figure 13: Property 3, Area 1.	20
Figure 14: Property 3, Area 1 knoll with suspected anthropogenic features looking east towards Area 4.	21
Figure 15: Property 3, Area 3 shown on relation to Areas 2 and 4.	21
Figure 16: Property 4 (outlined in blue) viewed from Area 1, Property 3.	22
Figure 17: Property 4 (outlined in blue).	22
Figure 18: Property 5 (outlined in blue).	23
Figure 19: Slope (looking east) immediately adjacent to Area 1, under light tree cover.	23
Figure 20: Property 6 (outlined in blue).	24
Figure 21: Area 5 geophysical study area. Author stands on approximate location of old water trough.	25
Figure 22: P19/323 Drainage tunnel entrance.	25
Figure 23: Property 7 (outlined in blue) with location of the swamp referenced in text.	26
Figure 24: Survey plan ML 245 (1895) showing several buildings on the small knoll (centre left).	27
Figure 25: Properties 8 and 9 (outlined in blue) with the possible extent of Te Oropuriri (discussed in Property 10 review).	28
Figure 26: View looking east from Property 6 towards Property 7, 8 and 9 with Te Oropuriri, ridgeline and highpoint in the background.	29
Figure 27: Possible archaeological features located on the lower platform, looking north to the area of Te Oropuriri Pa excavated during the Bypass construction.	29
Figure 28: Open rubbish pit on Te Oropuriri.	30
Figure 29: Northern spur, Property 9. The excavated area of Te Oropuriri lies to the left of the wooden fence.	31
Figure 30: Ceramic artefact observed on the northern spur during the walkover.	31
Figure 31: Lateral feature (possible drain) observed parallel to Property 7 boundary.	32
Figure 32: Property 10. The remnant orchard rows and windbreaks are located on an east-facing slope that falls to the swampy eastern boundary.	34
Figure 33: Driveway and upper terrace adjacent to the boundary of Property 10 (far right of frame). View is looking south with Property 9 located immediately right of the frame.	34
Figure 34: Spring and swamp (Waipapa Stream) area southeast of Te Oropuriri. Hoewaka urupa is visible in the rear of frame.	35
Figure 35: Large bulldozed rear terrace looking north towards the Rowe house. The central rear spur is located on the left and the batter formed by the bulldozing of the terrace is covered in vegetation on the right of the fame.	35
Figure 36: Rear terrace and scarp looking south. Possible rifle trenches are visible in centre of frame, filled with weeds. The vegetation on the right of the frame covers the batter below the bulldozed terrace.	36
Figure 37: View looking north towards house and upper Te Oropuriri platform.	36
Figure 38: Author indicates location of artefacts along the Property 10 driveway cutting.	37
Figure 39: Ceramic cup fragment.	37

Figure 40: Ceramic shard.....	38
Figure 41: Fire cracked rock (left) and flat water worn rock (right).....	38
Figure 42: Linear trench in lower orchard	39
Figure 43: Possible in-filled kumara pits in upper-middle orchard.....	39
Figure 44: Possible rifle pits in lower-middle orchard.....	40
Figure 45: Alignment of possible gunfighter trench and linear features which join up with rifle pits that have been previously excavated as part of the Bellblock Bypass archaeological investigations.	40
Figure 46: Property 11 easement.	41
Figure 47: Property 12 (outlined in blue) and Property 13 (Hoewaka– wholly inside Property 12).	42
Figure 48: Property 12 looking south.	42
Figure 49: Probable anthropogenic features (centre) on the lower northern slopes of Property 12.....	43
Figure 50: Hoewaka Urupa looking north	43
Figure 51: Property 14.	44
Figure 52: Area in Property 14 that was heavily modified during the Bellblock Bypass roading works (West of house in Property 15).....	44
Figure 53: Aerial photograph (2008) showing earthworks on Property 14 during the bypass construction.	45
Figure 54: Property 15 (outlined in blue).	45
Figure 55: House situated in Property 15.	46
Figure 56: Clearing activity at rear of Property 15.	46
Figure 57: Property 16 and the location of Property 16a.....	47
Figure 58: Modern earthworks relating to the golf driving range.....	47
Figure 59: Property 16a, a highly modified landscape.	48
Figure 60: Location of geophysical grids 1, 2 and 3 in Properties 3 and 6.....	50
Figure 61: Grid 1 geophysical results.	51
Figure 62: Grid 2 geophysical results.	52
Figure 63: Grid 3 geophysical results, with the trough being clearly identifiable.....	53
Figure 64: Location of geophysical grids surveyed in Property 10.....	54
Figure 65: Geophysical Grid 5, lower orchard, Property 10.....	55
Figure 66: Geophysical Grid 6, middle orchard, Property 10.....	56
Figure 67: Geophysical grid 7, upper orchard, Property 10.....	57
Figure 68: Location of geophysical survey in Property 15a.....	58
Figure 69: Geophysical Grid 4, Property 15.....	58
Figure 70: Extent of major ridgelines over Property 9 and 10, delineated from survey plan ML 245, where archaeological features associated with Te Oropuriri might be found. .	61
Figure 71: The same extent as in Figure 69 overlaid on the 2010 aerial showing recent changes to the immediate environs.....	61

1.0 Introduction

New Plymouth District Council (NPDC) are considering a zoning plan change for an area of land in the Bell Block area bounded by Devon Road (SH3), Henwood Road, the New Plymouth – Lepperton Railway, and Egmont Road. This land has been designated as Area N. A previous report (Geometria 2010) summarised the history of Area N, discussed the known archaeology and archaeological excavation work undertaken to-date, and addressed some of the options and risks associated with the proposed zoning change and new road between Henwood Road and Egmont Roads.

This report follows on from that initial report, providing more detailed assessment of the archaeology and risks posed by intensified land use in Area N. It includes a detailed GIS investigation and analysis of historic land-use change, along with a field-based archaeological assessment of Area N. Geophysical surveys, using a Foerster Ferex 4.032 Fluxgate Gradiometer in twin probe configuration, have been undertaken on areas of suspected archaeological potential to identify possible sub-surface anthropogenic activity not visible on the surface.

Specifically the report addresses:

- Identification of modified land through remote sensing and historical documentary sources.
- Mapping of modified areas – roads, trees, industrial and commercial development, farming areas, and buildings (past and present).
- Field Assessment – walkover of non-modified areas of Area N and identification of areas of high archaeological potential.
- Geophysical survey of several areas identified during the field assessment.

For the purposes of this report and ease of reference the existing Area N property parcels are numbered 1-16b (Figure 1). Full property parcel appellations are contained in the descriptions of each property, which follow in Section 3. The landowners of these properties were contacted prior to the fieldwork, and where possible, on-site discussions were held with the landowners and information about the history of the area was recorded. Iwi representatives Jo Broughton and Glenn Skipper were also present during the visit to the Hoewaka Urupa and adjacent property (Areas 12 and 13 in Figure 1).



Figure 1: Location of Area N Cadastral Parcels investigated for this report. (Source: New Plymouth District Council 2010).

1.1 Historic Places Act

Under the Historic Places Act 1993 (HPA) all archaeological sites are protected from any modification, damage or destruction. Section 2 of the HPA defines an archaeological site as:

"any place in New Zealand that either was associated with human activity that occurred before 1900; or is the site of the wreck of any vessel where that wreck occurred before 1900; and is, or may be, able through investigation by archaeological methods to provide evidence relating to the history of New Zealand."

To be protected under the HPA an archaeological site must have physical remains that pre-date 1900 and that can be investigated by scientific archaeological techniques. If a development is likely to impact on an archaeological site, an authority to modify or destroy this site can be sought from the New Zealand Historic Places Trust (NZHPT) in Wellington under Section 11 or 12 of the HPA. Where damage or destruction of archaeological sites is to occur the NZHPT usually requires mitigation.

Most archaeological evidence consists of sub-surface remains and is often not visible on the ground. Indications of an archaeological site are often very subtle and hard to distinguish on the ground surface. Sub-surface excavations on a suspected archaeological site can only take place with an authority issued under Section 18 of the HPA issued by the NZHPT.

1.2 The Resource Management Act 1991.

Archaeological sites and other historic heritage may also be considered under the Resource Management Act 1991 (RMA). The RMA establishes (under Part 2) in the Act's purpose (Section 5) the matters of national importance (Section 6), and other matters (Section 7) and all decisions by a Council are subject to these provisions. Sections 6e and 6f identify historic heritage (which includes archaeological sites) and Maori heritage as matters of national importance.

Councils have a responsibility to recognise and provide for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga (Section 6e). Councils also have the statutory responsibility to recognise and provide for the protection of historic heritage from inappropriate subdivision, use and development within the context of sustainable management (Section 6f). Responsibilities for managing adverse effects on heritage arise as part of policy and plan preparation and the resource consent processes.

This survey and assessment uses archaeological techniques to assess archaeological values and does not seek to locate or identify wahi tapu or other places of cultural or spiritual significance to Maori, apart from those that have been previously recorded in the NPDC District Plan. Such assessments may only be made by Tangata Whenua who may be approached independently of this report for advice.

2.0 Background Mapping

Using remote sensing and historical documentary sources a spatial database has been used to identify and map areas that have undergone significant landscape change. Sources used include:

- Geo-rectified black and white stereo aerial photography from ca. 1950's
- Colour ortho-photography from 2005
- Historical documentary map sources e.g. survey plans
- Existing archaeological data from the NZAA site record file
- Landowner recollections

This helps elucidate a clearer picture of how the current landscape of Area N has evolved throughout history, and provides a basis for determining the anthropogenic nature of topographic forms that might be interpreted as archaeological in nature.

The data from the collected information has been mapped to illustrate the main changes that have occurred to Area N.

2.1 Land Use Change

Early (1950s) land-use

During the 1950s Area N is mainly in pasture with several farmhouses and residential buildings, limited vegetation and several waterways readily identifiable (Figure 2).

Land-use change ca. 2005

By 2005 several key changes can be noted: Residential growth has occurred at either end of Area N bordering Devon Road, and a light commercial area has been established at the northeast corner of Area N. More commercial activities have been established including the establishment of a 9-hole golf course and driving range on property 16, small orchard operation on property 10, and a small pine plantation on property 5. There is more vegetation throughout the area with the most significant vegetation change occurring in the margins of the waterways in the eastern side of Area N. Drainage works are also evident (Figure 3).

Post 2005 land-use change

Since 2005 more landscape transformation has occurred as a result to two significant developments, the Bell Block State Highway 3 Bypass and the light industrial and commercial Graphite Management development. Construction of the Bell Block Bypass has resulted in significant excavations of the Te Oropuriri Pa and several smaller archaeological sites discovered during earthworks. The earthworks for the bypass have resulted in large areas of cut and fill along the new road alignment and the deposition of surplus fill material in several areas in Area N. The Graphite Management Development has resulted in the removal of the north-western residential area during remodelling for the light industrial/commercial space, which has also led to significant re-contouring of this area of Area N (Figure 4).

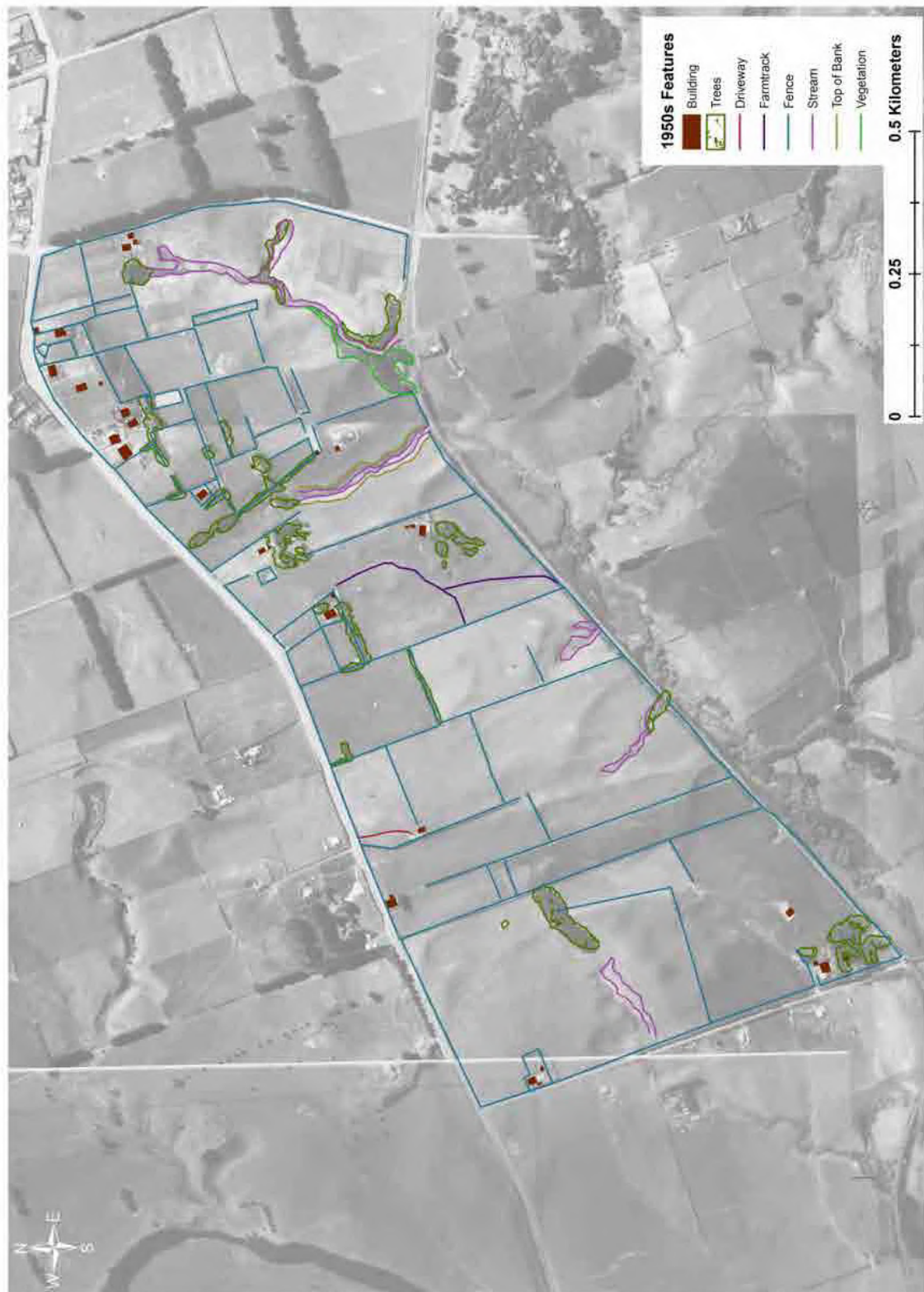


Figure 2: Area N, landscape features ca. 1950s.



Figure 3: Area N, 2005.



Figure 4: Area N 2010 showing the Bell Block bypass construction and development of commercial area along the Egmont Road/bypass corner. (Source: New Plymouth District Council).

2.2 Archaeological Sites

Within Area N seven archaeological sites have been recorded (Figure 5) Of these, three sites (P19/321, P19/332 and P19/334) (Figure 6) have now been completely excavated and destroyed and two (P19/262 and P19/331) have had large parts of the respective sites excavated and destroyed as a result of earthworks related to the Bell Block Bypass and Graphite Management developments. The full extent of P19/262 Te Oropuriri Pa is not currently known as large parts of the site lies underneath pastoral land on Property 9 and remnant orchard land in Property 10 (and possibly Property 8)(Figure 7). A large part of the Hoewaka settlement (P19/331) lies underneath an adjoining residential development (Figure 8). A house site (P19/261) is recorded near Property 10. This was recorded from historic plans (Figure 9), and is located on title Hoewaka 2B3B3 TNC3/1165.

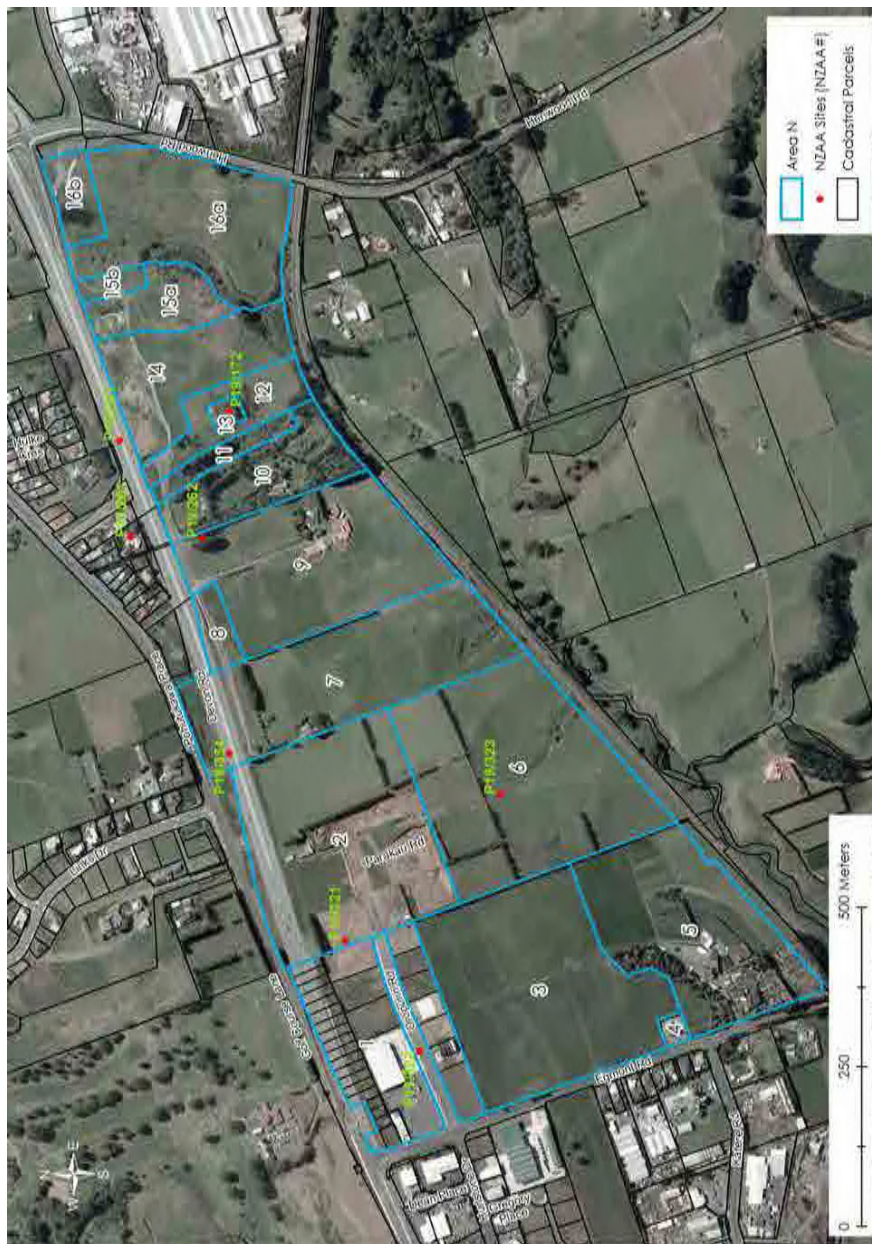


Figure 5: Area N recorded archaeological sites (overlaid on 2010 aerial).



Figure 6: Archaeological sites P19/321, P19/322 and P19/334.



Figure 7: Excavated extent of P19/262 in relation to properties 8, 9 and 10.



Figure 8: Excavated extent of P19/331 showing contiguous residential area to the north under which more of the settlement lies.

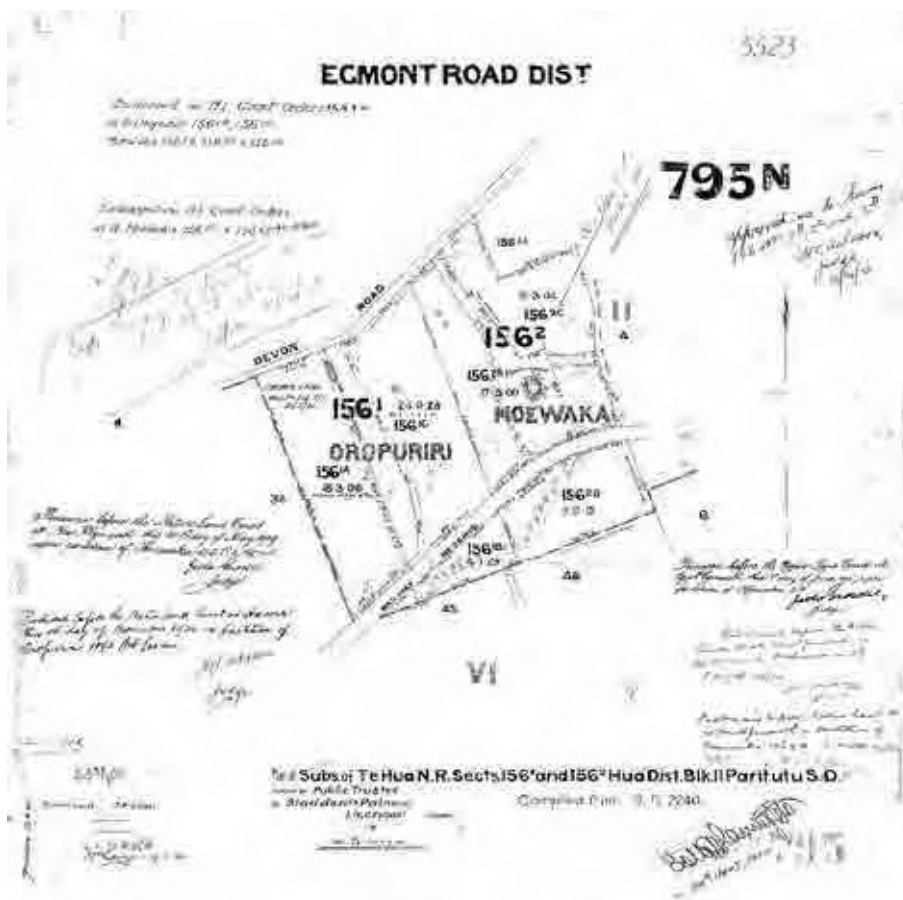


Figure 9: Survey Plan ML 795 showing location of house site recorded as NZAA P19/261.

3.0 Field Inspections

A walkover inspection of the Area N properties was undertaken by Dan McCurdy and Russell Gibb on July 14 and 15 to inspect for potential archaeological features visible on the land surface, and to identify areas for further investigation using geophysical survey.

Property 1 (DP 133325) and 2 (DP 403718) Twelve Gauge Limited

These properties had previously been assessed¹ for Graphite Management Ltd and subsequently have been heavily modified by industrial subdivision (Figure 10). As such, no detailed inspection of the property was required for this assessment. The 2006 assessment had identified one new archaeological site (P19/321 Pits) and two further possible pits (P19/332). Subsequently, further invasive investigation of P19/321² and P19/332³ was undertaken under Section 18 of the HPA which concluded that P19/321 was a small horticultural site and that P19/332 was in fact modern farming rubbish pits and not an archaeological site. P19/321 was later destroyed under section 11⁴ of the HPA during the commercial development.

Recent earthworks on the property boundary have exposed the soil strata providing a clear view of the subsurface along the boundary of this property and Property 6 (Figure 11). The bank cuttings show a homogenous upper soil horizon with no indication of intercutting archaeological features.



Figure 10: Properties 1 and 2 (outlined in blue).

¹ Geometria 2006

² NZHPT Authority 2008//308

³ NZHPT Authority 2007/126

⁴ NZHPT Authority 2009/05



Figure 11: Exposed bank cutting on the boundary of southern boundary of Property 1, facing south towards Property 6.

Property 3 (Lot 2 DP400849) Wheeler Holdings

Originally part of the larger Sampson farm holding, this property (Figure 12) has had a number of modifications including significant drainage works and landscaping associated with farming activity. The previous owner, David Sampson, recalls a long history of maize farming with deep ploughing commonly occurring throughout the property. At various times silage storage areas have been formed and rubbish pits dug on the property, including a series of large rubbish pits dug in an area of former swamp, which has now been drained and is now in pasture (Location A - Figure 12). A small hillock alongside Egmont Road has been modified by the formation of Egmont Road, and later earthworks (Location B - Figure 12). Most of this property sits in pasture and at the time of survey was being grazed with cattle and horses.

Four paddocks (Figure 12, Areas 1-4) were identified where the surface topography was indicative of anthropogenic change⁵. Area 1 sits on the top of the high knoll bounded to the west by Egmont Road. Although the surface was heavily rutted by stock movement there are a number of depressions apparent. Areas 2 and 4 once formed a continuous area but a north-south farm race now bisects these areas. Area 3 lies to the south of the drained swamp on a low natural platform with a small spur in the northeast which would have once been contiguous with the lower lying former swamp.

Surface features identified as having archaeological potential included terracing, possible house platforms, and possible storage pits or collapsed rua in Area 1 (Figure 13 and Figure 14) and terracing, pits, house platforms and a possible ditch in Area 3 (Figure 15). Areas 2 and 4 were only surveyed from a distance as the number of horses and cows (respectively) in the paddock made access unfeasible, but ephemeral anthropogenic features were present on these rises also. David Sampson indicated a silage storage area was once located adjacent to the north-south race.

⁵ The identification of surface features as anthropogenic in nature is a preliminary assessment and could indicate archaeological features or later activity related to farming, such as animal burials or rubbish pits. These however may predate 1900 and could still be considered archaeological sites.

Areas 1 and 3 were selected for geophysical survey, as they demonstrated the most modification and were not being grazed at the time. Access to Areas 2 and 4 was impossible with geophysical equipment due to horses and stock presence in these paddocks at the time.



Figure 12: Location of Property 3 (outlined in blue) including Areas 1-5 and references from text



Figure 13: Property 3, Area 1.



Figure 14: Property 3, Area 1 knoll with suspected anthropogenic features looking east towards Area 4.



Figure 15: Property 3, Area 3 shown on relation to Areas 2 and 4.

Property 4 (LOT 1 DP 400849) PowerCo.

This small, heavily modified property (Figure 16 - Figure 17) is located adjacent to Egmont Road below Area 1 (see Property 3 above) and consists of a level platform excavated below the original ground level. An inspection of the exposed embankment surrounding the north, south and east perimeter of the property show no obvious signs of in-situ archaeology, although the embankment face is largely covered by grass growth, limiting visual observation. The excavation that formed the building platform has removed any archaeological potential for this site.



Figure 16: Property 4 (outlined in blue) viewed from Area 1, Property 3.



Figure 17: Property 4 (outlined in blue).

APPENDIX D

DRAFT CONDITIONS

APPENDIX E

ARCHAEOLOGICAL REPORT (EXPLORATORY WORKS) AND GENERAL ARCHAEOLOGICAL AUTHORITY (PROPOSED WORKS)

Exploratory Archaeological Investigations at 19 Egmont Road, Bell Block, New Plymouth

Authority 2020/533

Ivan Bruce, Archaeological Resource Management, July 2020

1. Introduction

1.1 The following report outlines the results of the exploratory archaeological investigations undertaken at 19 Egmont Road (Lot 2 DP 400849), Bell Block, New Plymouth. The purpose of these investigations was to confirm whether Areas 1 and 3 outlined in the archaeological authority contained archaeological evidence, as indicated by prior geophysical survey.



Figure 1: Areas 1 and 3, as outlined in the HNZPT authority 2020/533.

1.2 Manor Property Ltd have an application to subdivide Lot 2 DP 400849 into 3 lots. Proposed Lot 1 and 2 will be levelled for the purposes of industrial/ commercial development. An area of Lot 3 will be used to provide clay fill for the development of Lots 1 and 2. This borrow area comprises all of Area 1, as investigated in this report.

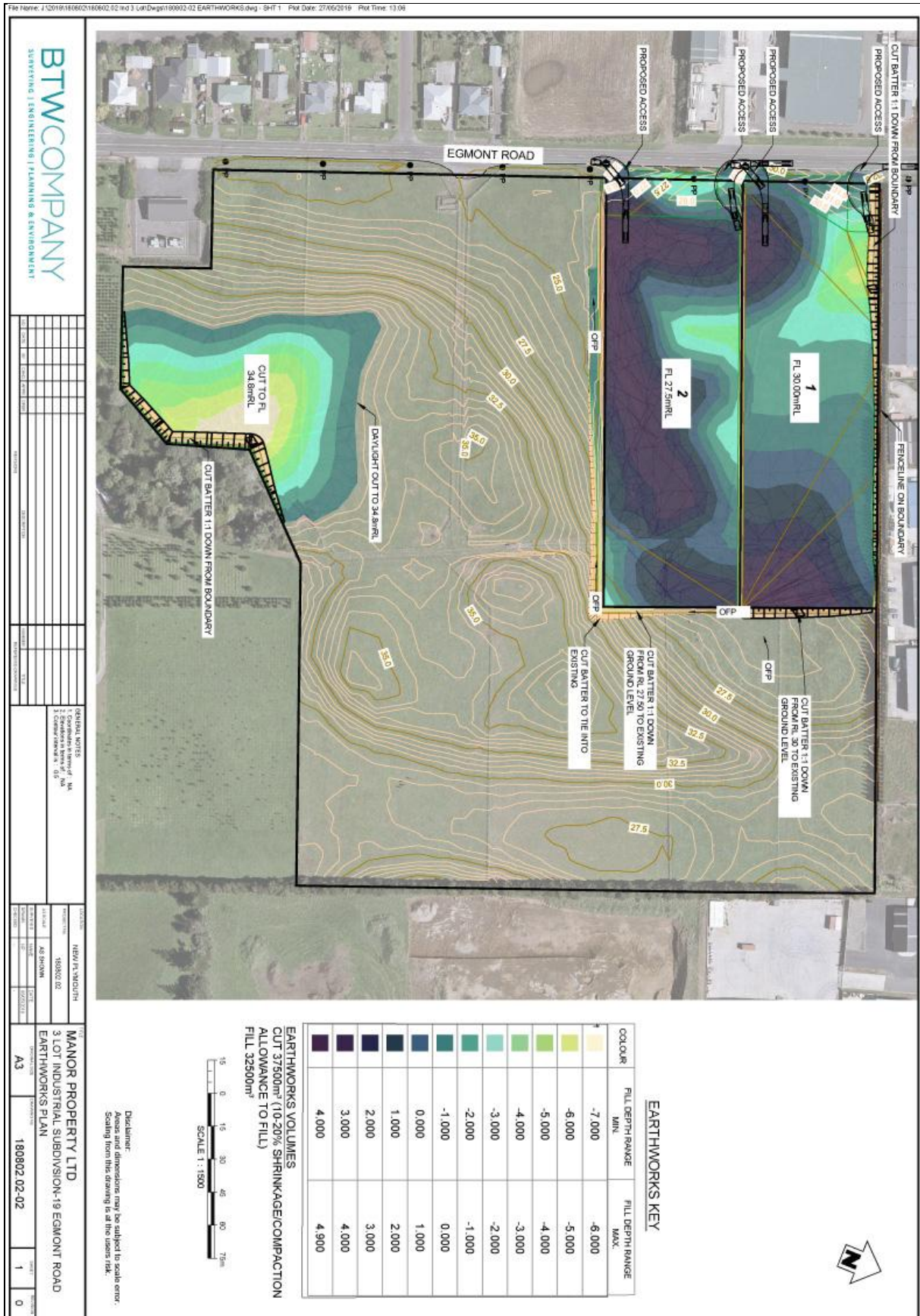


Figure 2: Scheme plan for the proposed subdivision of Lot 2 DP 400849.

1.3 The purpose of these investigations is to better inform the HNZPT, Te Kotahitanga O Atiawa, the Ngati Tawhirikura Hapu and Manor Property Ltd of the nature and potential extent of currently unrecorded archaeological sites prior to undertaking this development.

1.4 The archaeological investigations were conducted specifically to confirm and record archaeological evidence within Area 1 and 3 in accordance with Condition 3 of the authority. Representatives from the Ngati Tawhirikura Hapu assisted with the investigation and were present during all earthworks undertaken.

1.5 The background to the history of archaeological site recording on this property is discussed at length in the archaeological assessment of this property undertaken by this author (Bruce 2019).

2. Location

2.1 Lot 2 DP 400849 is situated on the eastern side of the Egmont Road, south of the turn off from Devon Road (SH3). The property is bounded to the north by privately owned commercial estate; to the south by a commercial conifer nursery; and the west by a mix of commercial and semi rural land use. The project is situated on the seaward side of the New Plymouth - Marton railway line. The area comprises grazed pastureland which has been used for pastoral farming since the mid 19th Century.

3. Methodology

3.1 The archaeological investigation of Areas 1 and 3 involved the excavation by mechanical digger of a series of test trenches, approximately 20- 30m long across each of the identified areas. Each test trench was excavated to the underlying sub soils providing stratigraphic profiles along the two exposed trench edges. The test trenches were laid out specifically to intersect and test the areas previously subject to archaeological survey by Geometria.

3.2 Trenches were excavated in order to identify subsurface archaeological features below the topsoil layer, such as storage pits or the bases of cooking fires, in plan view. The profiles of each test trench were also examined in order to identify anomalies or variations in soil stratigraphy consistent with Maori garden soils. Such evidence could include the addition of sands and gravels and possibly charcoal visible in the soil profile; and/or the mixing of the upper and lower soil horizons.

3.3 As the intention of this investigation was to confirm (or refute), the existence of archaeological evidence at either location, rather than modify or destroy the archaeological site, all works were to cease at each location as soon as the excavation produced reasonable grounds to confirm an archaeological site.

4. Results

4.1 In all test trenches the exposed soil profile displayed two, relatively homogenous stratigraphic soil layers:

Layer 1 - Below the grass cover a layer of black - dark brown topsoil loam. This layer is typically between 20 – 25cm deep and in places to a depth of up to 30cm.

Layer 2 - A yellow - brown subsoil loam.

4.2 This profile is considered typical in the Bell Block district and in itself gives no indication of anthropogenic soil modification.

4.3 **Area 1** : Four test strips were excavated, three parallel strips were excavated in an east west direction and another along a north south alignment. These test strips were designed to intercept the possible archaeological features noted in the survey undertaken by Geometria in 2010.

4.4 No archaeological evidence was noted in any of the test strips excavated in Area A, with only culturally sterile, natural stratigraphy profiles encountered in any of the test strips and no archaeological material or features recovered in plan. These investigations found no evidence to support the recording of an archaeological site at Area 1.



Figure 3: Test excavations July 2020 - Area 1. Image: Charlie Herd, 2020.



Figure 4: Geophysical survey results Area 1. Geometria 2010.

4.5 **Area 3** - A further four test strips were opened up at Area 3, all running in a north south direction, and again designed to intercept the potential surface archaeological features noted by Geometria and anomalies indicated by the geophysical survey.

4.6 A small, rectangular feature, measuring 1.2m wide by 2m long, was noted in one test strip (second strip from the west, see Figure 5, 6 and 7) and three burnt and fire cracked stones were recovered from the top soil above this feature. A 50cm wide section was then excavated through the southern end of the feature by hand.

4.7 The excavation revealed the feature was a deliberately dug pit, comprising vertical walls and a level, hard packed floor situated 0.8m below the current ground level. The pit fill comprised a lower level of fine grained, yellow/ brown silty fill, overlaid with a homogeneous dark brown/ black mottled mixed fill. In my opinion the observed characteristics of this feature are commensurate to a food storage pit of Maori origin, similar to others excavated elsewhere in the Bell Block area.

4.8 The results of this investigation, to some extent, support the results of the pedestrian and geophysical survey undertaken by Geometria at Area 3, although fewer archaeological features were encountered than indicated by Geometria's survey. However, I cannot discount that more extensive topsoil stripping may recover further pit features in the vicinity of the single feature encountered to date.

4.9 As a result of the positive results of the archaeological survey and an archaeological site has now been recorded at this location on the NZAA site recording scheme (Archsite 2020). Following excavation the pit was back filled and overburden reinstated. The site is now returned to it's previous state as grazed pasture.



Figure 5: Test excavations July 2020 - Area 3. Image: Charlie Herd, 2020.



Figure 6: Pit feature - Area 3. Image: Charlie Herd, 2020.



Figure 7: Pit feature Area 3 - Area 3. Image: Ivan Bruce, 2020.



Figure 8: Geophysical survey results Area 3. Geometria 2010.

5. NZAA site record

5.1 One new site record, P19/417, has been filed as a result of this investigation.

Site No	Site name	Period
P19/417	N/A	Maori - Proto/ pre historic

Table 1: NZAA archaeological site recorded on Lot 2 DP 400849.

6. Recommendations

6.1 This investigation found no archaeological evidence at Area 1. As such I consider it is reasonable for Manor Property Ltd to undertake the proposed earthworks at this location (outlined in Figure 2) without an authority from HNZPT. It is advisable however that any earthworks are undertaken under an archaeological discovery protocol.

6.2 One new archaeological site, P19/417, was recorded on Area 3 as a result of this investigation. The current proposal to subdivide Lot 2 DP 400849 as proposed will have no effect on this site.

6.3 I recommend that Manor Property Ltd makes an application to HNZPT for a general authority to modify, damage or destroy an archaeological site, should any future development of the property require earthworks within 50m of P19/417.

7. Conclusions

7.1 The archaeological investigation undertaken during July 2020 on Lot 2 DP 400849 has resulted in the recording of one new archaeological site P19/417. Recommendations are made to Manor property Ltd outlining their statutory obligations in light of these to these findings with regard to the future development of this property. This report will be sent to HNZPT in accordance with Condition 5 of the HNZPT authority 2020/533

8. References

8.1 *Written reports*



Bruce, I. 2019. 19 Egmont Road, New Plymouth. Archaeological Assessment. Unpublished archaeological report

Geometria Ltd. 2010. Archaeological Assessment and Geophysical Surveys. Area N. Bell Block, New Plymouth. Unpublished archaeological report.

9. Appendix

9.1 NZAA site record form

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

 <p>Site Record Form</p>		<p>NZAA SITE NUMBER: P19/417</p> <p>SITE TYPE: Pit/Terrace</p> <p>SITE NAME(s): n/a</p> <p>DATE RECORDED:</p>
<p>SITE COORDINATES (NZTM) Easting: 1697634 Northing: 5677603 Source: Handheld GPS</p>		
<p>IMPERIAL SITE NUMBER:</p>		<p>METRIC SITE NUMBER: P19/417</p>
		
<p>Finding aids to the location of the site Lot 2 DP 400849. situated on the eastern side of the Egmont Road, south of the turn off from Devon Road (SH3)</p>		
<p>Brief description</p>		
<p>Recorded features Pit - rectangular</p>		
<p>Other sites associated with this site</p>		

Printed by: ivanbruce

31/07/2020

1 of 3

NEW ZEALAND ARCHAEOLOGICAL ASSOCIATION

SITE RECORD HISTORY	NZAA SITE NUMBER: P19/417
<p>Site description Updated 31/07/2020 (Field visit), submitted by ivanbruce , visited 09/07/2020 by Bruce, Ivan Grid reference (E1697634 / N5677603)</p> <p>A small, rectangular feature, measuring 1.2m wide by 2m long, was recovered during test excavations. . A 50cm wide section was then excavated through the southern end of the feature by hand. The excavation revealed the feature was a deliberately dug pit, comprising vertical walls and a level, hard packed floor situated 0.8m below the current ground level. The pit fill comprised a lower level of fine grained, yellow/ brown silty fill, overlaid with a homogeneous dark brown/ black mottled mixed fill</p> <p>Condition of the site Updated 31/07/2020 (Field visit), submitted by ivanbruce , visited 09/07/2020 by Bruce, Ivan</p> <p>Pit was tested then back filled and overburden reinstated. Currently grazed pasture.</p> <p>Statement of condition</p> <p>Current land use:</p> <p>Threats:</p>	

Printed by: ivanbruce

31/07/2020

2 of 3



18 May 2022

File ref: 2022/620
11013-042

Manor Property Ltd
59 Rimu St
New Plymouth
Attn: Chris Herd

Tēnā koe Chris

**APPLICATION FOR ARCHAEOLOGICAL AUTHORITY UNDER HERITAGE NEW ZEALAND
POUHERE TAONGA ACT 2014: Authority no. 2022/620: P19/417 and potential sites, as yet
unrecorded, 19 Egmont Road, New Plymouth.**

Thank you for your application for an archaeological authority which has been granted and is attached.

In considering this application, Heritage New Zealand Pouhere Taonga notes that you wish to undertake earthworks for an industrial/commercial development at 19 Egmont Road, New Plymouth. This activity may affect archaeological material relating to P19/417 and/or unrecorded archaeological sites associated with settlement of the subject property. Pit site P19/417 was identified during exploratory archaeological work on the subject property under archaeological authority 2020/533. While the known extent of P19/417 will not be impacted on by the proposed earthworks it cannot be discounted that further archaeological material may be encountered during works. If further archaeological material is encountered, it will add to our knowledge of occupation and settlement of the Taranaki region.

Heritage New Zealand notes that damage or modification of the known extent of recorded site P19/417, labelled NZAA P19/417 (Pit) on Manor Property Limited: 19 Egmont Road Subdivision, New Plymouth Stage 1 Earthworks Cut Fill Plan submitted as part of the authority application will not to be undertaken.

The site is of significance to Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū and we appreciate the consultation you have undertaken.

Please inform tangata whenua, the s45 approved person and Heritage New Zealand Pouhere Taonga of start and finish dates for the work.

An appeal period from receipt of decision by all parties applies. Therefore, this authority may not be exercised during the appeal period of 15 working days, or until any appeal that has been lodged is resolved.

If you have any queries, please direct your response in the first instance to:

Kathryn Hurren
Senior Archaeologist
Heritage New Zealand Pouhere Taonga, Wellington Office

PO Box 2629, Wellington 6140

Phone (04) 494 8324 Email ArchaeologistCR2@heritage.org.nz

Nāku noa, nā



PP: Victoria Pond

Vanessa Tanner

Manager Archaeology, Heritage New Zealand Pouhere Taonga

- cc: Chris Herd, Manor Property Ltd
via email at chris@manorbuild.co.nz
- cc: Darelle Martin, BTW Company Ltd
via email at darelle.martin@btw.nz
- cc: Ivan Bruce
via email at itmustbesointeresting@xtra.co.nz
- cc: Sarah Mako, Te Kotahitanga o Te Atiawa
via email at sarah@teatiawa.iwi.nz
- cc: Ngamata Skipper, Ngāti Tawhirikura Hapū
via email at office@tawhirikura.org
- cc: Planning Manager
New Plymouth District Council
via email at enquiries@npdc.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014 Heritage New Zealand Pouhere Taonga must notify TLAs of any decision made on an application to modify or destroy an archaeological site. We recommend that this advice is placed on the appropriate property file for future reference.

- cc: Ministry for Culture and Heritage
via email at protected-objects@mch.govt.nz

Pursuant to Section 51 Heritage New Zealand Pouhere Taonga Act 2014

- cc: NZAA Central Filekeeper
Attn: Mary O’Keeffe
via email at centralfilekeeper@archsite.org.nz
- cc: Heritage New Zealand Pouhere Taonga Senior Archaeologist, Kathryn Hurren
- cc: Heritage New Zealand Pouhere Taonga Director Central Region, Jamie Jacobs
- cc: Heritage New Zealand Pouhere Taonga Pou Rārangi Kōrero / Māori Heritage Listing Advisor
Māori Heritage Team, Annemarie Gillies



HERITAGE NEW ZEALAND
POUHERE TAONGA

AUTHORITY

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2022/620

FILE REF: 11013-042

DETERMINATION DATE: 18 May 2022

EXPIRY DATE: 18 May 2027

AUTHORITY HOLDER: Manor Property Ltd

POSTAL ADDRESS: 59 Rimu St, New Plymouth. Attn: Chris Herd

ARCHAEOLOGICAL SITES: P19/417 and potential sites, as yet unrecorded

LOCATION: 19 Egmont Road, New Plymouth

SECTION 45 APPROVED PERSON: Ivan Bruce

LANDOWNER CONSENT: Landowner is applicant

This authority may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

This decision does not ascribe mana whenua status.

DETERMINATION

Heritage New Zealand Pouhere Taonga grants an authority pursuant to section 48 of the Heritage New Zealand Pouhere Taonga Act 2014 in respect of the archaeological sites described above, within the area specified as Lot 2 DP 400849 to Manor Property Ltd for the proposal to undertake earthworks for industrial/commercial development at 19 Egmont Road, New Plymouth, subject to the following conditions:

CONDITIONS OF AUTHORITY

1. The authority holder must ensure that all contractors working on the project are briefed on site by the s45 approved person, who may appoint a person to carry out the briefing on their behalf, prior to any works commencing on the possibility of encountering archaeological evidence, how to identify possible archaeological sites during works, the archaeological work required by the conditions of this authority, and contractors' responsibilities with regard to notification of the discovery of archaeological evidence to ensure that the authority conditions are complied with.

2. Prior to the start of any on-site archaeological work, the Authority Holder must ensure that Heritage New Zealand Pouhere Taonga is advised of the date when work will begin. This advice must be provided at least 2 working days before work starts. The Authority Holder must also ensure that Heritage New Zealand Pouhere Taonga is advised of the completion of the on-site archaeological work, within 5 working days of completion.
3. The authority must be exercised in accordance with a management plan commissioned, or prepared with archaeological advice, by the authority holder. The management plan shall provide operational guidelines and procedures for day-to-day activities that may affect archaeological sites during earthworks for the proposal to undertake earthworks for industrial/commercial development at 19 Egmont Road, New Plymouth.

The plan shall include, but is not limited to, the following:

- a) Methods to protect any archaeological sites or features from damage,
- b) procedures for any archaeological investigation or recording of archaeological information,
- c) the role, responsibility and level of authority of the s45 approved person and any other person appointed to undertake archaeological work on their behalf. Names and contact details of all other persons whom the s45 approved person appoints must be stated in the management plan,
- d) timeframes for archaeological work,
- e) protocols for the unexpected discovery of archaeological material,
- f) on-site briefing by the s45 approved person (who may appoint a person to carry out the briefing on their behalf) for contractors about the archaeological work required and how to identify archaeological sites during works. The management plan must state who will be carrying out the briefings,
- g) the responsibilities of contractors with regard to notification of archaeological sites,
- h) requirements for stand down periods to enable archaeological work,
- i) mechanisms for dispute resolution, and
- j) emergency contact details for the s45 approved person, Heritage New Zealand Pouhere Taonga Senior Archaeologist and iwi.

The plan must be submitted to the Heritage New Zealand Pouhere Taonga Senior Archaeologist for approval prior to the commencement of any earthworks. No earthworks shall commence until Heritage New Zealand Pouhere Taonga has given its written approval of the plan.

4. Any earthworks that may affect any archaeological sites must be monitored by the s45 approved person who may appoint a person to carry out the monitoring on their behalf.
5. Any archaeological evidence encountered during the exercise of this authority must be investigated, recorded and analysed in accordance with current archaeological practice.

6. As no tikanga between the authority holder and Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū were provided with the authority application, the following shall apply:
 - a) Access for Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū shall be enabled in order to undertake tikanga consistent with any requirements of site safety.
 - b) Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū shall be informed 48 hours before the start and finish of the archaeological work.
 - c) If any kōiwi (human remains) are encountered, all work should cease within 20 metres of the discovery. The Heritage New Zealand Pouhere Taonga Senior Archaeologist, New Zealand Police and Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū must be advised immediately in accordance with Guidelines for Kōiwi Tangata/Human Remains (Archaeological Guideline Series No.8) and no further work in the area may take place until future actions have been agreed by all parties.
 - d) Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū shall be informed if any possible taonga or Māori artefacts are identified to enable appropriate tikanga to be undertaken, so long as all statutory requirements under the Heritage New Zealand Pouhere Taonga Act 2014 and the Protected Objects Act 1975 are met.
 - e) Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū shall be provided with a copy of any reports completed as a result of the archaeological work associated with this authority and be given an opportunity to discuss it with the s45 approved person if required.
7. That within 20 working days of the completion of the on-site archaeological work associated with this authority;
 - a) An interim report outlining the archaeological work undertaken must be submitted to the Heritage New Zealand Pouhere Taonga Senior Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
 - b) Site record forms must be updated or submitted to the NZAA Site Recording Scheme.
8. That within 12 months of the completion of the on-site archaeological work, the authority holder shall ensure that a final report, completed to the satisfaction of Heritage New Zealand Pouhere Taonga, is submitted to the Heritage New Zealand Pouhere Taonga Senior Archaeologist for inclusion in the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.
 - a) One hard copy and one digital copy of the final report are to be sent to the Heritage New Zealand Pouhere Taonga Senior Archaeologist.
 - b) Digital copies of the final report must also be sent to: the NZAA Central Filekeeper; Puke Ariki Museum; Te Kotahitanga o Te Atiawa and Ngāti Tawhirikura Hapū.

Signed for and on behalf of Heritage New Zealand Pouhere Taonga



**Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140**

Date: 18 May 2022

ADVICE NOTES

Contact details for Heritage New Zealand Pouhere Taonga Senior Archaeologist

Kathryn Hurren
Senior Archaeologist
Heritage New Zealand Pouhere Taonga, Wellington Office
PO Box 2629, Wellington 6140

Phone (04) 494 8324 Email ArchaeologistCR2@heritage.org.nz

Current Archaeological Practice

Current archaeological practice may include, but is not limited to, the production of maps/ plans/ measured drawings of site location and extent; excavation, section and artefact drawings; sampling, identification and analysis of faunal and floral remains and modified soils; radiocarbon dating of samples; the management of taonga tūturu and archaeological material; the completion of a final report and the updating of existing (or creation of new) site record forms to submit to the NZAA Site Recording Scheme. The final report shall include, but need not be limited to, site plans, section drawings, photographs, inventory of material recovered, including a catalogue of artefacts, location of where the material is currently held, and analysis of recovered material.

Please note that where one is required, an interim report should contain a written summary outlining the archaeological work undertaken, the preliminary results, and the approximate percentage of archaeological material remaining *in-situ* and a plan showing areas subject to earthworks, areas monitored and the location and extent of any archaeological sites affected or avoided.

Reporting Conditions

In relation to the creation of reports as required by the authority conditions, Heritage New Zealand Pouhere Taonga supports transparent reporting processes. It therefore is expected that all relevant directly affected parties have reviewed the report in question, are happy with its contents, and understand that it will be made publicly available via the Heritage New Zealand Pouhere Taonga Archaeological Reports Digital Library.

Heritage New Zealand Pouhere Taonga has the right to make available any report produced under an authority where the distribution of the report is for the purpose of providing archaeological information about the place in question for research or educational purposes.

Rights of Appeal

An appeal to the Environment Court may be made by any directly affected person against any decision or condition. The notice of appeal should state the reasons for the appeal and the relief sought and any matters referred to in section 58 of the Heritage New Zealand Pouhere Taonga Act 2014. The notice of appeal must be lodged with the Environment Court and served on Heritage New Zealand Pouhere Taonga within 15 working days of receiving the determination and served on the applicant or owner within five working days of lodging the appeal.

Review of Conditions

The holder of an authority may apply to Heritage New Zealand Pouhere Taonga for the change or cancellation of any condition of the authority. Heritage New Zealand Pouhere Taonga may also initiate a review of all or any conditions of an authority.

Non-compliance with conditions

Note that failure to comply with any of the conditions of this authority is a criminal offence and is liable to a penalty of up to \$120,000 (Heritage New Zealand Pouhere Taonga Act 2014, section 88).

Costs

The authority holder shall meet all costs incurred during the exercise of this authority. This includes all on-site work, post fieldwork analysis, radiocarbon dates, specialist analysis and preparation of interim and final reports.

Assessment and Interim Report Templates

Assessment and interim report templates are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

Guideline Series

Guidelines referred to in this document are available on the Heritage New Zealand Pouhere Taonga website: archaeology.nz

The Protected Objects Act 1975

The Ministry for Culture and Heritage (“the Ministry”) administers the Protected Objects Act 1975 which regulates the sale, trade and ownership of taonga tūturu.

If a taonga tūturu is found during the course of an archaeological authority, the Ministry or the nearest public museum must be notified of the find within 28 days of the completion of the field work.

Breaches of this requirement are an offence and may result in a fine of up to \$10,000 for each taonga tūturu for an individual, and of up to \$20,000 for a body corporate.

For further information please visit the Ministry’s website at <http://www.mch.govt.nz/nz-identity-heritage/protected-objects>.

Landowner Requirements

If you are the owner of the land to which this authority relates, you are required to advise any successor in title that this authority applies in relation to the land. This will ensure that any new owner is made aware of their responsibility in regard to the Heritage New Zealand Pouhere Taonga Act 2014.



HERITAGE NEW ZEALAND
POUHERE TAONGA

SECTION 45 APPROVED PERSON

Heritage New Zealand Pouhere Taonga Act 2014

AUTHORITY NO: 2022/620

FILE REF: 11013-042

APPROVAL DATE: 18 May 2022

This approval may not be exercised during the appeal period of 15 working days or until any appeal that has been lodged is resolved.

APPROVAL

Pursuant to section 45 of the Act, **Ivan Bruce**, is approved by Heritage New Zealand Pouhere Taonga to carry out any archaeological work required as a condition of authority 2022/620, and to compile and submit a report on the work done. Ivan Bruce will hold responsibility for the current archaeological practice in respect of the archaeological authority for which this approval is given.

Signed for and on behalf of Heritage New Zealand Pouhere Taonga

Claire Craig
Deputy Chief Executive Policy, Strategy and Corporate Services
Heritage New Zealand Pouhere Taonga
PO Box 2629
WELLINGTON 6140

Date: 18 May 2022

APPENDIX F

RECORD OF CORRESPONDENCE WITH IWI / HAPŪ

Darelle Martin

From: Darelle Martin
Sent: Thursday, 25 August 2022 2:13 pm
To: Sarah Mako
Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild; rowan.williams@npdc.govt.nz; Te Atiawa Consents; Cam Twigley; Zane Wood
Subject: RE: [#BTW180802] 19 Egmont Road

12d Synergy: -1
12d Synergy Job: 180802
12d Synergy Project: 180802
12dSynergySendGUID: 7caeb6e0-0ea3-4c78-acf9-add195db497c

Hi Sarah,

What was the outcome of the meeting with Ngamata please?

Kind regards

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

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Sarah Mako <sarah@teatiawa.iwi.nz>
Sent: Wednesday, 3 August 2022 11:03 pm
To: Darelle Martin <darelle.martin@btw.nz>
Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz; Te Atiawa Consents <consents@teatiawa.iwi.nz>; Cam Twigley <Cam.Twigley@btw.nz>; Zane Wood <Zane.Wood@npdc.govt.nz>
Subject: RE: [#BTW180802] 19 Egmont Road

EXTERNAL MESSAGE

Kia ora Darelle

Thanks for speaking with me earlier today. As discussed, I understand Ngāti Tawhirikura have been undergoing governance changes amongst the hapū, this has placed pressure on the hapū kaitiaki. I am catching up with Ngamata this week to understand these changes and how this application can be moved forward. Your offer of attending the hui is appreciated though unnecessary. As mentioned, I will let you know the outcome of my hui with Ngamata.

Ngā manaakitanga,
Sarah

From: Darelle Martin <darelle.martin@btw.nz>
Sent: Friday, 29 July 2022 7:01 am
To: Sarah Mako <sarah@teatiawa.iwi.nz>
Cc: laura@lbplanning.co.nz <laura@lbplanning.co.nz>; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz <rowan.williams@npdc.govt.nz>; Te Atiawa Consents <consents@teatiawa.iwi.nz>;

Cam Twigley <Cam.Twigley@btw.nz>; Zane Wood <Zane.Wood@npdc.govt.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

Hi Sarah,

I know you have been trying to find some time to ring me this week. I have a short day today so if you can't get me, please call Cam.

Thanks

DARELLE MARTIN Kaiwhakamahere | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Wednesday, 20 July 2022 8:54 am

To: Sarah Mako <sarah@teatiawa.iwi.nz>

Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz; Te Atiawa Consents <consents@teatiawa.iwi.nz>; Cam Twigley <Cam.Twigley@btw.nz>; Zane Wood <Zane.Wood@npdc.govt.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

Hi Sarah, is there any news on this feedback please?

Ngā mihi

DARELLE MARTIN Kaiwhakamahere | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Darelle Martin

Sent: Thursday, 14 July 2022 8:30 am

To: 'Sarah Mako' <sarah@teatiawa.iwi.nz>

Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz; Te Atiawa Consents <consents@teatiawa.iwi.nz>; Cam Twigley <Cam.Twigley@btw.nz>; Zane Wood <Zane.Wood@npdc.govt.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

Kia ora Sarah,

What has the response been from hapū please?

Thank you,

DARELLE MARTIN Kaiwhakamahere | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Sarah Mako <sarah@teatiawa.iwi.nz>

Sent: Thursday, 7 July 2022 3:33 pm

To: Darelle Martin <darelle.martin@btw.nz>

Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz; Te Atiawa Consents <consents@teatiawa.iwi.nz>; Cam Twigley <Cam.Twigley@btw.nz>; Zane Wood

<Zane.Wood@npdc.govt.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

EXTERNAL MESSAGE

Kia ora Darelle

Apologies for the delay. The information is with Ngāti Tawhirikura. I am awaiting a date/ time to discuss further with hapū if they have any pātai. I'll follow up again with hapū in a few days.

Ngā manaakitanga,
Sarah

From: Darelle Martin <darelle.martin@btw.nz>

Sent: Monday, 4 July 2022 8:17 am

To: Sarah Mako <sarah@teatiawa.iwi.nz>

Cc: laura@lbplanning.co.nz <laura@lbplanning.co.nz>; Chris Herd ManorBuild <chris@manorbuild.co.nz>; rowan.williams@npdc.govt.nz <rowan.williams@npdc.govt.nz>; Zane Wood <Zane.Wood@firstgas.co.nz>; Te Atiawa Consents <consents@teatiawa.iwi.nz>; Cam Twigley <Cam.Twigley@btw.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

Kia ora Sarah,

Is there any update you can share please?

Thank you

DARELLE MARTIN Kaiwhakamahere | Intermediate Planner +64 272 050 301

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Cam Twigley <Cam.Twigley@btw.nz>

Sent: Monday, 27 June 2022 12:04 pm

To: Sarah Mako <sarah@teatiawa.iwi.nz>

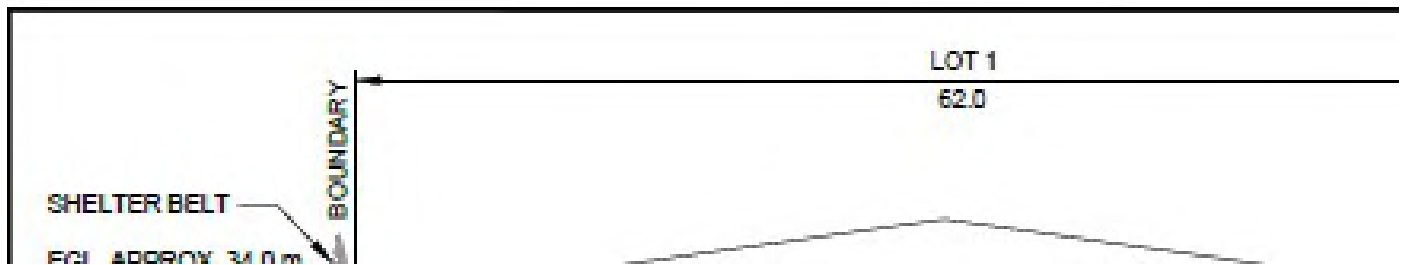
Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; Darelle Martin <darelle.martin@btw.nz>; rowan.williams@npdc.govt.nz; Zane Wood <Zane.Wood@firstgas.co.nz>; Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: RE: [#BTW180802] 19 Egmont Road

Kia ora Sarah,

In short there are no further changes proposed to the proposal.

The site has a rolling topography and the earthworks proposed are fundamental to forming the two flat lots for industrial development. The lots step down the hillside from north to south and will have a low area at the bottom, as there is now (see cross section below).



The earthworks have always been part of the application and informed the CIA.

The CIA talks to landform change and effects of earthworks from the proposal and recommends “a number of design amendments to this that better enable the proposed built environment to reflect the cultural landscape the site is located within”. In the summary and conclusions section, it further recommends some methods “To ensure actual and potential effects on Mangaone, previously un-recorded archaeological sites of a Māori origin, and hapū are avoided, remedied or mitigated by this subdivision proposal”.

Where possible, those recommendations were adopted in the further information response of 22nd January 2020 and this is reflected in the conditions of the consents, including:

- Permeable surface area, landscaping and stormwater design;
- Earthworks management plan with sediment control measures; and
- Road naming and other engagement with hapū.

The other main CIA recommendation was to investigate the potential archaeological sites under an exploratory authority. This was completed with hapū present and one area was confirmed to have a small food storage pit which was left in situ. Ivan’s recommendation was to seek a general authority from HNZPT for the proposed earthworks that are within 50 m of the pit. The general authority was granted 18 May 2022 and the proposal is to fence off and protect the food pit, while the earthworks occur around it.

Ngā mihi
Cam

CAM TWIGLEY Kaitaataki Taiao | Director, Planning and Environment **MNZPI** +64 274 544 886

BTW info@btw.nz | www.btw.nz | +64 6 759 5040

From: Sarah Mako <sarah@teatiawa.iwi.nz>

Sent: Monday, 27 June 2022 1:26 am

To: Cam Twigley <Cam.Twigley@btw.nz>

Cc: laura@lbplanning.co.nz; Chris Herd ManorBuild <chris@manorbuild.co.nz>; Darelle Martin <darelle.martin@btw.nz>; rowan.williams@npdc.govt.nz; Zane Wood <Zane.Wood@firstgas.co.nz>; Te Atiawa Consents <consents@teatiawa.iwi.nz>

Subject: Re: [#BTW180802] 19 Egmont Road

EXTERNAL MESSAGE

Tēnā koe Cam

Thanks for your email.

The outstanding matter for us currently is the extent of earthworks and loss of natural landform. Can you please confirm no changes are proposed to be made to the proposal to address the matters raised in the CIA in relation to the extensive earthworks and loss of the natural landform?

When I have this information, I will work with Ngāti Tawhirikura to confirm a date when you can expect the feedback regarding the conditions.

Ngā manaakitanga,
Sarah

From: Cam Twigley <Cam.Twigley@btw.nz>
Sent: Thursday, 23 June 2022 11:51 am
To: Sarah Mako <sarah@teatiawa.iwi.nz>
Cc: laura@lbplanning.co.nz <laura@lbplanning.co.nz>; Chris Herd ManorBuild <chris@manorbuild.co.nz>; Darelle Martin <darelle.martin@btw.nz>; rowan.williams@npdc.govt.nz <rowan.williams@npdc.govt.nz>; Zane Wood <Zane.Wood@firstgas.co.nz>
Subject: [#BTW180802] 19 Egmont Road

Kia ora Sarah,

Mānawatia a Matariki!

Apologies for having to disappear early from our last hui on the above.



One matter that is important from a process perspective is agreement to a timeframe for receiving feedback from Ngāti Tawhirikura on the conditions. My understanding from the CIA is that they are the mana whenua hapū and that you are providing the conduit between the hapū and the consent process.

My understanding is that the conditions have not changed materially from the conditions that Darelle provided to you in mid-February. It is also my understanding that from an engineering perspective that NPDC are satisfied with the conditions. From an applicant's perspective we are keen to obtain some certainty around forward process given the time this application has been with Council.

We look forward to receiving feedback from you on when we can expect hapū feedback.

Ngā mihi
Cam

CAM TWIGLEY Kaitaataki Taiao | Director, Planning and Environment **MNZPI** +64 274 544 886

	Ngāmotu – New Plymouth 179-181 Courtenay Street, PO Box 551, New Plymouth 4340, +64 6 759 5040	
	Kirikiroa – Hamilton 517 Anglesea Street, PO Box 1229, Hamilton 3240, +64 7 595 0020	
	info@btw.nz www.btw.nz	

CORONAVIRUS (COVID-19) – What you need to know / Kia mōhio mai koe

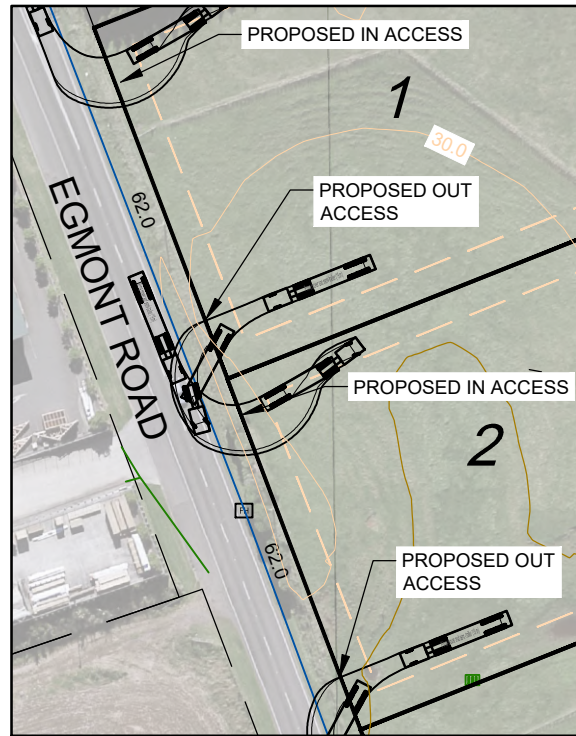
To protect our team's health and our operations, we kindly ask that:

- you visit our offices by appointment only. Wear a mask and sign in on arrival.
 - you do not enter our offices if you have any flu-like symptoms, or if you are a household contact of a positive case.
- We are happy to meet with you by video and can arrange electronic signing of documents. Please let us know.

APPENDIX G

PROPOSED SCHEME AND EARTHWORKS PLANS

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

LEGEND

- NPDC WASTE WATER
- NPDC WATER
- NPDC STORMWATER



File Name: C:\1245\data\BTW\1245\180802_02 Ind 3 Lot\DWG\180802.02-01 Scheme.dwg Plot Date: 29/11/2021 Plot Time: 09:46

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

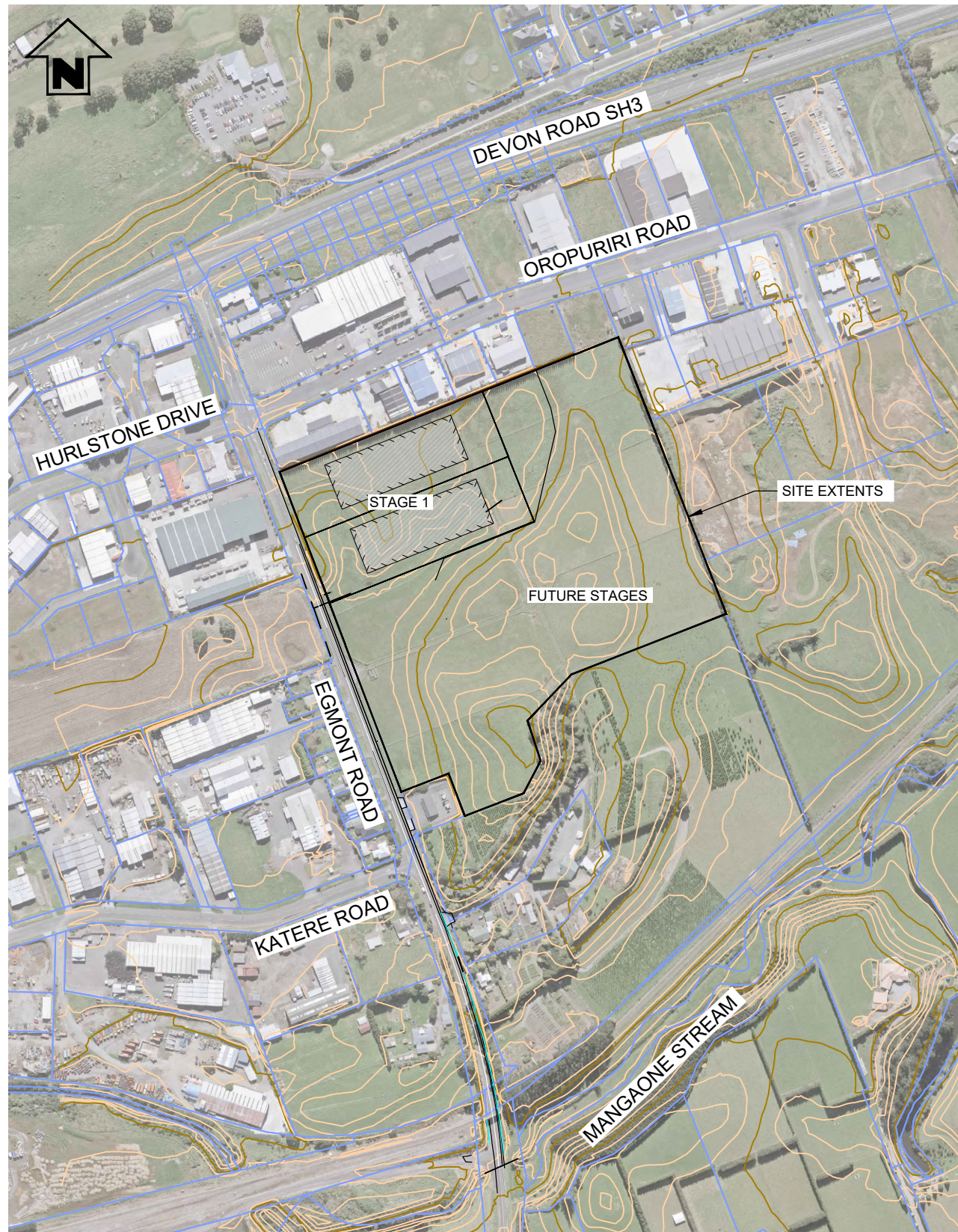
**Lots 1-3 being a Proposed Subdivision of
Lot 2 DP 400849**

Prepared by: K. Preston
 Drawn by: KP
 Checked by: KB
 Date: 29/11/2021
 Date: 29/11/2021
 Licensed Cadastral Surveyor
 Date: May 2020 Job No. 180802.02 Drawing No. 180802.02-01 REV 5

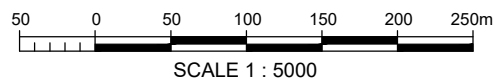
PRELIMINARY DESIGN DRAWINGS

19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH

STAGE 1 DEVELOPMENT



LOCATION PLAN
SCALE 1:5000



Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.

DRAWING REGISTER

DRAWING	SHEET	TITLE	DATE OF ISSUE / REVISION VERSION					
			13.04.21	3.05.22	16.06.22			
180802.02-07	C01	COVER PAGE	WD	B1	B2			
	C02	PRELIMINARY SITE GRADING PLAN	WD	B1	B2			
	C03	PRELIMINARY SECTIONS	WD	B1	B2			
	C04	PRELIMINARY EARTHWORKS CUT FILL PLAN	WD	B1	B2			

KEY

A	APPROVAL
B	CONSENTS
C	TENDER
O	CONSTRUCTION
AS	AS-BUILT
WD	WORKING DRAFT

TRANSMITTAL

TO	ATTENTION	DATE OF ISSUE / REVISION VERSION					
		13.04.21	3.05.22	16.06.22			
OWNER / DEVELOPER	CHRIS HERD	WD	B1	B2			
ARCHITECT / DESIGNER							
QUANTITY SURVEYOR							
BUILDER / CONTRACTOR							
TERRITORIAL AUTHORITY							

ISSUED FOR CONSENT

BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

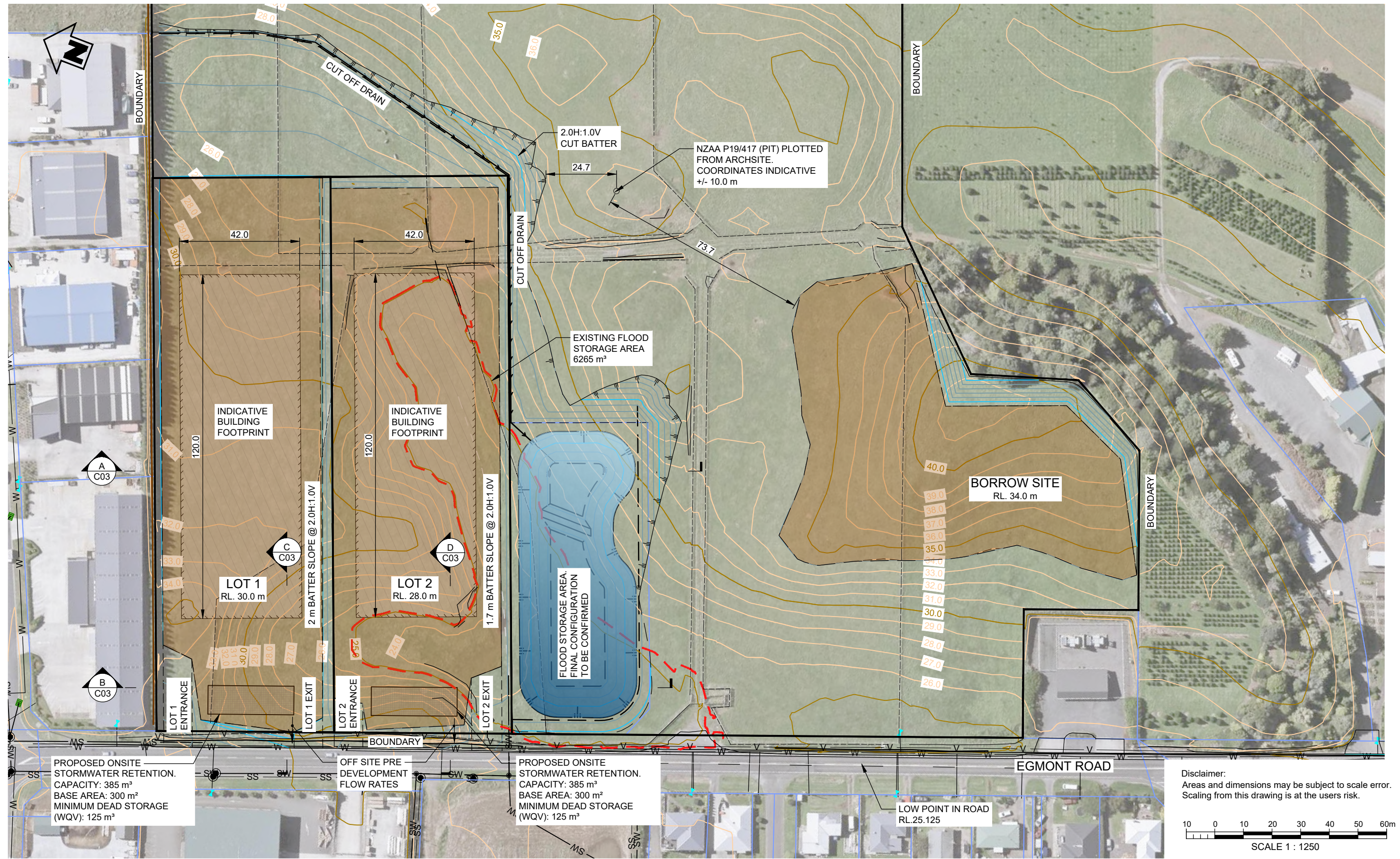
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WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS							REFERENCE DRAWINGS	

GENERAL NOTES
1. Coordinates in terms of : Geodetic Datum (Taranaki 2000)
2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
3. Contour interval is : 1m

LOCATION	NEW PLYMOUTH	
PROJECT No.	180802.02	
A3 SCALE	1:5000	
SURVEYED	T DAVIS	30.04.2019
DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

TITLE	MANOR PROPERTY LIMITED 19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH COVER PAGE		
ORIGINAL SIZE	A3	DRAWING No.	180802.02-07
SHEET	C01	REVISION	B2

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STAGE 1 SITE GRADING PLAN
SCALE 1:1250

ISSUED FOR CONSENT

BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

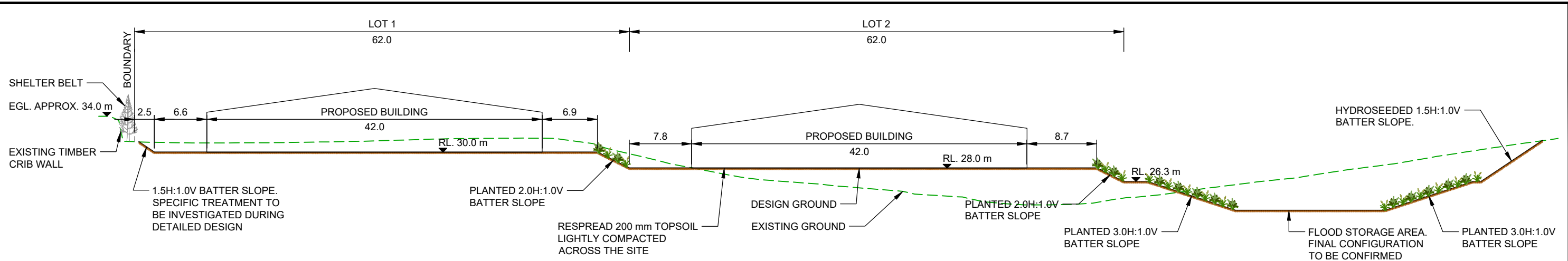
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WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS								
NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
REFERENCE DRAWINGS								

GENERAL NOTES
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 2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
 3. Contour interval is : 2m Existing 0.5m Design

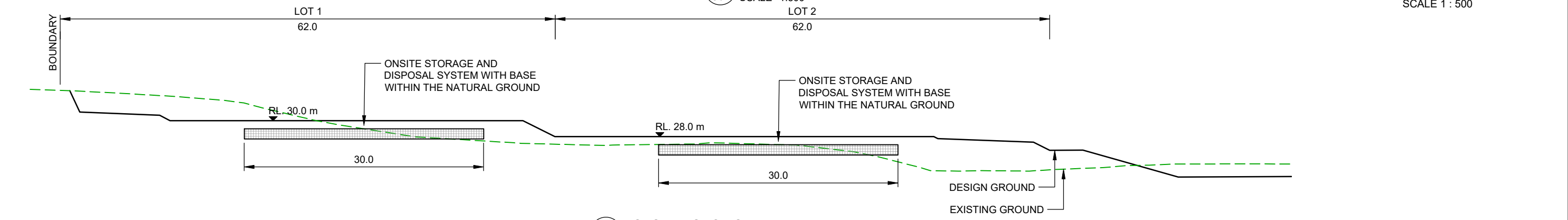
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PROJECT No.	180802.02	
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SURVEYED	T DAVIS	30.04.2019
DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

TITLE		MANOR PROPERTY LIMITED	
		19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH	
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ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
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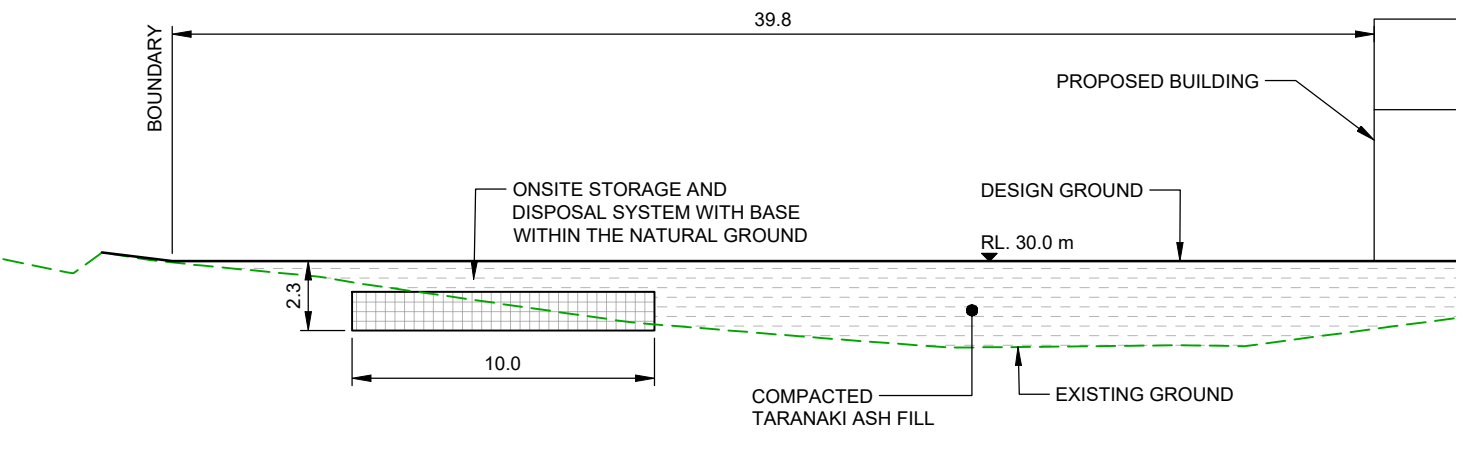
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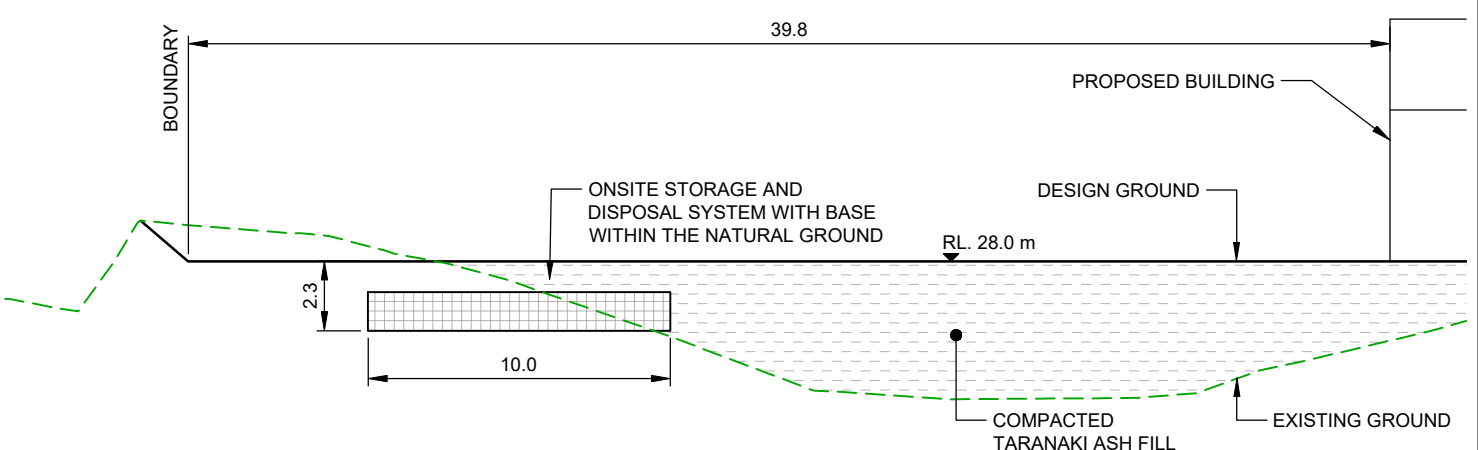
(A) LOTS 1, 2 & POND SECTION
 C02 SCALE 1:500



(B) LOTS 1, 2 SECTION
 C02 SCALE 1:500

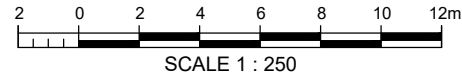


(C) LOTS 1
 C02 SCALE 1:250



(D) LOTS 2
 C02 SCALE 1:250

Disclaimer:
 Areas and dimensions may be subject to scale error.
 Scaling from this drawing is at the users risk.



ISSUED FOR CONSENT



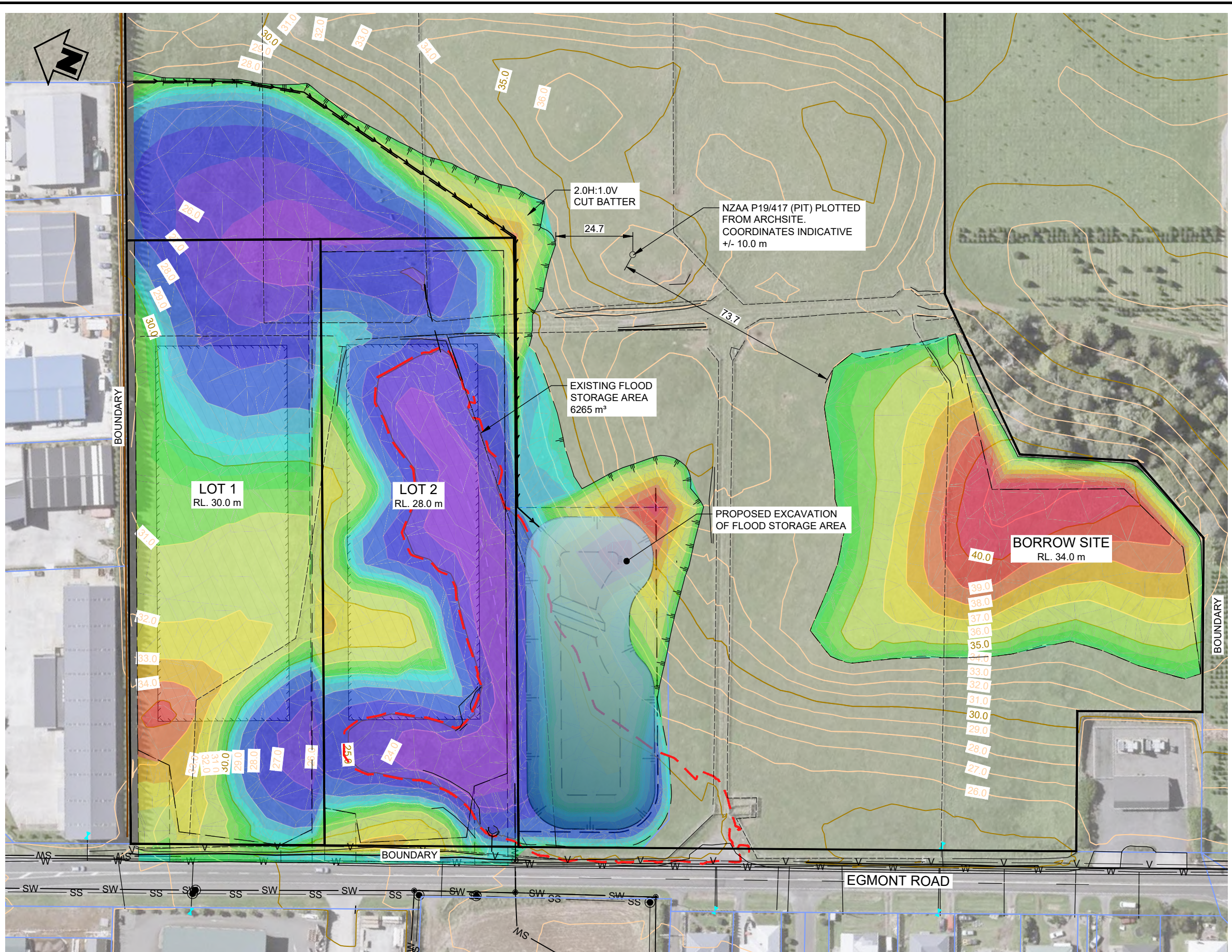
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WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS								
REFERENCE DRAWINGS								

GENERAL NOTES
 1. Coordinates in terms of : Geodetic Datum (Taranaki 2000)
 2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
 3. Contour interval is : NA

LOCATION	NEW PLYMOUTH	
PROJECT No.	180802.02	
A3 SCALE	AS SHOWN	
SURVEYED	T DAVIS	30.04.2019
DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

TITLE		MANOR PROPERTY LIMITED	
		19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH	
		STAGE 1 SECTIONS	
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
A3	180802.02-07	C03	B2

File Name: C:\125\data\BTW12D\180802_1\127180802_02-06 EGMONT RD EARTHWORKS.dwg - LOT 1 & 2 EARTHWORKS Plot Date: 20/09/2022 Plot Time: 14:19



Surface Analysis: Elevation Ranges			
Number	Color	Minimum Elevation (m)	Maximum Elevation (m)
1	Red	-7.500	-6.000
2	Red	-6.000	-5.000
3	Orange	-5.000	-4.000
4	Yellow	-4.000	-3.000
5	Yellow	-3.000	-2.000
6	Light Green	-2.000	-1.000
7	Light Green	-1.000	-0.500
8	Light Green	-0.500	-0.200
9	Light Green	-0.200	0.000
10	Light Green	0.000	0.200
11	Cyan	0.200	0.500
12	Cyan	0.500	1.000
13	Blue	1.000	2.000
14	Blue	2.000	3.000
15	Blue	3.000	4.000
16	Purple	4.000	4.900

EARTHWORKS	
TOTAL EARTHWORKS AREA	45,250 m ²
400 mm TOPSOIL STRIPPING	18,100 m ³
200 mm TOPSOIL RESPREAD	9,050 m ³
SOLID MEASURE CUT VOLUME	42,370 m ³
SOLID MEASURE FILL VOLUME	55,750 m ³

- NOTE**
- ASSESSED SITE AREA INCLUDES LOTS 1, 2, POND, BORROW AREA WITHIN LOT 10 AND CONSTRUCTION OF CUT OFF DRAIN.
 - VOLUMES CALCULATED ARE SOLID MEASURE.
 - CUT FILL COMPARISONS SHOWN ARE BETWEEN EXISTING SURVEYED GROUND LEVELS AND STAGE 1 EARTHWORKS FINISHED SURFACES.
 - POSITIVE NUMBERS = FILL
 - NEGATIVE NUMBERS = CUT
 - SOIL SUITABILITY OF FILL MATERIAL TO BE CONFIRMED BY ENGINEER.

Disclaimer:
Areas and dimensions may be subject to scale error. Scaling from this drawing is at the users risk.

SCALE 1 : 1250

STAGE 1 EARTHWORKS CUT FILL PLAN
SCALE 1:1250

ISSUED FOR CONSENT



NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
B1	3.05.22	PM	SH			ISSUED FOR CONSENT		
WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS								
NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
REFERENCE DRAWINGS								

GENERAL NOTES

- Coordinates in terms of : Geodetic Datum (Taranaki 2000)
- Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
- Contour interval is : 2m Existing 0.5m Design

LOCATION	NEW PLYMOUTH
PROJECT No.	180802.02
A3 SCALE	AS SHOWN
SURVEYED	T DAVIS 30.04.2019
DRAWN	P MORRIS 12.03.2020
CHECKED	S HUSBAND 2.04.2020

TITLE	MANOR PROPERTY LIMITED 19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH STAGE 1 EARTHWORKS CUT FILL PLAN		
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
A3	180802.02-07	C04	B2

To:	Manor Property Limited				
Copy:	Patrick Morris, Darelle Martin, Keith Preston				
From:	Sean Husband				
Date:	1st April 2022	BTW Job Number:	180802		

Subject: 19 Egmont Road - Stormwater Assessment

INTRODUCTION

This report provides an outline of the Stormwater Assessment completed for the proposed subdivision and land use consent application (SUB19/47312 and LUC19/47535) at 19 Egmont Road (Lot 2 DP 400849).

STORMWATER MANAGEMENT SUMMARY

Design Objectives

Stormwater management infrastructure should be required to meet the requirements of NZS4404 and mitigate the effects on the development on the downstream receiving environment.

The following design objectives shall be required with onsite development:

Water Quality Treatment - Water quality treatment shall be required to treat runoff from the development of Lots 1 and 2 prior to discharge into the receiving environment.

Hydraulic Neutrality - The proposed development on Lots 1 and 2 should be hydraulically neutral. For purposes of this assessment this includes the 50%, 10% and 1% AEP design storm events.

Concept Design

A concept design for the proposed development has been undertaken to ensure the feasibility of the proposal.

An onsite retention system is proposed for each site which provides soakage of the water quality volume (1/3 P24) and flow attenuation of larger flow events (50%, 10% and 1%).

Initial calculations and design indicate that an onsite system could be designed which meets the stormwater management design objectives for each of the 1.2 Ha sites with 80% impervious areas. The results of the preliminary assessment including pre and post development peak flows are summarised Table 1 and Table 2. Full calculations are attached in Appendix B.

Table 1: Pre development Hydrological Modelling Results during 24 hour design storm (Historical, 2018)

Catchment Description	50% AEP Design Storm		10% AEP Design Storm		1% AEP Design Storm	
	Runoff Volume (m3)	Peak Flow (m3/s)	Runoff Volume (m3)	Peak Flow (m3/s)	Runoff Volume (m3)	Peak Flow (m3/s)
Pre development 1.2 ha Lot	605.3	0.085	1,051.6	0.145	1,817.6	0.246

Table 2: Post development modelling results during the 24 hour design storm (RCP6.0, 2081-2100)

Catchment Description	50% AEP Design Storm			10% AEP Design Storm			1% AEP Design Storm		
	Runoff Volume (m3)	Peak Inflow (m3/s)	Peak discharge (m3/s)	Runoff Volume (m3)	Peak Inflow (m3/s)	Peak discharge (m3/s)	Runoff Volume (m3)	Peak Inflow (m3/s)	Peak discharge (m3/s)
Post development 1.2 ha Lot	1,135.1	0.183	0.085	1372.4	0.22	0.125	2275.4	0.357	0.235

The stormwater infrastructure shown in Table 3 would be required:

Table 3: Stormwater System Design

Design Parameter	Value
Water Quality Volume, m ³ (Dead Storage)	125
System Dimensions, m (LxWxD)	30 x 10 x 1.7
Storage Volume, m ³	510

Preliminary Engineering drawings are included in Appendix A showing concept infrastructure layout.

Further investigation and detailed design should be undertaken at time of Building Consent.

FLOOD STORAGE MITIGATION

The proposed development includes earthworks to create level building platforms suitable for the proposed industrial land use on Lots 1 and 2 as shown in Figure 1.

An existing ponding area is located in the site which provides a maximum flood storage volume of 6265 m³ (top water level = RL 25.12 m) as calculated using topographical survey and a flood storage assessment.

The proposed ponding area will be modified by the proposal and the proposed earthworks will include excavation of an equivalent storage volume appropriately designed to mitigate any downstream effects from the proposed filling of this area. The ponding storage volumes shall be finalised within a detailed assessment with consultation with NPDC.

It is noted that the landowner is currently working with NPDC to develop a catchment wide stormwater management basin at the location indicated on the plan. It is intended that this design will be sufficiently progressed to enable excavation of the future pond with the proposed flood storage works.

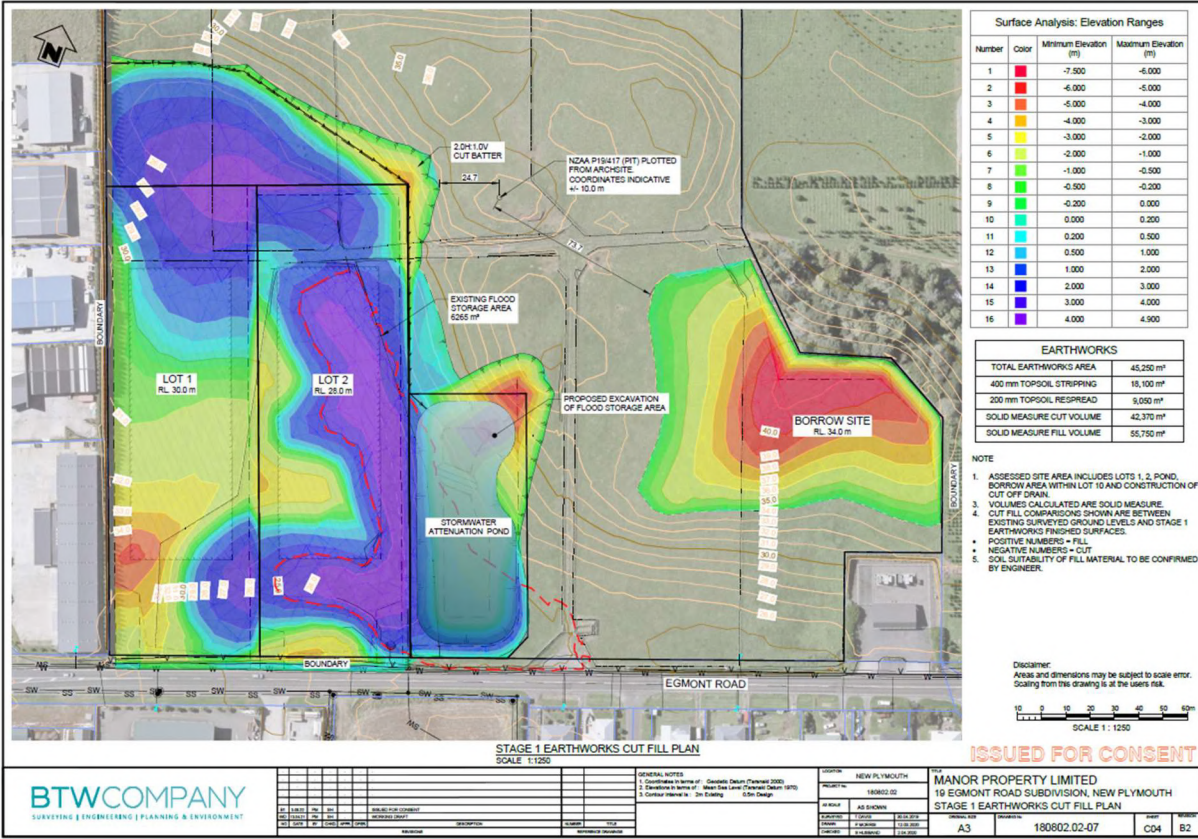


Figure 1: 19 Egmont Road – Preliminary Earthworks Plan

RECOMMENDATIONS:

As a result of the stormwater assessment undertaken, an endorsement for proposed Lots 1 and 2 of this subdivision, by way of consent notices per Section 221 of the Resource Management Act 1991, is considered necessary.

A suggested consent notice for Lots 1 and 2 is:

‘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’***

This statement is furnished for subdivision purposes only and it is not intended to remove the necessity for the normal design and inspection of stormwater conditions at the time of establishment of any building or structure.

CONCLUSION

This assessment provides a concept stormwater design for future development in accordance with the proposed landuse that provides stormwater management in accordance with the site-specific design objectives including water quality treatment and hydraulic neutrality. Further details of the onsite stormwater management system should be developed at the time of Building Consent when the site layout is confirmed.

The proposed development requires the filling of an existing ponding area. The proposed earthworks shall include excavation of an equivalent storage volume within the remainder of the land parcel to mitigate any downstream effects from the proposed earthworks.

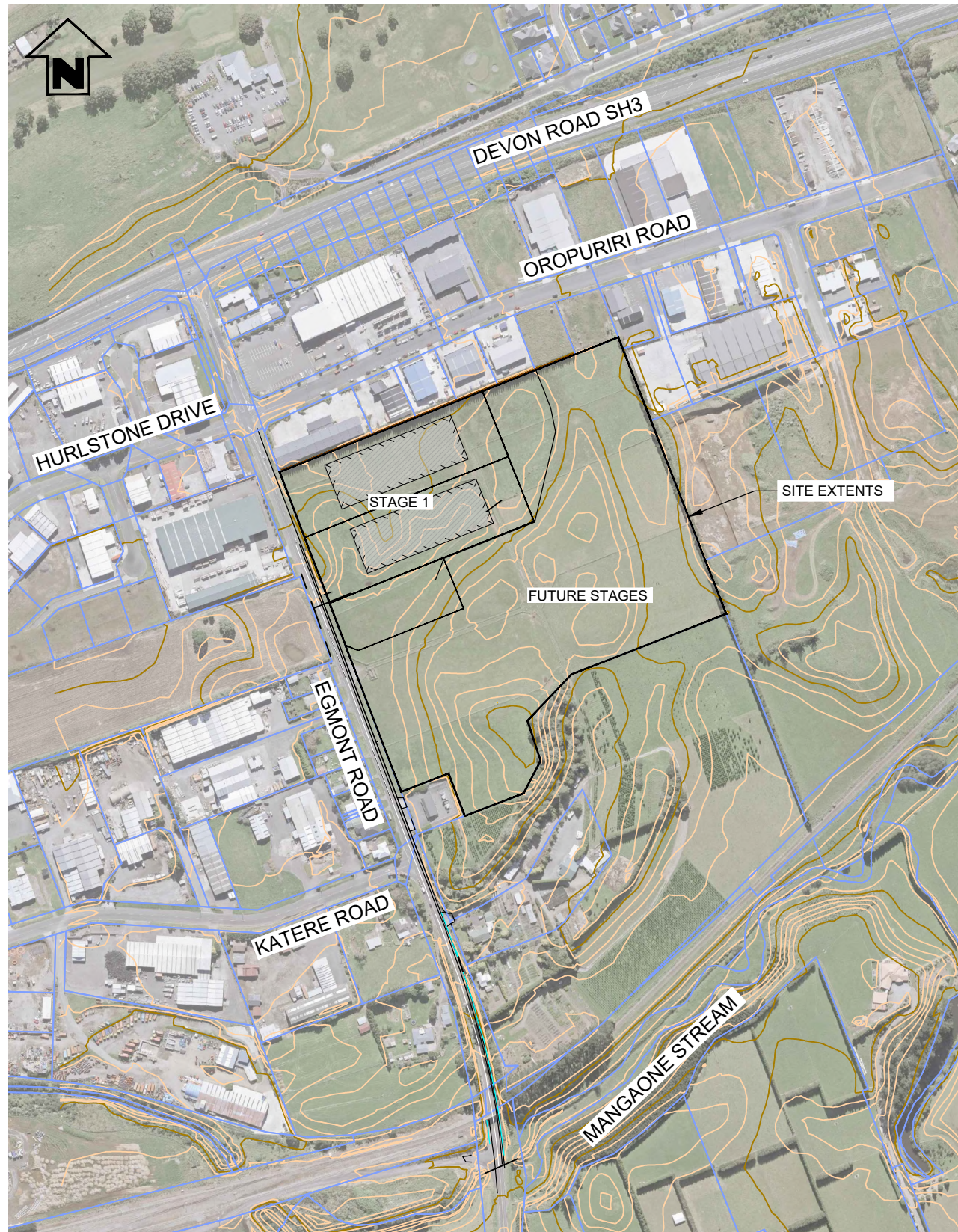
APPENDIX A

PRELIMINARY ENGINEERING DRAWINGS

PRELIMINARY DESIGN DRAWINGS

19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH

STAGE 1 DEVELOPMENT



LOCATION PLAN
SCALE 1:5000



Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.

DRAWING REGISTER

DRAWING	SHEET	TITLE	DATE OF ISSUE / REVISION VERSION					
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180802.02-07	C01	COVER PAGE	WD	B1	B2			
	C02	PRELIMINARY SITE GRADING PLAN	WD	B1	B2			
	C03	PRELIMINARY SECTIONS	WD	B1	B2			
	C04	PRELIMINARY EARTHWORKS CUT FILL PLAN	WD	B1	B2			

KEY

A	APPROVAL
B	CONSENTS
C	TENDER
O	CONSTRUCTION
AS	AS-BUILT
WD	WORKING DRAFT

TRANSMITTAL

TO	ATTENTION	DATE OF ISSUE / REVISION VERSION					
		13.04.21	3.05.22	16.06.22			
OWNER / DEVELOPER	CHRIS HERD	WD	B1	B2			
ARCHITECT / DESIGNER							
QUANTITY SURVEYOR							
BUILDER / CONTRACTOR							
TERRITORIAL AUTHORITY							

ISSUED FOR CONSENT

BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

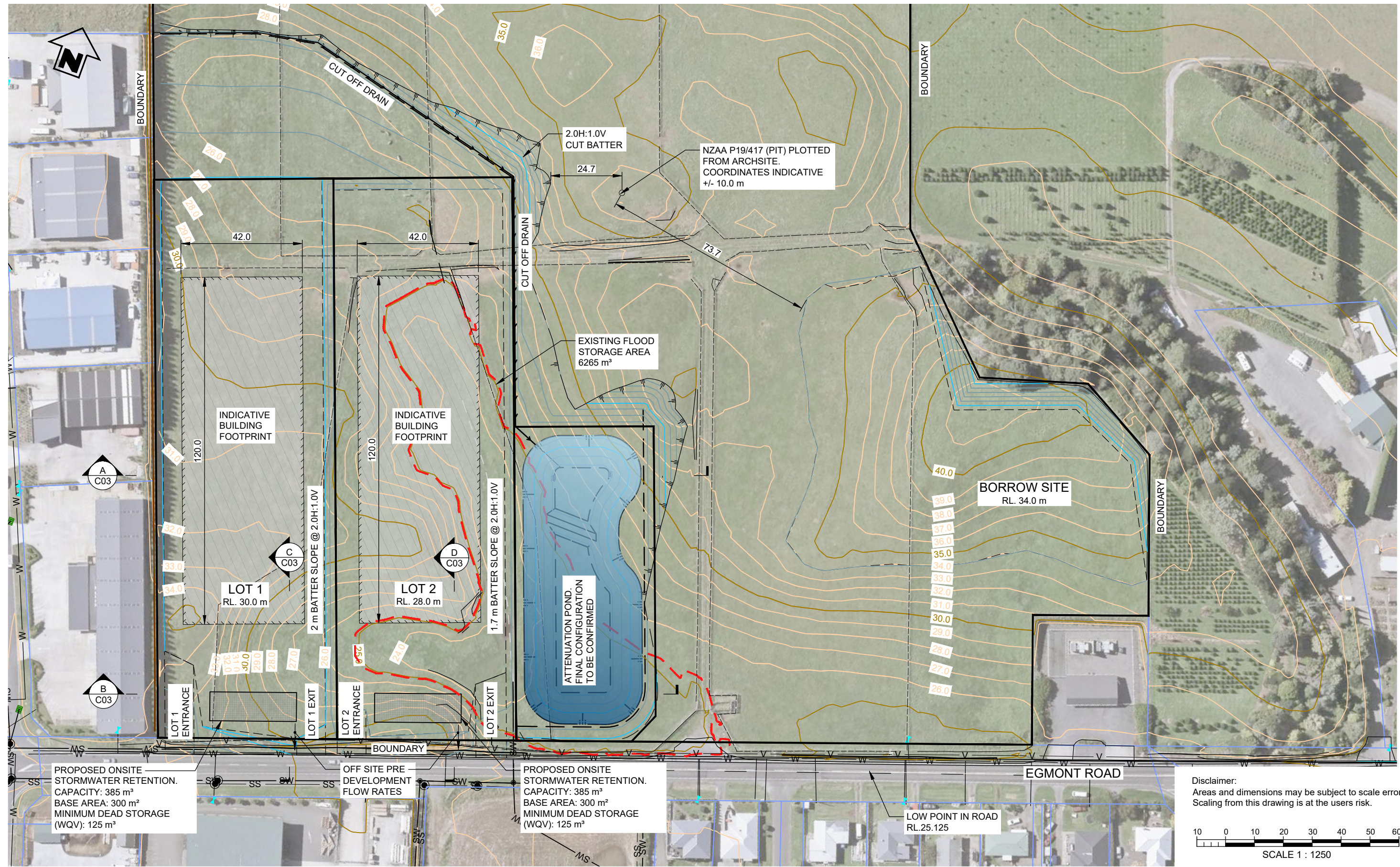
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WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS						DESCRIPTION	NUMBER	TITLE
REVISIONS						DESCRIPTION	NUMBER	TITLE

GENERAL NOTES
1. Coordinates in terms of : Geodetic Datum (Taranaki 2000)
2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
3. Contour interval is : 1m

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DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

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ORIGINAL SIZE	A3	DRAWING No.	180802.02-07
SHEET	C01	REVISION	B2

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STAGE 1 SITE GRADING PLAN
SCALE 1:1250

Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.

10 0 10 20 30 40 50 60m
SCALE 1 : 1250

ISSUED FOR CONSENT

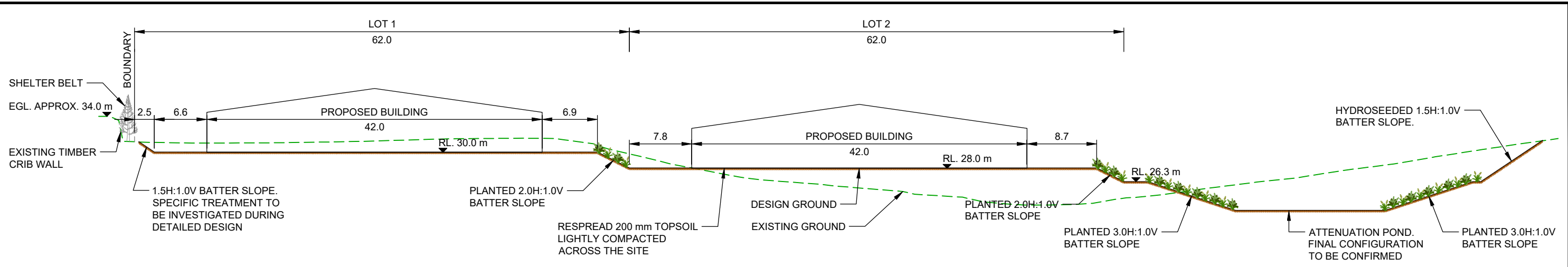
BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
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REFERENCE DRAWINGS								

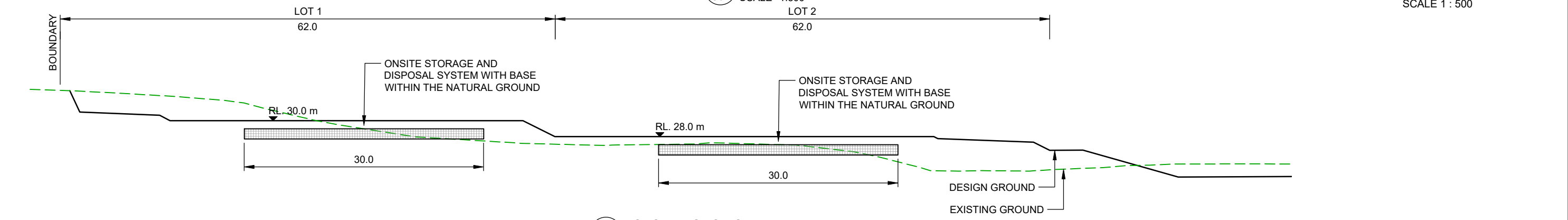
GENERAL NOTES
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 2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
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PROJECT No.	180802.02	
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CHECKED	S HUSBAND	2.04.2020

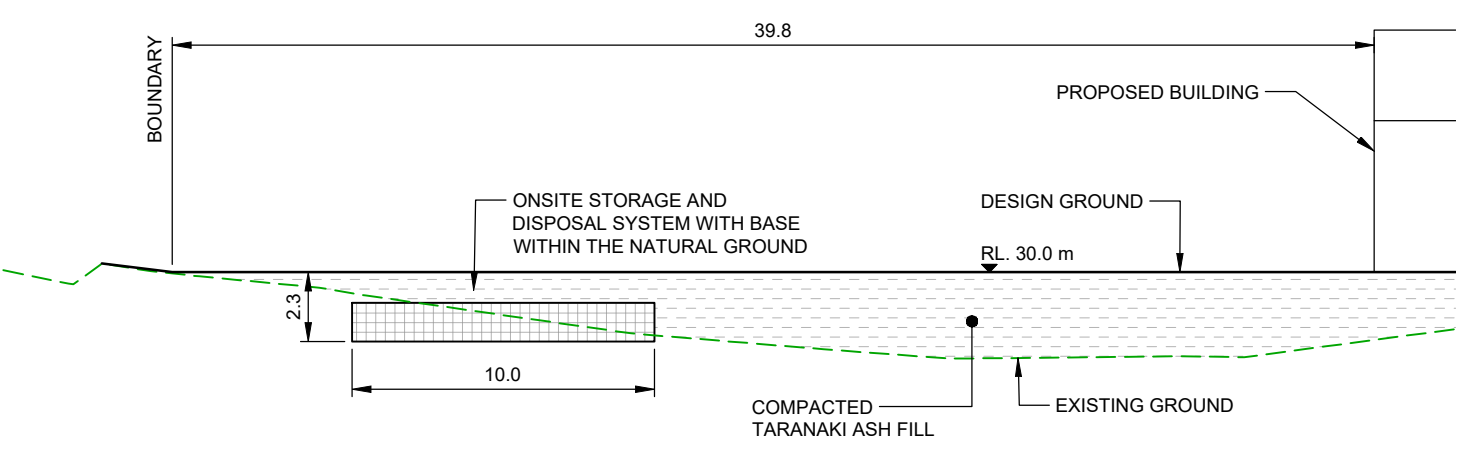
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ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
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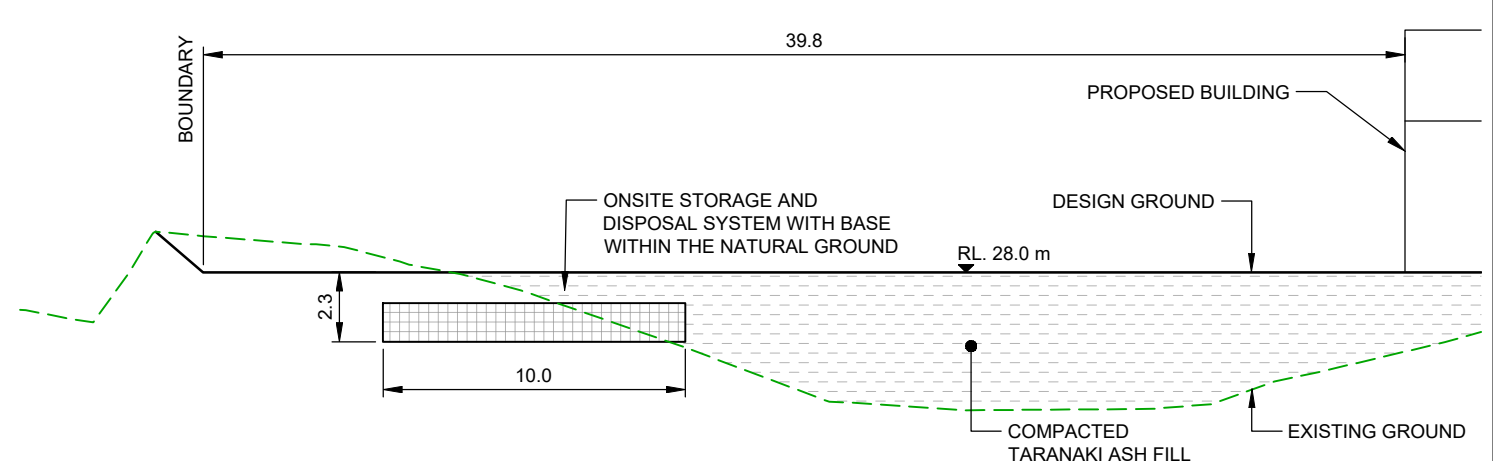
A LOTS 1, 2 & POND SECTION
 C02 SCALE 1:500



B LOTS 1, 2 SECTION
 C02 SCALE 1:500



C LOTS 1
 C02 SCALE 1:250



D LOTS 2
 C02 SCALE 1:250

Disclaimer:
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 Scaling from this drawing is at the users risk.



ISSUED FOR CONSENT



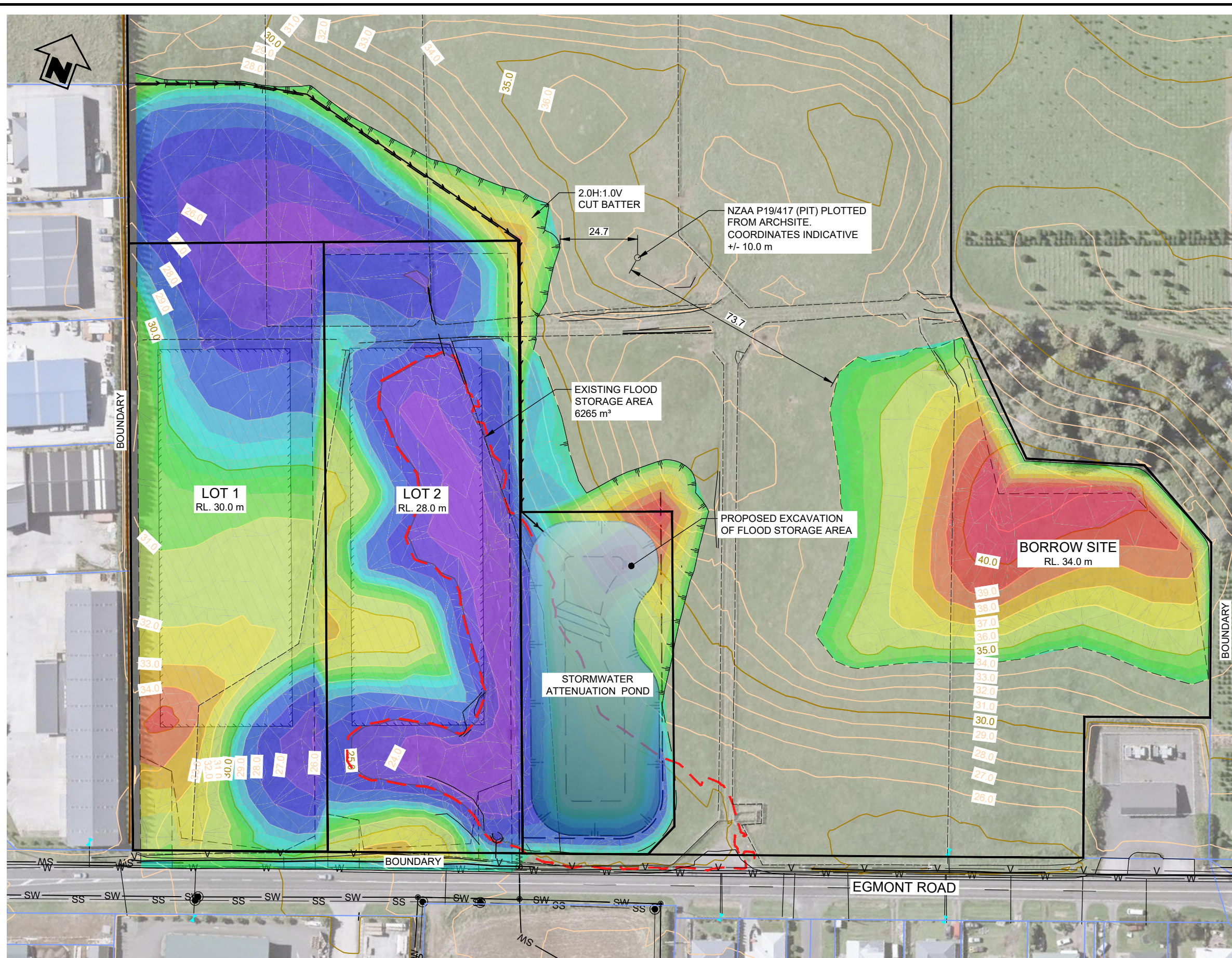
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WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS								
REFERENCE DRAWINGS								

GENERAL NOTES
 1. Coordinates in terms of : Geodetic Datum (Taranaki 2000)
 2. Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
 3. Contour interval is : NA

LOCATION	NEW PLYMOUTH	
PROJECT No.	180802.02	
A3 SCALE	AS SHOWN	
SURVEYED	T DAVIS	30.04.2019
DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

TITLE		MANOR PROPERTY LIMITED	
		19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH	
		STAGE 1 SECTIONS	
ORIGINAL SIZE	DRAWING No.	SHEET	REVISION
A3	180802.02-07	C03	B2

File Name: C:\125\data\BTW12D\180802_1\127180802_02-06 EGMONT RD EARTHWORKS.dwg - LOT 1 & 2 EARTHWORKS Plot Date: 21/06/2022 Plot Time: 16:15



Surface Analysis: Elevation Ranges			
Number	Color	Minimum Elevation (m)	Maximum Elevation (m)
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2	Red	-6.000	-5.000
3	Orange	-5.000	-4.000
4	Yellow	-4.000	-3.000
5	Yellow	-3.000	-2.000
6	Light Green	-2.000	-1.000
7	Light Green	-1.000	-0.500
8	Light Green	-0.500	-0.200
9	Light Green	-0.200	0.000
10	Light Green	0.000	0.200
11	Light Green	0.200	0.500
12	Light Green	0.500	1.000
13	Light Green	1.000	2.000
14	Light Green	2.000	3.000
15	Light Green	3.000	4.000
16	Light Green	4.000	4.900

EARTHWORKS	
TOTAL EARTHWORKS AREA	45,250 m ²
400 mm TOPSOIL STRIPPING	18,100 m ³
200 mm TOPSOIL RESPREAD	9,050 m ³
SOLID MEASURE CUT VOLUME	42,370 m ³
SOLID MEASURE FILL VOLUME	55,750 m ³

- NOTE**
- ASSESSED SITE AREA INCLUDES LOTS 1, 2, POND, BORROW AREA WITHIN LOT 10 AND CONSTRUCTION OF CUT OFF DRAIN.
 - VOLUMES CALCULATED ARE SOLID MEASURE. CUT FILL COMPARISONS SHOWN ARE BETWEEN EXISTING SURVEYED GROUND LEVELS AND STAGE 1 EARTHWORKS FINISHED SURFACES.
 - POSITIVE NUMBERS = FILL
 - NEGATIVE NUMBERS = CUT
 - SOIL SUITABILITY OF FILL MATERIAL TO BE CONFIRMED BY ENGINEER.

Disclaimer:
Areas and dimensions may be subject to scale error. Scaling from this drawing is at the users risk.

SCALE 1 : 1250

STAGE 1 EARTHWORKS CUT FILL PLAN
SCALE 1:1250

ISSUED FOR CONSENT



NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
B1	3.05.22	PM	SH			ISSUED FOR CONSENT		
WD	13.04.21	PM	SH			WORKING DRAFT		
REVISIONS								
NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
REFERENCE DRAWINGS								

GENERAL NOTES

- Coordinates in terms of : Geodetic Datum (Taranaki 2000)
- Elevations in terms of : Mean Sea Level (Taranaki Datum 1970)
- Contour interval is : 2m Existing 0.5m Design

LOCATION	NEW PLYMOUTH	
PROJECT No.	180802.02	
A3 SCALE	AS SHOWN	
SURVEYED	T DAVIS	30.04.2019
DRAWN	P MORRIS	12.03.2020
CHECKED	S HUSBAND	2.04.2020

TITLE	MANOR PROPERTY LIMITED 19 EGMONT ROAD SUBDIVISION, NEW PLYMOUTH STAGE 1 EARTHWORKS CUT FILL PLAN		
ORIGINAL SIZE	A3	DRAWING No.	180802.02-07
SHEET	C04	REVISION	B2

APPENDIX B

CALCULATIONS

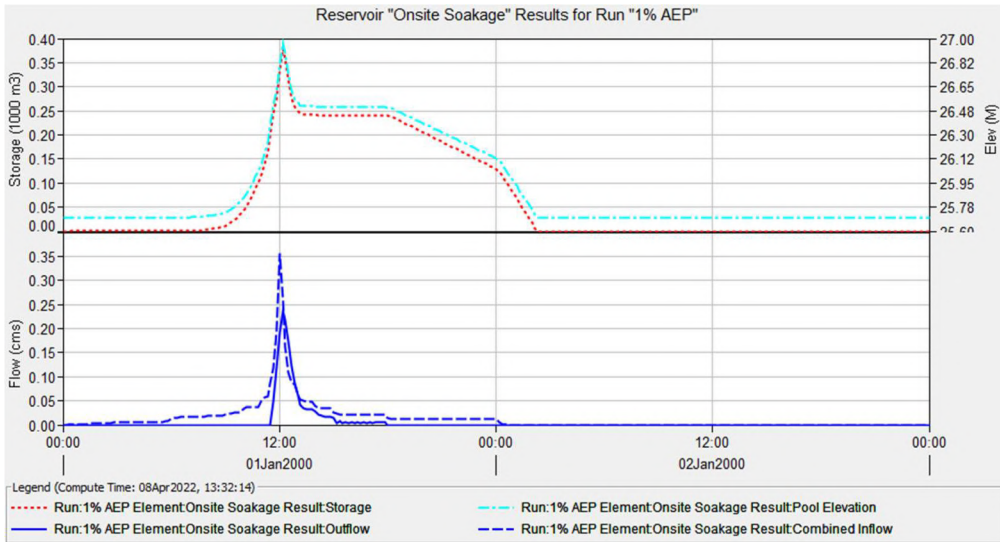


Table B 1: 1% AEP Post development results

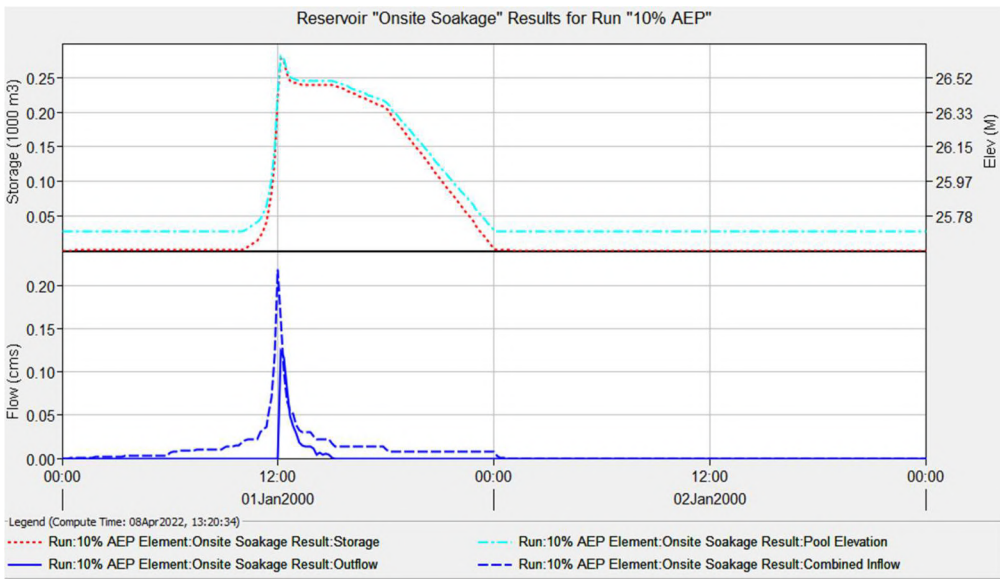


Table B 2: 10% AEP Post development results

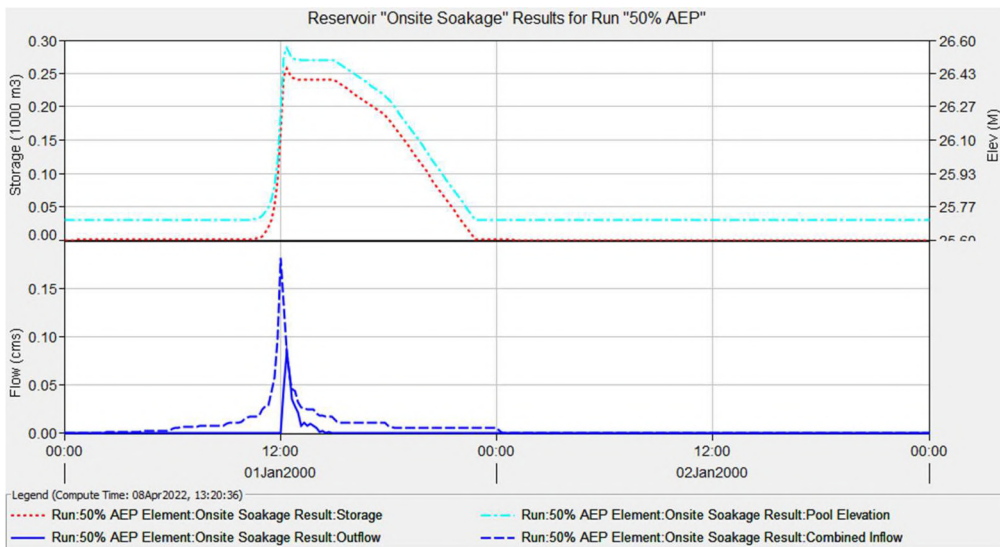


Table B 3: 50% AEP Post development results

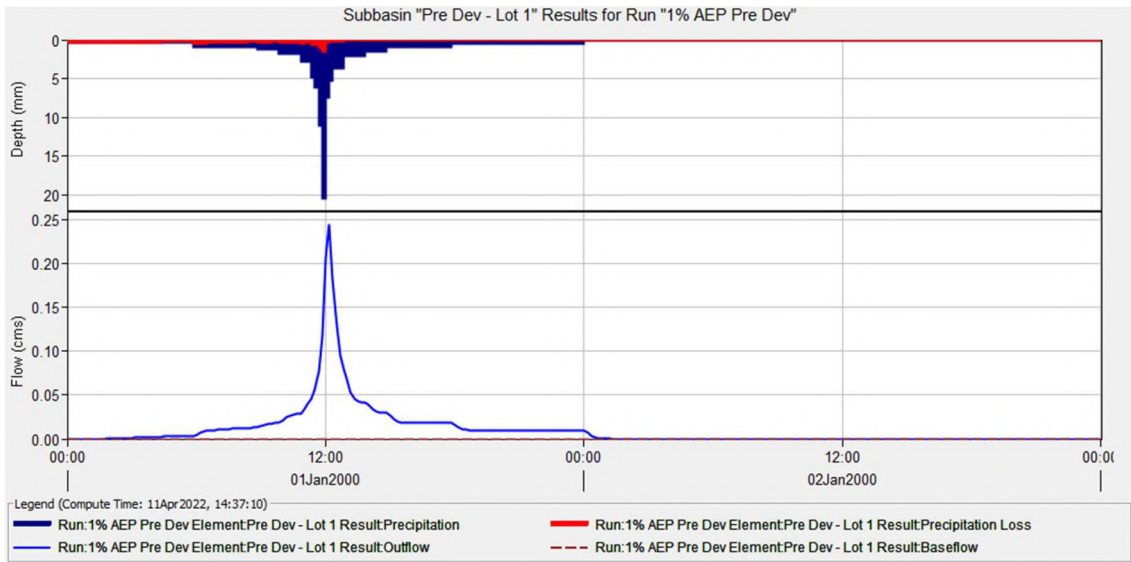


Table B 4: 1% AEP Pre development results

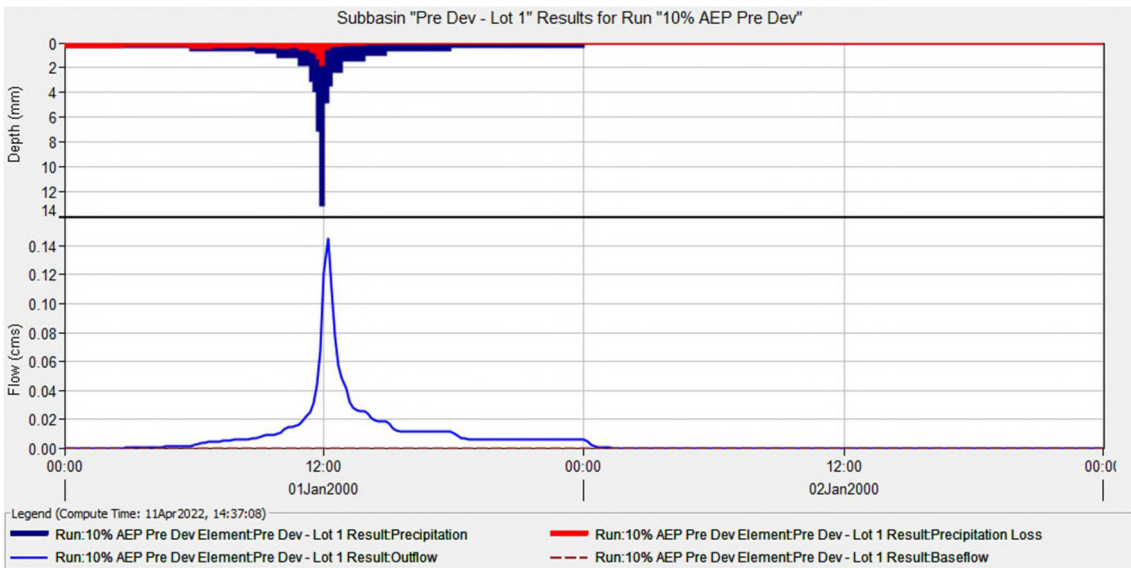


Table B 5: 10% AEP Pre development results

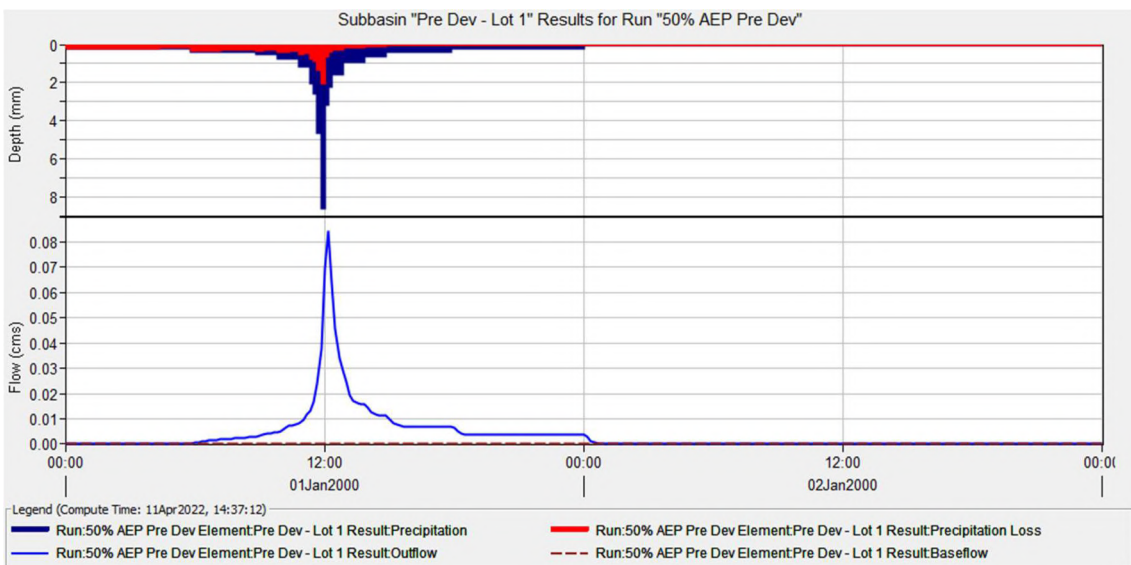
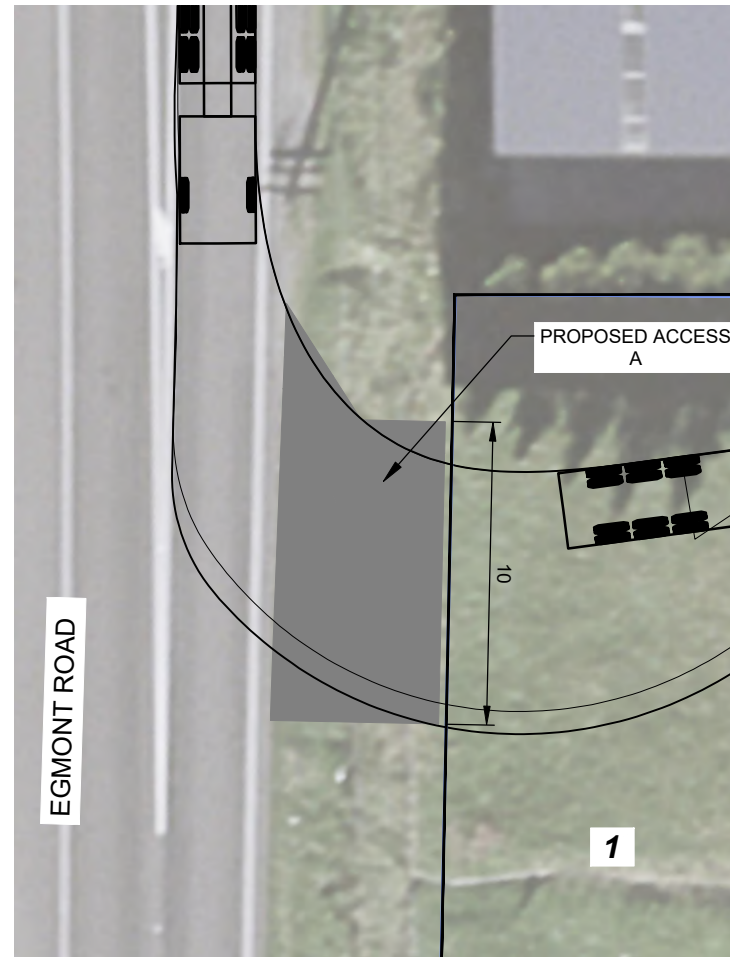


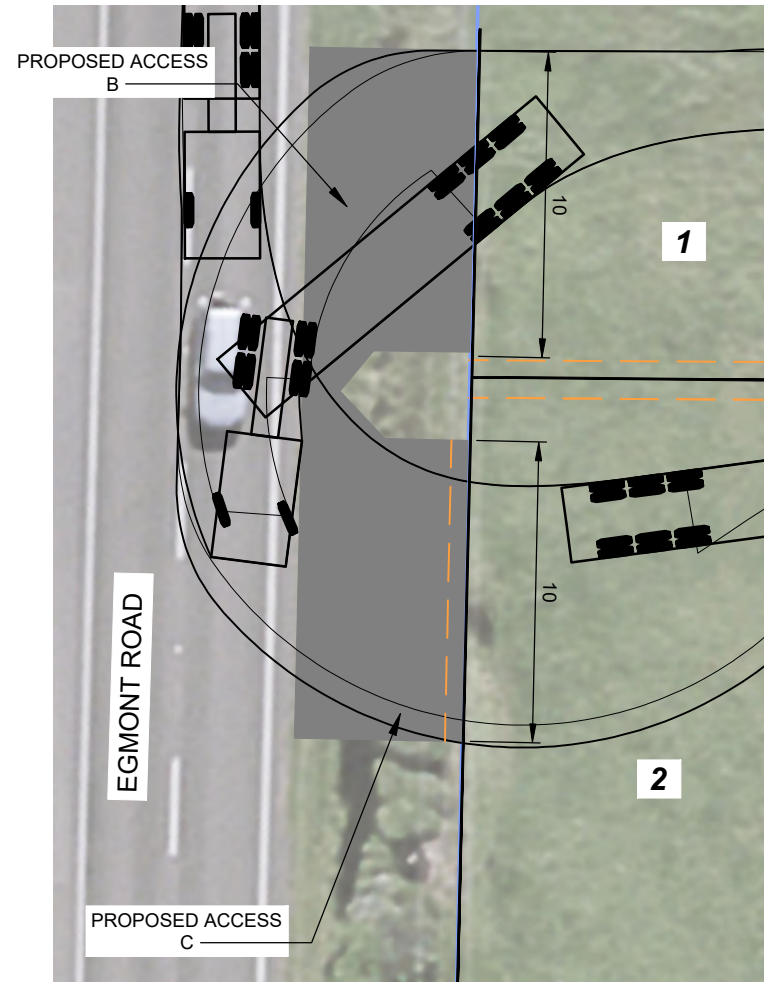
Table B 6: 50% AEP Pre development results

APPENDIX I

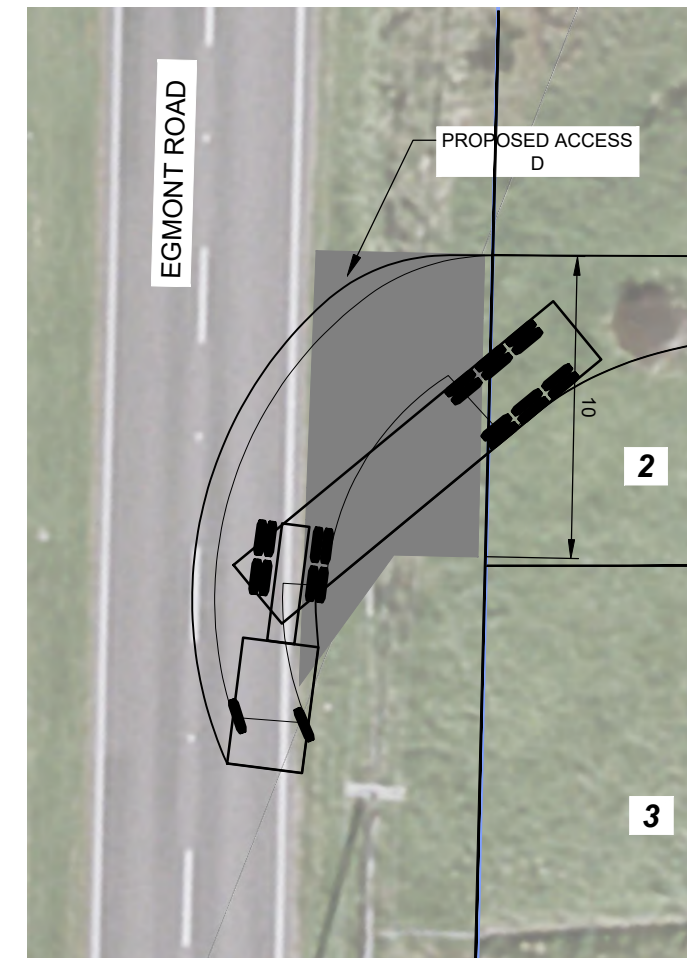
TRACKING CURVES



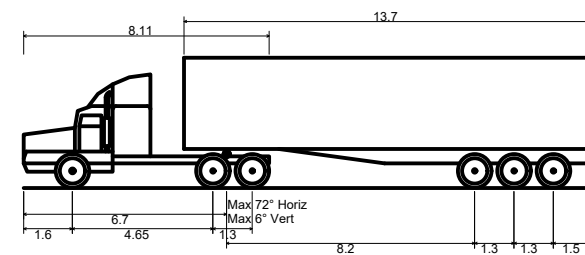
PROPOSED ACCESS A
SCALE 1:250



PROPOSED ACCESS B & C
SCALE 1:250



PROPOSED ACCESS D
SCALE 1:250



Prime mover and semi-trailer (19 m)
 Overall Length 19.000m
 Overall Width 2.500m
 Overall Body Height 4.300m
 Min Body Ground Clearance 0.540m
 Track Width 2.500m
 Lock-to-lock time 6.00s
 Curb to Curb Turning Radius 12.500m

**PRIME MOVER & SEMI-TRAILER
DIAGRAM**
SCALE 1:250



Disclaimer:
Areas and dimensions may be subject to scale error.
Scaling from this drawing is at the users risk.

BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

NO	DATE	BY	CHKD	APPR	OPER	REVISIONS	DESCRIPTION	NUMBER	TITLE

GENERAL NOTES
 1. Coordinates in terms of : NA
 2. Elevations in terms of : NA
 3. Contour interval is : 0.5

LOCATION NEW PLYMOUTH		TITLE MANOR PROPERTY LTD	
PROJECT No. 180802.02		3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD	
A3 SCALE AS SHOWN		VEHICLE ACCESS	
SURVEYED	NAME	DATE	ORIGINAL SIZE
DRAWN	KP	19/09/2019	DRAWING No
CHECKED	-	-	A3
180802.02-03			SHEET
5			REVISION
1			1

APPENDIX J

INDICATIVE ROAD ASSESSMENT

3rd October 2019

Chris Herd
Manor Property Limited
C/- BTW Company Ltd
Courtenay Street
New Plymouth

Dear Chris,

RFI Response - 19 Egmont Rd Industrial Subdivision

The following is a response to item 4 of the RFI issued by New Plymouth District Council (NPDC) in regard to the proposed 3 lot subdivision and industrial land use application at 19 Egmont Rd, SUB19/47312 and LUC19/47535.

It addresses item number 4 of the RFI, which relates to the impact of the proposed subdivision on a proposed future collector road that runs through the site. This has a new intersection on Egmont Road to the south of the proposed industrial vehicle crossings.

Distance to Future Road intersection

The distance from the intersection of the Future Road for accesses A-D is 175 m, 128 m, 116 m and 66 m respectively. Accesses B – D do not meet the current distance to intersection requirements of the NPDP – which in a 70 km/hr zone of an Arterial is 140 metres. The most significant deviation from this requirement is vehicle access D – which is an exit only, meaning that there is no risk of confusion being created by vehicles slowing to enter the future road. All access points have good visibility of the general road environment and the risk of any confusion or conflict being created by the proximity to the future road is very low. The NZTA Policy and Planning Manual, Appendix 5B: Table App5B/3 and Diagram B states a minimum distance between a local road accessway and intersection as 45 metres in a 70 km/hr zone, which this site achieves for all access points.

The distances from the intersection that are achieved for accesses A-C are considered sufficient to minimise opportunities for traffic conflicts and confusion.

These distances are shown in Appendix A.

Intersection Sight Distance

The gradually rising geometry of Egmont Road northbound means that all accesses have northbound sight distances greater than 300 m, well in excess of the NPDP requirements (140 metres).

Future Speed Environment

NPDC have indicated that the creation of the proposed new road and intersection will likely trigger a decrease in the speed limit along Egmont Road to 50 km/h. This will result in a further reduction of risk in the road corridor, especially that related to the proximity of the vehicle access points and future intersection. The NPDP minimum distance between vehicle access points and intersections for a 50 km/hr zone is 30 m.

Yours sincerely,

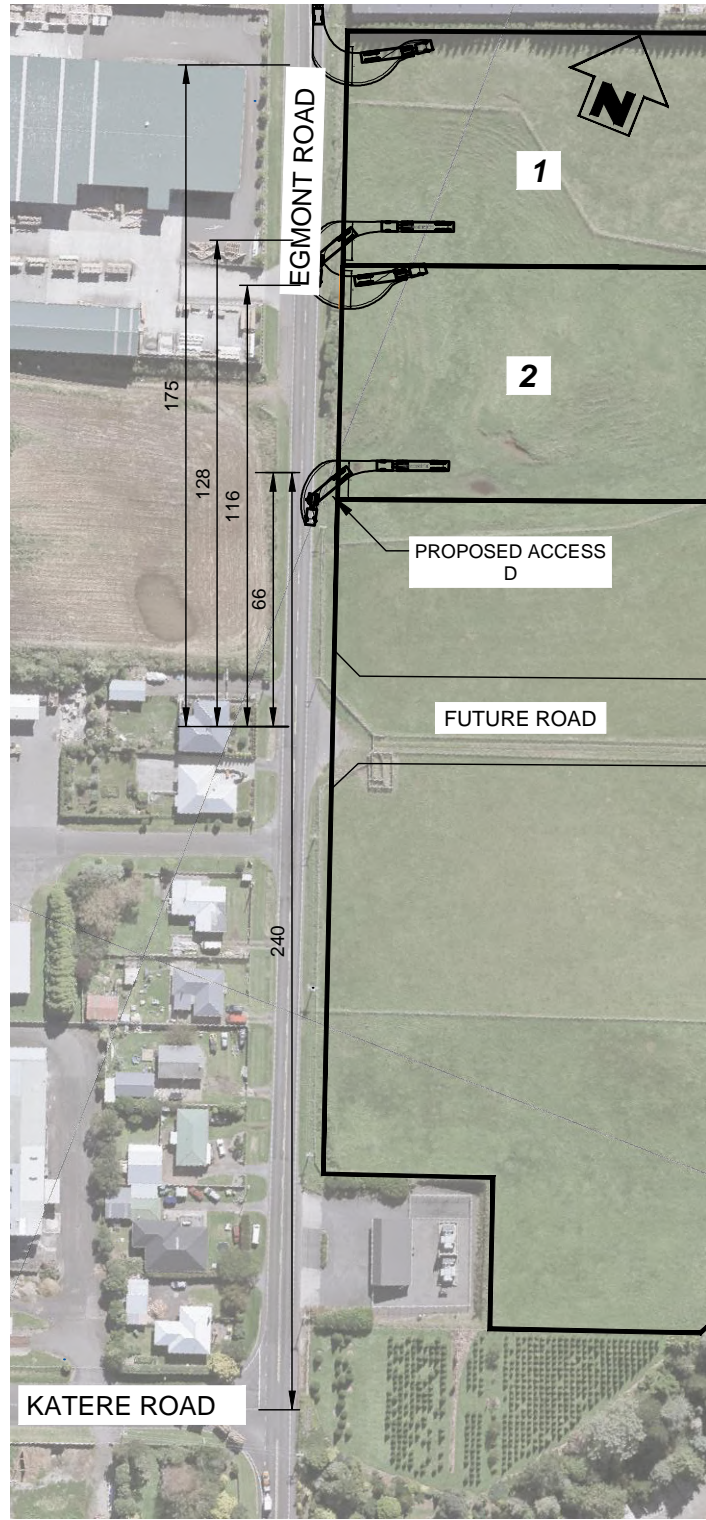


Jess Battaerd
Civil Engineer

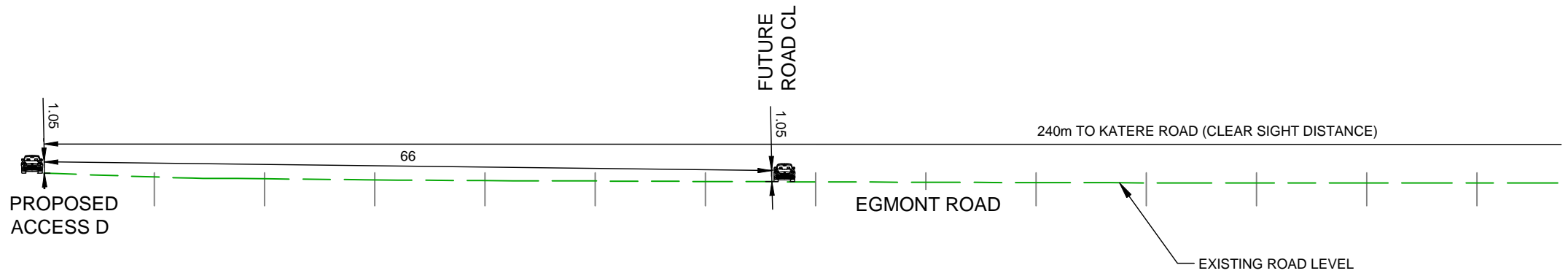
APPENDIX A

SIGHT DISTANCE AND MANOUVERING PLAN

File Name: J:\2018\180802\180802.02 Ind 3 Lot\dwg\180802.02 EARTHWORKS.dwg - SHT 3 Plot Date: 03/10/2019 Plot Time: 14:15



SIGHT DISTANCE PLAN
SCALE 1:2000



PROPOSED ACCESS D (SOUTH) SECTION
SCALE 1:500



Disclaimer:
Areas and dimensions may be subject to scale error.
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BTWCOMPANY
SURVEYING | ENGINEERING | PLANNING & ENVIRONMENT

NO	DATE	BY	CHKD	APPR	OPER	DESCRIPTION	NUMBER	TITLE
						REVISIONS		
						REFERENCE DRAWINGS		

GENERAL NOTES
1. Coordinates in terms of : NA
2. Elevations in terms of : NA
3. Contour interval is : 0.5

LOCATION NEW PLYMOUTH		
PROJECT No. 180802.02		
A3 SCALE AS SHOWN		
SURVEYED	NAME	DATE
DRAWN	KP	19/09/2019
CHECKED	-	-


TITLE MANOR PROPERTY LTD 3 LOT INDUSTRIAL SUBDIVISION-19 EGMONT ROAD SIGHT DISTANCE PLAN		ORIGINAL SIZE A3	DRAWING No. 180802.02-02	SHEET 3	REVISION 1
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APPENDIX K

DRAFT / INDICATIVE COMPREHENSIVE DEVELOPMENT DESIGN

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.

KEY




OFF → EXISTING OVERLAND FLOW PATH
 POTENTIAL STORMWATER PIPES

NOTE: ALL OTHER SERVICES TO CONNECT TO SUPPLY IN EGMONT ROAD WITH INDIVIDUAL CONNECTIONS TO EACH LOT WITHIN THE DEVELOPMENT INCLUDING:

- WATER
- SEWER
- GAS
- POWER
- UFF

DRAFT

LEGEND

 NPDC WASTE WATER
 NPDC WATER
 NPDC STORMWATER



File Name: J:\2018\180802\180802.02 Ind 3 Lot Dwg\180802.02-01 Scheme.dwg Plot Date: 02/09/2019 Plot Time: 13:33

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

FUTURE DEVELOPMENT

Prepared by: K. Preston
 Drawn by: KP
 Checked by: -
 Date: 02/09/2019
 Licensed Cadastral Surveyor
 Date: Sept 2019 Job No. 180802.02 Drawing No. SHT 2
 180802.02-01 REV 2

APPENDIX L

ASSESSMENT OF LANDSCAPE AND VISUAL EFFECTS

September 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: Discretionary Activity
Date: 19 September 2022
Author: Richard Bain
[blumarble](#)
New Plymouth
richard@blumarble.co.nz

CONTENTS

1.	INTRODUCTION	5
2.	METHODOLOGY	5
3.	PROPOSAL	6
4.	STATUTORY PROVISIONS (LANDSCAPE & VISUAL)	7
	Operative New Plymouth District Plan Policies and Objectives	7
	Proposed New Plymouth District Plan (PDP)	8
	Statutory Acknowledgement Areas	8
5.	EXISTING LANDSCAPE	9
	Site Context	9
	Site Description	9
	Te Ao Māori	10
6.	LANDSCAPE AND VISUAL EFFECTS	11
	Landscape Character and Landform	11
	Visual Effects	13
	Cumulative Effects	15
	Evaluation of Effects against Relevant provisions	15
7.	MITIGATION	17
8.	CONCLUSION	18
9.	APPENDICES	19
	Appendix i	20
	Landscape Assessment Guidelines	20
	Appendix ii	22
	Definitions	22
	Rural Subdivision & Development Design Guidelines 2012	23

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 Bluemarble 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 2 April 2020
 - 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

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 440m² in area, up to 12m high, and break daylighting and setback rules (5m proposed on all boundaries of Lots 1 and 2).

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 37,500m³ cut and 32,500m³ fill 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 7	Daylighting requirement for buildings from a side boundary
Rur 8	Daylighting requirement for buildings from a road boundary
Rur 10	Maximum height - all other buildings
Rur 14	Maximum area of the site covered by non-habitable buildings for sites less than 4ha
Rur 16	Minimum setback from the road boundary for any building
Rur 18	Minimum setback from a side boundary for any other buildings
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.

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 is likely to transition to a built environment - as evidence by its ODP FUD overlay and proposed Industrial zoning in the PDP. While the PDP zoning carries limited weight, it nonetheless reinforces 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. 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

Te Take - Issue	<i>Issue TTAN4: Inappropriate subdivision and development can generate effects on Te Atiawa values.</i>
Ngā Paetae – Objectives	<i>The objectives and policies to address this issue within the rohe of Te Atiawa are:</i>
Ob. TTAN4.1	<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>
Ob. TTAN4.2	<i>Acknowledge and provide for Te Atiawa values and the expressions of our narrative in the built form and landscaping.</i>

Ob. TTAN4.3 *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.*

Ob. TTAN4.4 *Acknowledge and provide for Te Atiawa cultural landscapes in the built design to connect and deepen our 'sense of place'.*

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.*

6. LANDSCAPE AND VISUAL EFFECTS

Landscape Character and Landform

Character

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

No habitable buildings are to be developed. Non-habitable buildings developed may be used for Industrial Activities.

Maximum structure height of 15m.

Maximum building height of 12m.

Building setback of 5m from road and side boundaries. Setback does not apply to eaves (up to 600mm) of any roof, balcony, gutter or downpipe.

All buildings, carparking areas or yard areas that are visible from an adjoining road boundary must be screened from the road with landscaping and planting that will, within at least two years after planting, reach a minimum height of 2m and, with the exception of vehicle crossings, be a minimum width of 2m from the road boundary. Note: The above is an increase in landscaping height from the 1m proposed by the draft District Plan.

No outdoor storage area shall be visible from an adjoining property or a road.

At least 20% of the site shall be planted in grass, vegetation or landscaped with permeable materials.

- 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 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 height, daylighting, and 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 height and daylighting 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 industrial buildings. Further, the PDP clearly signals this area as a future industrial area noting that this is not yet determined.
- 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 permitted sheds could go onto this property albeit limited to 10m high and setback 30m from the road boundary. 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 is lesser for the rural zone but in this context will be similar to others in the area. Building dominance is reduced through 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 cumulate 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

- 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 and proximity to other industrial buildings.
- 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.

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.*
- d. *Buildings shall be a maximum height of 12m and a height of no greater than RL42 (Lot 1) and RL39.5 (Lot 2) datum level (Taranaki datum 1970) whichever is the lesser.*
- e. *Buildings shall be setback 5m from the road boundary and side boundary.*
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			
Low-mod	Moderate Partial change to the existing character or distinctive features of the landscape and a small reduction in the perceived amenity	Minor* Some real effect but of less than moderate magnitude and significance. It means the lesser part of the 'minor- moderate-major 'scale	
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	More than minor	
High			
Very High			Significant
Effects can be positive and adverse			
<p>*Determination of Minor</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)	
Design and Layout:	<ul style="list-style-type: none"> • Site Survey • Working with the landscape • Allotment Placement • Boundary Alignment • Allotment Size • Neighbours • Sensitive Landscapes • Cultural features • Heritage Features • Natural Features
Building Location:	<ul style="list-style-type: none"> • Visual Effects • Open Character • Earthworks • Building Setback • Building Scale • Existing Vegetation • Eco-Efficiency
Landscaping and Vegetation:	<ul style="list-style-type: none"> • Biodiversity • Retain Existing Vegetation • Planting with Land contours • Screening and Privacy • Fencing and Signage • Landscape surrounds and boundaries
Servicing:	<ul style="list-style-type: none"> • Efficient Servicing • Access ways • Access way Design • Shared Entrances • Lo-Impact Design for rural infrastructure • Riparian Management • Efficient resource use • Connectivity
Building Appearance:	<ul style="list-style-type: none"> • Building Scale • Building consistency • Building colours • Building style • Sustainable building



Figure 1: Site Context



Figure 2: Proposed District Plan

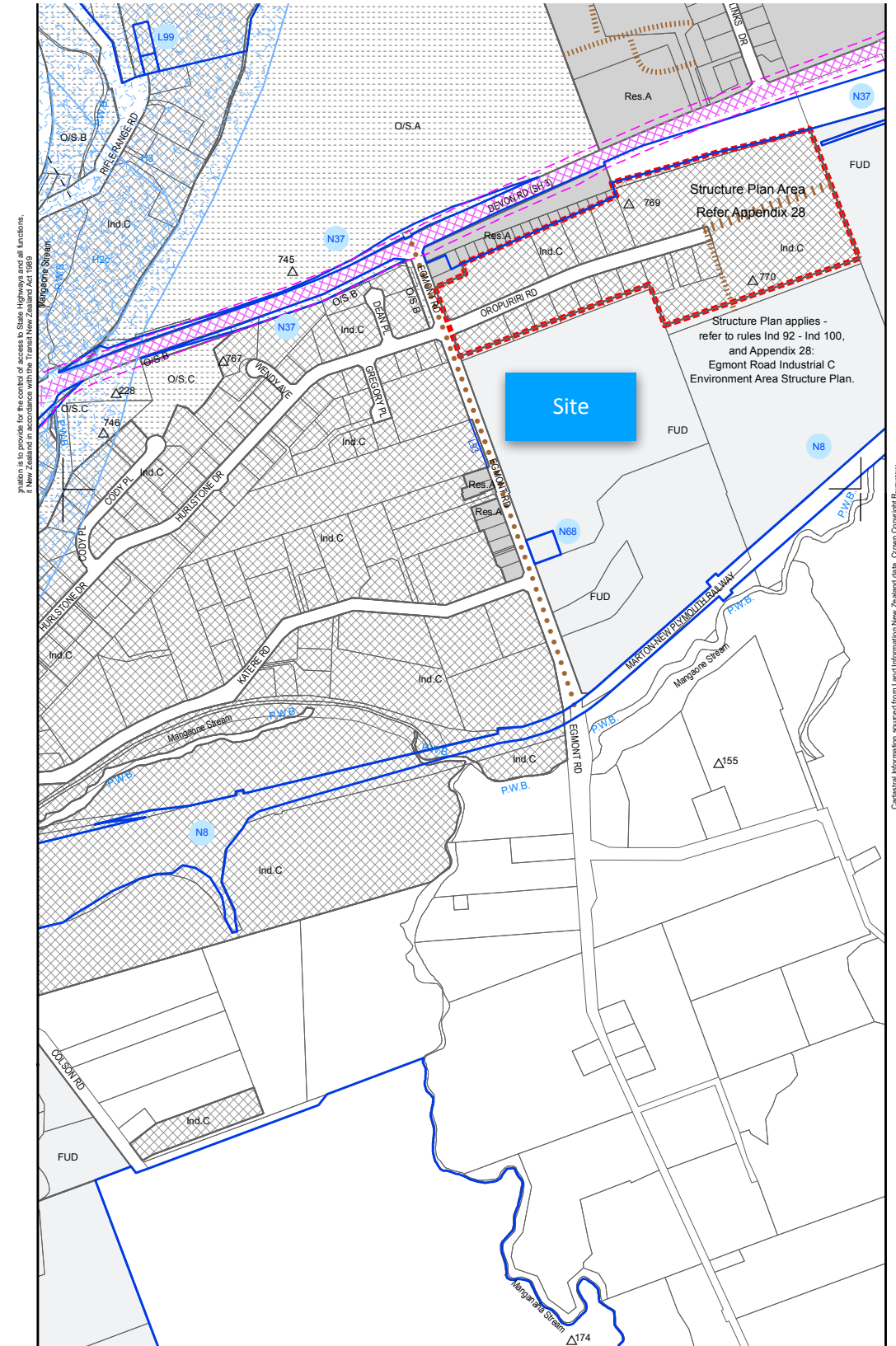


Figure 3: Operative District Plan - Maps B28|C28



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

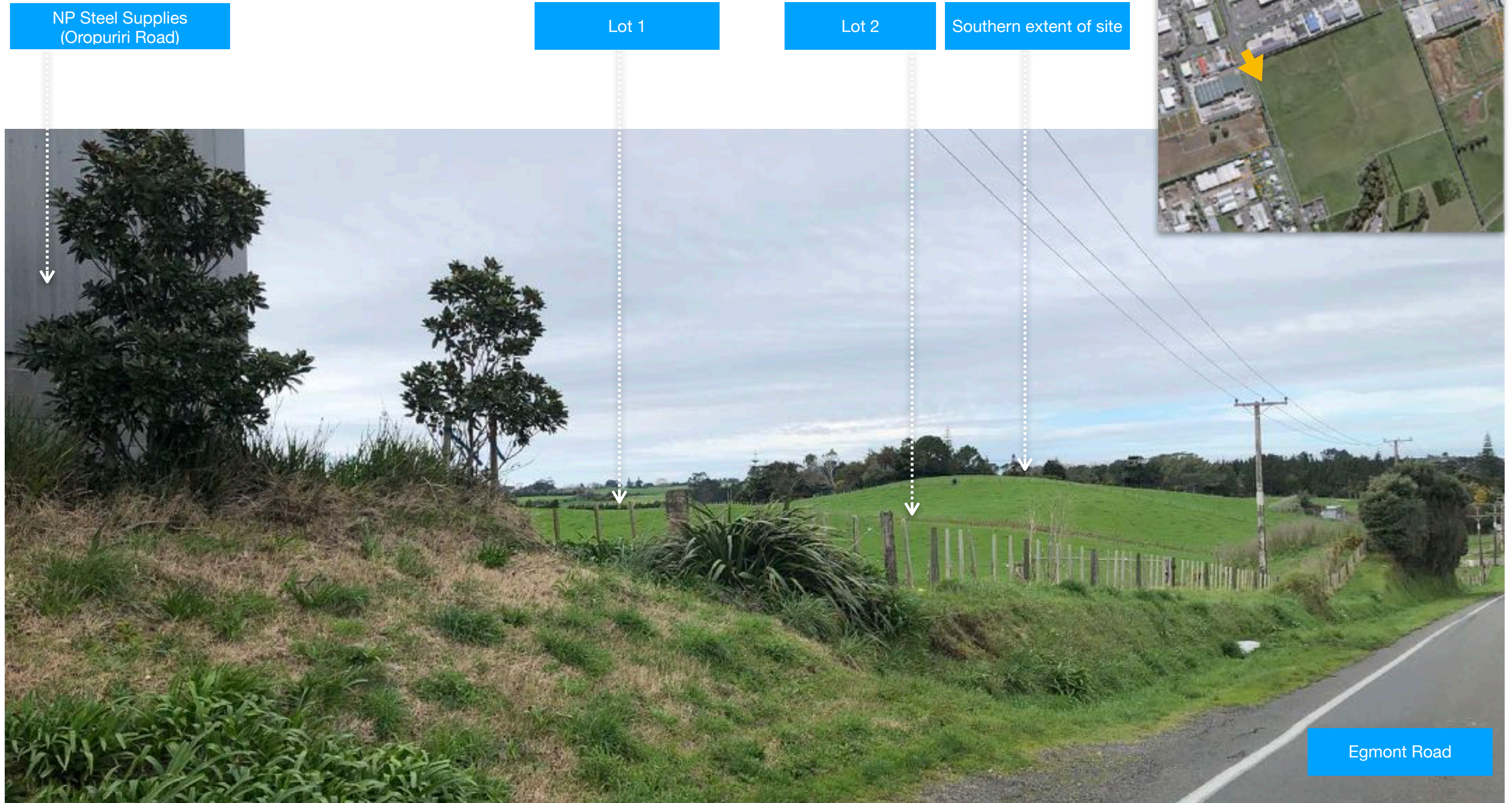


Figure 5: Northern approach to site

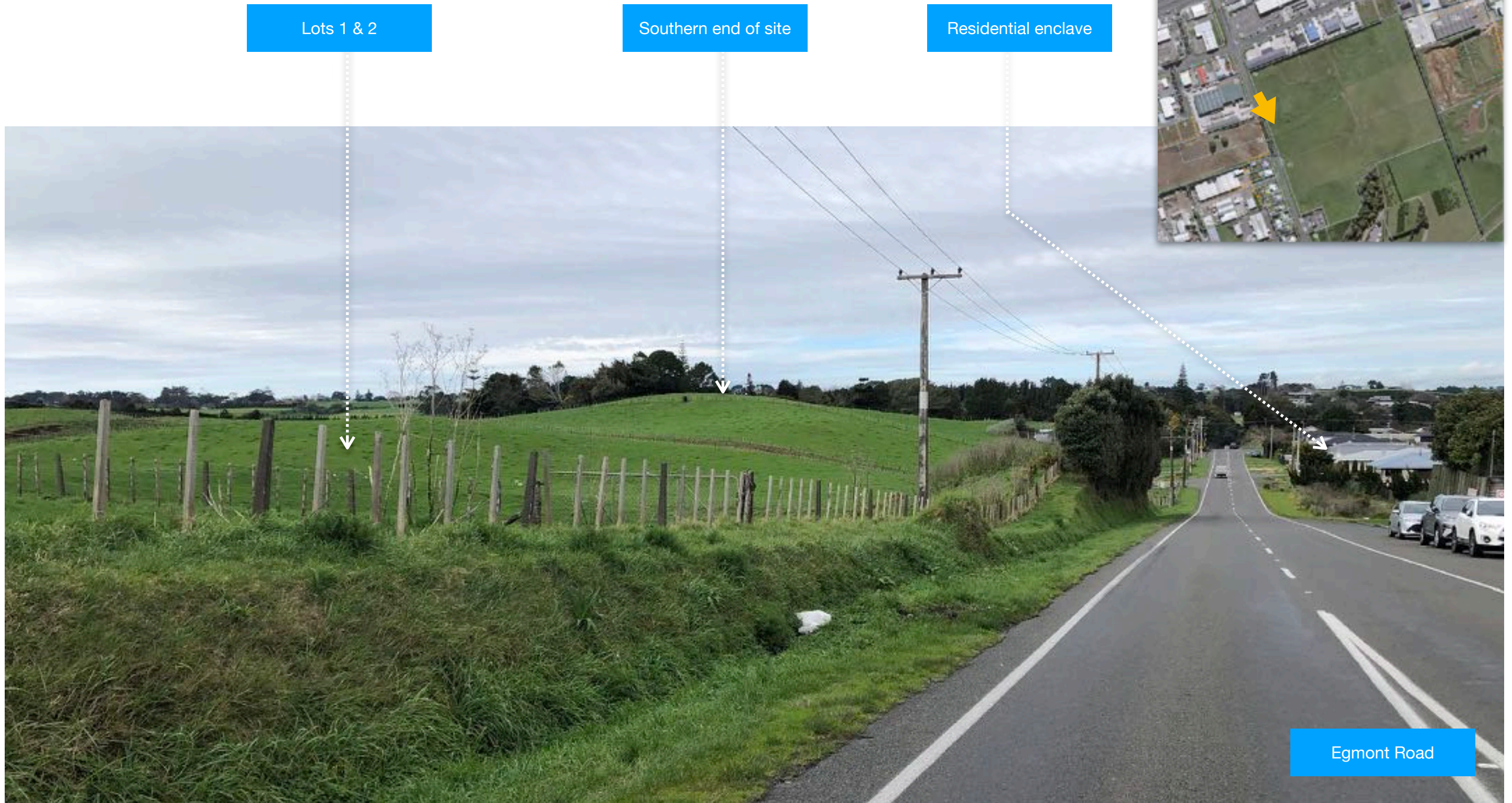


Figure 6: Northern approach to site

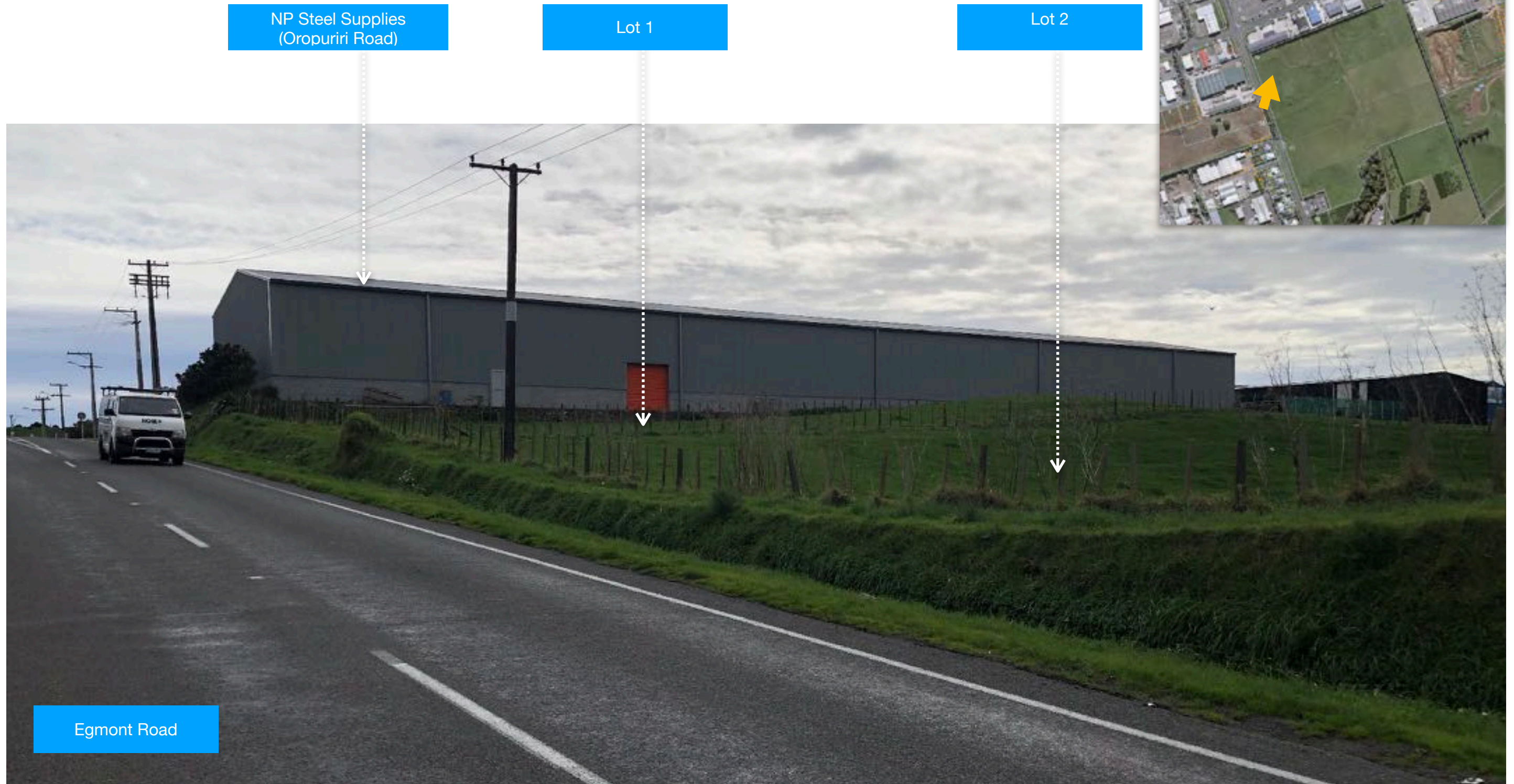


Figure 7: Southern approach to Lot 1

Graphic Supplement

Manor Properties - 19 Egmont Road, New Plymouth

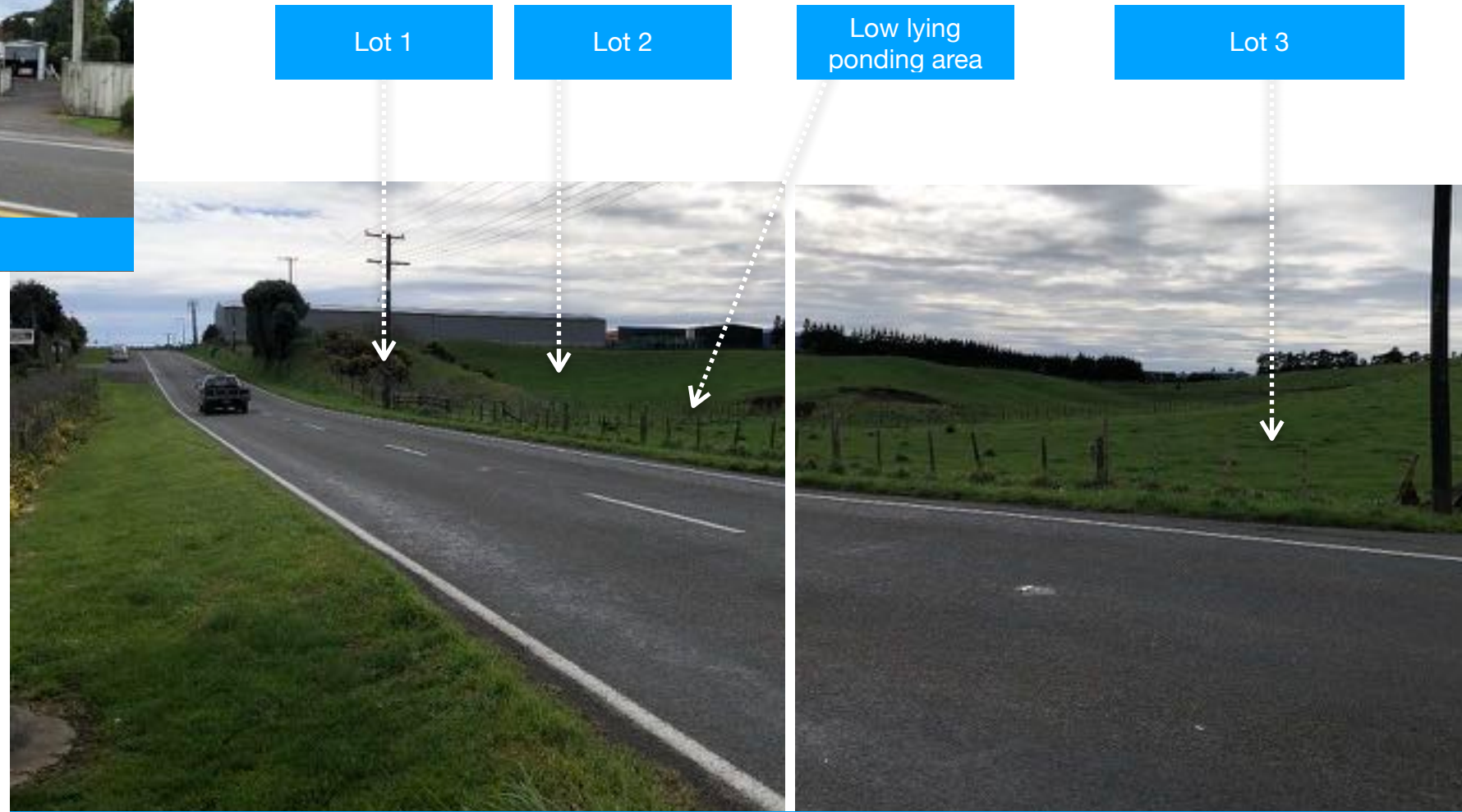


Figure 8: View from outside 38 Egmont Road



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

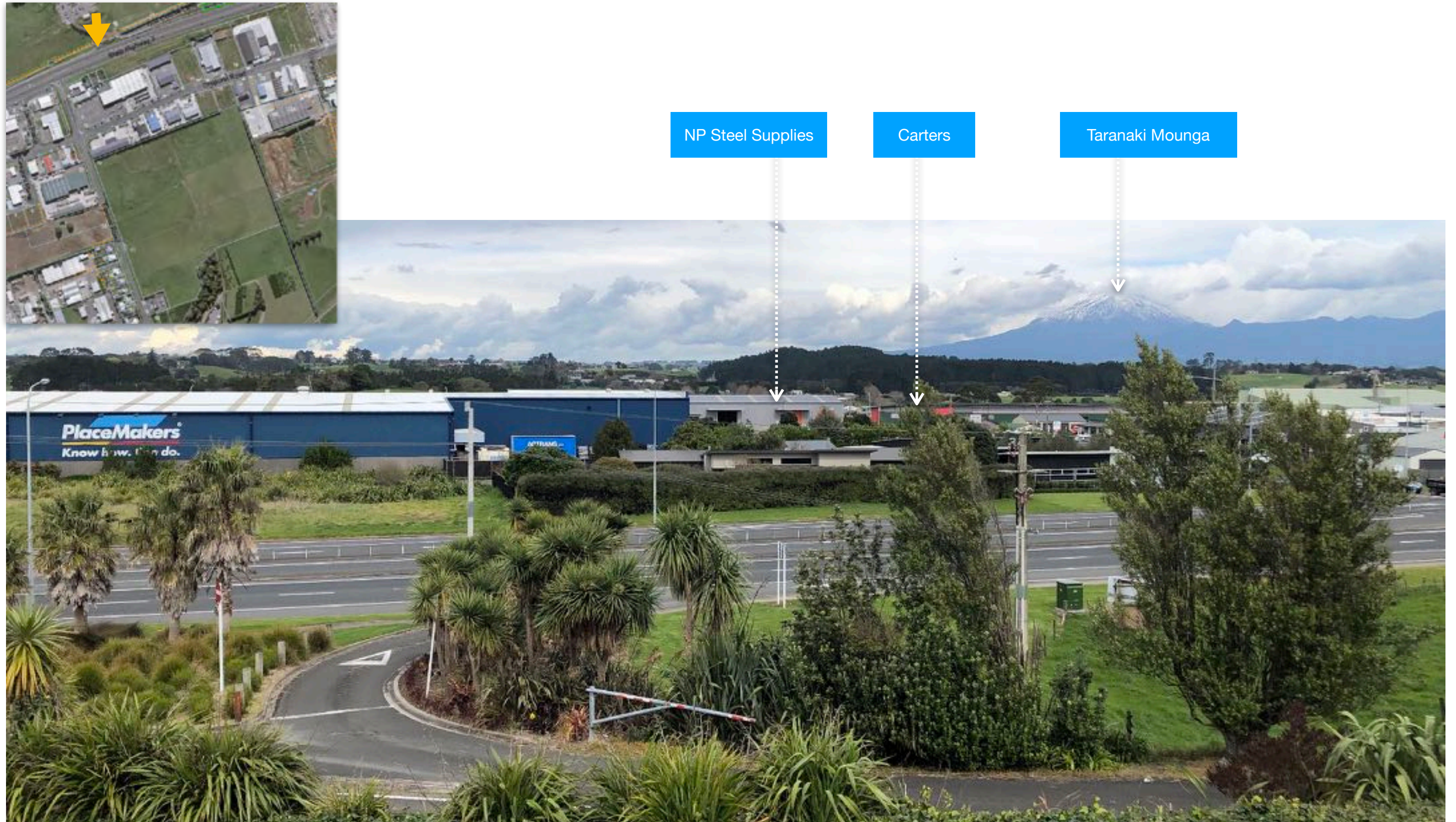


Figure 11: View towards site from Ngamotu Golf Club carpark

Taranaki Mouna

Eastern extent of site

NP Steel Supplies



Figure 12: View towards site from SH3



Taranaki Mouna

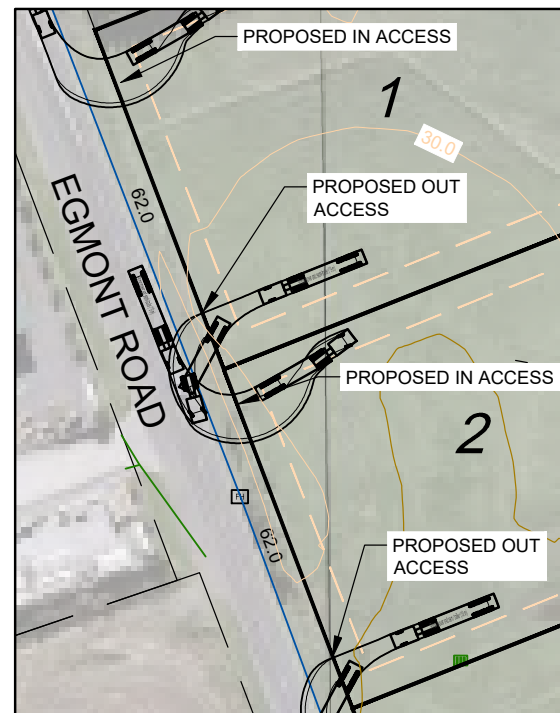
Eastern extent of site



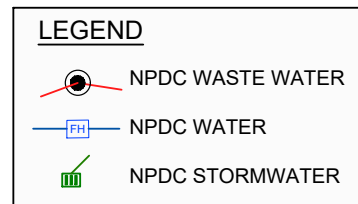
Figure 13: View towards site from SH3



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



File Name: C:\126\180802_1127180802_02 Ind 3 LotDwg\180802_02-01 Scheme.dwg Plot Date: 29/11/2021 Plot Time: 09:46

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
 Drawn by: KP
 Checked by: KB
 Date: 29/11/2021
 Licensed Cadastral Surveyor
 Date: May 2020 Job No. 180802.02 Drawing No. 180802.02-01 REV 5

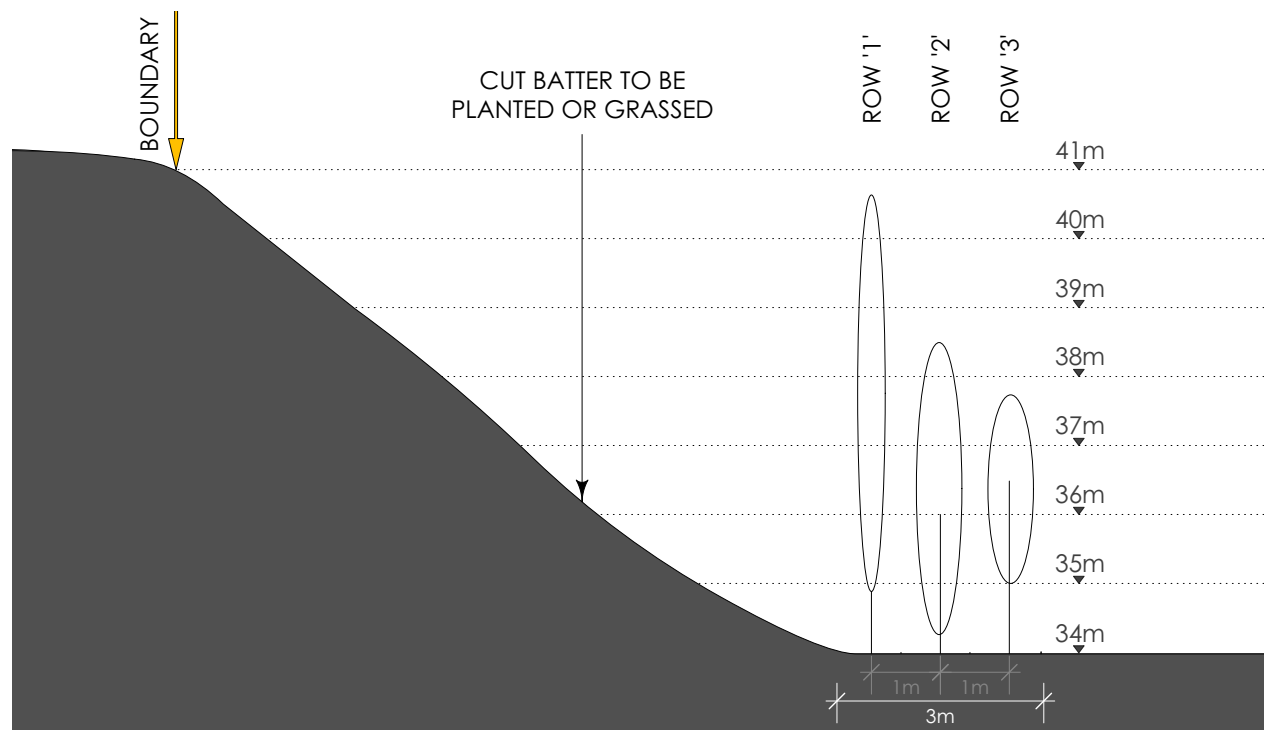
Figure 14: Subdivision Scheme Plan



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